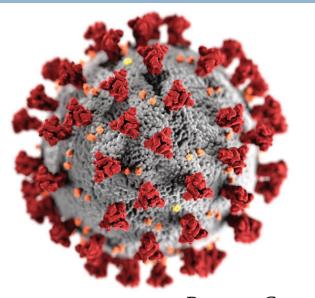
# NAVIGATING EMPLOYMENT LAW IN A PANDEMIC

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#### **CURRENT IMPACT**

- 1,277,606 confirmed cases
- 76,052 deaths
- 124,000 schools closed (55.1M students)
- 22,000,000 unemployment claims
- 316,000,000 ordered to stay home



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#### **New Federal Laws**

- Emergency Paid Sick Leave Act (EPSLA)
- Emergency Family Medical Leave Expansion Act (EFMLEA)
- Coronavirus Aid, Relief, and Economic Security Act (CARES Act)



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## **O**VERVIEW

- *EPSLA 80 hours (total) prior to 12/31/20* 
  - o Hours used per schedule
  - o Paid at regular rate or 2/3 regular rate
  - o Part-time employees (<40 hrs/wk) prorated
- *EFMLEA* 12 *weeks* (total) *prior* to 12/31/20
  - o 1st 10 days unpaid unless pay benefits used
  - o Remainder at 2/3 regular rate for regular hours
  - $\circ \quad \text{FML counts against EFML and } \textit{vice-versa}$
- o Refundable tax credits for payments



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## **EPSLA & EFMLEA - COVERAGE**

- *All employers* < 500 *employees* (*FT/PT*)
- Small business exemption (<50 employees)</li>
  - Leave would cause liabilities to exceed revenue and cease operations;
  - Leave would threaten business because of employee's special skill, knowledge, or duties; or
  - Leave would cause there to be insufficient workers to operate at minimal capacity



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## **EPSLA & EFMLEA – ELIGIBILITY**

- EPSLA All employees (FT/PT)
- EFMLEA All employees (FT/PT) w/ 30 days
- Exceptions
  - Employers may exclude healthcare providers and emergency responders
  - o OMB may exclude certain federal employees



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# Title search: Navigating Employment Law in a Pandemic

Also available as part of the eCourse 2020 Labor and Employment Law eConference

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