NAVIGATING EMPLOYMENT LAW IN A PANDEMIC

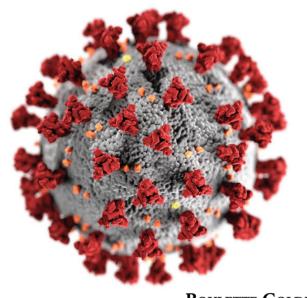
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CURRENT IMPACT

- 1,528,235 confirmed cases
- 91,664 deaths
- 124,000 schools closed (55.1M students)
- 22,833,000 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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OVERVIEW

- *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
 - o FML counts against EFML and 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)
 - 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

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