

REQUESTING LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)

Effective April 1, 2020, the Families First Coronavirus Response Act (FFCRA) requires certain employers to provide their employees with leave under Emergency Paid Sick Leave and Emergency FMLA.

Employees can request leave under one of the following six (6) reasons:

1. Subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. Advised by a health care provider to self-quarantine related to COVID19;
3. Experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. Caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. Caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
6. Experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

Documentation required for all 6 reasons (listed above): If an employee is requesting leave for one of the above six (6) reasons, they will be required to substantiate eligibility for the paid sick leave or family leave by providing a written request for such leave that includes the following information:

- The employee's name;
- The date or dates for which leave is requested;
- A statement of the COVID-19 related reason the employee is requesting leave and written support for such reason; and
- A statement that the employee is unable to work, including by means of telework, for such reason.

Additional documentation required for reasons 1, 2, 3, 4, or 6 (listed above): In the case of a leave request based on a quarantine order or self-quarantine advice, the statement from the employee should include the name of the governmental entity ordering quarantine or the name of the health care professional advising self-quarantine, and, if the person subject to quarantine or advised to self-quarantine is not the employee, that person's name and relation to the employee.

Additional documentation required for reason 5 (listed above): In the case of a leave request based on a school closing or child care provider unavailability, the statement from the employee should include the name and age of the child (or children) to be cared for, the name of the school that has closed or place of care that is unavailable, and a representation that no other person will be providing care for the child during the period for which the employee is receiving family medical leave and, with respect to the employee's inability to work or telework because of a need to provide care for a child older than fourteen during daylight hours, a statement that special circumstances exist requiring the employee to provide care.