



Challenging Times for CT Employers: The Impact of COVID-19

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CLIENT ALERT

By: Stuart Katz

The impact of Covid-19 is unlike anything we have faced before. Because the situation is fluid and new developments seem to occur every day, it may be difficult to feel like you can “stay ahead of it.” This is particularly true for employers forced to make tough decisions about operating and how to deal with employees when the business is forced to close, reduce hours, or shift to remote scenarios. This is not business as usual. Before employers make and implement tough decisions, it is important to consider the various legal obligations that come with such decisions.

There is pending legislation that may substantially impact these obligations. Late last week, the U.S House of Representatives passed the Family First Act. One section of the Act is the Emergency Family and Medical Leave Expansion Act which would significantly amend the federal FMLA and allow eligible employees to take up to 12 weeks of FMLA leave for several reasons relating to a public health emergency, including to care for a child if that child’s school or care provider is closed or unavailable due to a public health emergency. This expanded FMLA would apply to employers with 500 or fewer employees.

Another section of the Act is the Emergency Paid Sick Leave Act, also applicable to employers with 500 or fewer employees, which would provide full-time employees with 80 hours of paid sick leave for several covered reasons relating to Covid-19, including self-isolation due to exposure to coronavirus, caring for a family member diagnosed with coronavirus, or caring for a child whose school is closed.

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It is important to emphasize that these laws have not yet been finalized or enacted, although the Senate and the White House have indicated an intention to approve them. It is possible, however, that the final laws will differ to some extent. Once the new laws are enacted, it will be essential to understand what they require. We will provide further updates at that time.

For now, please bear in mind existing requirements under the current state and federal FMLA, Connecticut's Paid Sick Leave Act, state and federal wage & hour and overtime laws, Unemployment Compensation Laws, COBRA, and any applicable contracts or policies that may be in place.

Additional information is available through various resources including the State of Connecticut and the Centers for Disease Control (CDC).

Please feel free to contact us with any questions.

ATTORNEYS

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