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Cohen and Wolf, P.C.  
 cordially invites you to celebrate  
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 115 Broad Street, Bridgeport, Connecticut  
 Thursday, November 17, 1983 4:30 to 7:30 PM

## Expanded Q&A From U.S. DOL Clarifies Some Confusion on New Emergency Leave Laws

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**By: Stuart Katz**

As the April 1<sup>st</sup> effective date for the Families First Coronavirus Response Act (FFCRA) approaches, the U.S. Department of Labor has expanded its Q&A guidance on the new **Emergency Family Medical Leave** and **Paid Sick Leave laws**. Although some pressing questions for employers remain unanswered, the new clarifications provide some welcome guidance in this fluid and challenging time for employers and employees.

Here are some of the key points that the DOL has clarified:

- Employees who are furloughed or laid off prior to April 1<sup>st</sup> are not entitled to paid sick leave or expanded family and medical leave.
- Employees who are furloughed or laid off on or after April 1<sup>st</sup> are not entitled to paid sick leave or expanded family and medical leave.
- Employees who are furloughed or laid off should apply for State unemployment benefits that will be supplemented by a Federal benefit according to the Coronavirus Aid, Relief, and Economic Security (CARES) Act, signed into law by the president on March 27, 2020.
- Business closure and “shelter in place” executive orders do not constitute State or Local quarantine orders that trigger paid sick leave.
- Employers should collect and maintain documentation from employees taking paid sick leave or expanded family and medical leave, particularly if they intend to claim a payroll tax credit.
- If an employer permits teleworking, but the employee is unable to telework because of the need to care for a child, the employee is eligible to take expanded family and medical leave.

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- Employees may take intermittent expanded family and medical leave by agreement with their employers.
- Employers must continue group health insurance for employees who are on expanded family and medical leave on the same terms as if they were still at work, with employees continuing to make their normal premium contributions.

The complete Q&A guidance is available here:

<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>

Prior Covid-19 Client Alerts are available in the Newsroom of our firm's website.

With additional clarifications and information emerging on a nearly daily basis, it can be difficult to keep track of the many moving pieces that are in play. Please feel free to contact us with any questions.

### **ATTORNEYS**

Stuart M. Katz

### **PRACTICE AREAS**

Employment & Labor