**COVID-19 – LABOR AND EMPLOYMENT**

1. **Emergency Paid Sick Leave Act**. This Act provides paid sick leave to an employee who is unable to work because the employee or an immediate family member has COVID-19.

a. Employees are entitled to take **80 hours of paid leave** at their regular rate of pay (or pro-rated for part-time employees) if the employee is:

* subject to a quarantine or isolation order
* has been advised by a healthcare provider to quarantine
* is experiencing symptoms or seeking a medical diagnosis of coronavirus.

b. Employees are entitled to two-thirds of their regular rate of pay to care for an individual for the reasons stated above, care for a child because the child’s school or place of care has been closed or because the childcare provider is unavailable due to coronavirus or the employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

2. **Emergency Family Medical Leave (EFML)**: Eligible employees include anyone who has worked for \_\_\_\_\_\_\_\_\_\_ for 30 days and requests leave if they are unable to work because they need to care for their minor child due to closure of their child’s school or day care center, or whose child care provider is unavailable due an emergency declaration by federal, state, or local authorities related to COVID-19.

* Eligible employees will receive unpaid leave for the first 10 days or may elect to use any accrued paid leave (including, if applicable emergency paid sick leave during that time period).
* After 10 days the emergency EFMLA leave is paid.
* The total EFML leave can extend for up to 12 weeks.
* Employees taking EFMLA leave will be paid at a rate equal to two-thirds of their regular rate multiplied by the number of hours in their average work week, not to exceed $200/day or $10,000 total.

Employees who take EFMLA leave are entitled to job restoration rights and the continuance of their health insurance.

3. **The Pandemic Unemployment Compensation and Unemployment Assistance Programs**

The Pandemic Unemployment Compensation Program (“PUC”) increases the standard amount of benefits available to otherwise qualified employees, provides an additional 13 weeks of state unemployment benefits, provides for an additional weekly payment of $600 from the federal government and the usual one week waiting period is waived, through July 31, 2020.

The Pandemic Unemployment Assistance Program (“PUA”) provides emergency unemployment assistance to workers who are left out of regular state unemployment benefits or have exhausted their state unemployment benefits.

Those eligible for PUA include self-employed workers, independent contractors, freelancers, individuals seeking part-time work, and employees who do not have a long-enough work history to qualify for state unemployment benefits, OR (2) employees who are unable and unavailable to work and self-certify for one of the following:

* They have been diagnosed with COVID-19 or have symptoms of it and are seeking diagnosis;
* A member of their household has been diagnosed with COVID-19;
* They are providing care for someone diagnosed with COVID-19;
* They are providing care for a child or other household member who can’t attend school or work because it is closed due to COVID-19;
* They are quarantined or have been advised by a health care provider to self-quarantine;
* They were scheduled to start employment and do not have a job or cannot reach their place of employment as a result of a COVID-19 outbreak;
* They have become the breadwinner for a household because the head of household has died as a direct result of COVID-19;
* They had to quit their job as a direct result of COVID-19;
* Their place of employment is closed as a direct result of COVID-19; or
* They meet other criteria established by the Secretary of Labor.

Employees are not eligible for PUA if they can either telework with pay or are receiving paid sick days or paid leave. Undocumented employees are not entitled to benefits under this program.

Employees will be eligible for retroactive benefits and can access benefits for a maximum of 39 weeks, including any weeks for which they received regular Unemployment Insurance. The PUA program runs from January 27, 2020 through December 31, 2020.