

**SANTA CLARITA VALLEY**  
ECONOMIC DEVELOPMENT CORPORATION



# **COVID-19 UPDATE FOR EMPLOYERS**

Presented by:

**POOLE ■ SHAFFERY**

March 27, 2020

# Families First Coronavirus Relief Act (FFCRA)

## House Resolution 6201

- ▶ Signed March 18 by President Trump
- ▶ Becomes effective April 1, 2020\*\* (sunsets 12/31/2020)
- ▶ Applies to businesses with <500 employees
  - ▶ Exemption for businesses under 50 (awaiting clarification)
- ▶ Provides:
  - ▶ Emergency Paid Sick Leave
  - ▶ Emergency Family Medical Leave
  - ▶ Tax Credits

# FFCRA- Emergency Paid Sick Leave

- ▶ 80 hours of paid sick leave for full-time employees
- ▶ Pro-rated average for part-timers (using an average of their two-week work schedule)
- ▶ Paid sick time is available for immediate use regardless of how long the employee has been employed
- ▶ The leave requirements ONLY apply to employees:
  - ▶ Who are subject to a federal, state, or local quarantine or isolation order related to COVID-19;
  - ▶ Who have been advised by a health care provider to self-quarantine;
  - ▶ Who experience symptoms of COVID-19 and are currently seeking a medical diagnosis;
  - ▶ Who are caring for an individual who is subject to either of the points as described above;
  - ▶ Who are caring for a son or daughter due to school or day care closures; OR,
  - ▶ Who are experiencing “substantially similar conditions” to those of COVID-19

# FFCRA- Emergency Family and Medical Leave

- ▶ Employment of thirty (30) consecutive days, prior to taking leave
- ▶ Eligible employee = twelve (12) weeks of job protected leave
  - ▶ Includes the first two weeks being covered under the Emergency Paid Sick Leave
- ▶ Use when employee cannot work (or telework) because their minor child's school or child care service is closed due to a public health emergency
- ▶ First 10 days of this leave is unpaid (OK to use employee's PTO/sick/vacation)
  - ▶ Employer cannot require employees to exhaust paid leave
- ▶ Payment of no less than two-thirds of the employee's regular rate of pay
  - ▶ Not to exceed \$200 per day
  - ▶ \$10,000 in the aggregate

# FFCRA- Tax Credits

- ▶ Employers receive payroll tax credits to off-set costs
- ▶ Tax credit limits:
  - ▶ Up to \$511/day for an employee's own sickness or self-isolation
  - ▶ Up to \$200/day to care for a child after a school or child care closure or an ill family member
- ▶ Unknown process for credit processing and reporting - awaiting clarification

# FFCRA - USDOL Resources

## **General Guidance**

- ▶ <https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave>
- ▶ [https://www.dol.gov/agencies/whd/pandemic/ffcra-employer-paid-leave#\\_ftn7](https://www.dol.gov/agencies/whd/pandemic/ffcra-employer-paid-leave#_ftn7)

## **FAQs**

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

## **Mandatory Poster**

- ▶ [https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA\\_Poster\\_WH1422\\_Non-Federal.pdf](https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA_Poster_WH1422_Non-Federal.pdf)

# Mandatory “Stay At Home” Directives

- ▶ 22 States as of 3/27/2020
- ▶ California Gov. Gavin Newsom issued first statewide order
- ▶ Another 4 states have restricted “essential business”
- ▶ President Trump says there is no plan for a nationwide stay at home directive

# As Goes Los Angeles County . . .

- ▶ March 25 - expanded “Safer @ Home” program
- ▶ Adds MANDATED self-quarantine to anyone exposed to another person with COVID-19 diagnosis or symptoms
- ▶ Adds MANDATED self-isolation for ill residents, for longer of:
  - ▶ 3 days symptom free, **OR**
  - ▶ 7 days since symptoms began

Self-Quarantine Order (Exposed)	Self-Isolation Order (Diagnosed)
<ul style="list-style-type: none"><li>• Required for anyone <u>exposed</u> to a person diagnosed with or likely to have COVID-19.</li><li>• You must stay in quarantine for 14 days from the last time you had contact with the ill person.</li><li>• You cannot leave your place of quarantine for all 14 days.</li><li>• Only exception to leave quarantine is to receive medical care.</li><li>• If you develop even mild COVID-19 symptoms, you must self-isolate at home and away from others.</li></ul>	<ul style="list-style-type: none"><li>• Required for anyone <u>diagnosed</u> with or showing symptoms consistent with COVID-19 within 14 days of being in close contact with a person who had or was believed to have COVID-19.</li><li>• Self-isolation period must last at least 3 days without symptoms, including being fever free without taking medicine, and 7 days since symptoms started, whichever is longer.</li><li>• <b><u>Notify anyone you’ve had close contact with while symptomatic to self-quarantine themselves.</u></b></li><li>• Only exception to leave self-isolation is to receive medical care.</li></ul>



# Employer Best Practices

- ▶ Post notice for employees
  - ▶ USDOL notifications of rights under HR 6201
  - ▶ Cal-OSHA notices  
<https://www.osha.gov/Publications/OSHA3989.pdf>
  - ▶ Cleanliness reminders <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>
- ▶ Communicate with employees - policy revisions, best practices, positive reinforcement
- ▶ Maintain and encourage social distancing
- ▶ Assess business continuity

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