

This is a summary of Lincoln's position on federal and state legislative updates that have occurred in light of the Coronavirus (COVID-19) pandemic. These details are current as of March 23, 2020 and are subject to change given the rapidly evolving nature of the situation. If you have additional questions, please reach out to your Lincoln sales or service contact.

House Resolution 6201: Families First Coronavirus Response Act (FFCRA)

The FFCRA was enacted on March 18, takes effect on April 2, and expires on December 31, 2020. You can read our summary of the act, which provides an overview of what's in the bill, [here](#). Two provisions within the bill – the Emergency Paid Sick Leave Act and the Emergency Family and Medical Leave Expansion Act – are important for employers with fewer than 500 employees to understand.

Lincoln's position in response to the Emergency Paid Sick Leave Act (EPSLA): This requires private employers with fewer than 500 employees, and most public employers, to provide up to 80 hours of paid sick leave for the inability to work due to COVID-19. Due to the short duration of this leave and the broad applicability, employers with fewer than 500 employees should administer this leave internally.

Lincoln's position in response to the Emergency Family and Medical Leave Expansion Act (EFMLEA): This amends the federal Family and Medical Leave Act (FMLA), requiring private employers, and most public employers, with fewer than 500 employees to provide up to 12 weeks of job-protected paid leave. The new paid leave applies to employees who cannot work (including tele-work) due to the need to care for their son or daughter due to school closure or the lack of availability of a child care provider due to COVID-19. Lincoln will support the administration of this expansion for impacted customers with FMLA administration under our leave management service offerings.

At this time, Lincoln is unable to support administration of new, temporary *voluntary* paid or unpaid company leaves related to COVID-19 if they are not currently covered under the FMLA, EFMLEA or existing short-term disability or company paid or unpaid leave offerings. Upon request, and based on available resources, we will work with our absence and leave management customers to provide guidance and assistance with administration of their existing leave programs to meet current needs. We will work with customers who wish to develop new leave programs as part of longer-term employee health and business continuity strategies, subject to our regular underwriting and implementation processes.

New York Disability Benefits Law (DBL) and Paid Family Leave (PFL)

On March 18, the state of New York enacted legislation implementing a paid sick leave program, as well as other changes, to the New York State Disability Law (DBL) and New York State Paid Family Leave (PFL) provisions. You can read our summary of the changes [here](#), and additional information is also available on the [state's site](#). The changes to the DBL and PFL benefit programs were effective immediately when the legislation passed on March 18, and as a leader in leave management and disability, Lincoln is prepared to administer the updated requirements.

There are a couple other important things to note in regard to the definition of quarantine and responsibility of payment:

To receive benefits under the expanded program, employees must have an order of quarantine from the state of New York, Department of Health, local board of health, or any government entity authorized to issue such an

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order. It's important to note that school closures and requests for non-essential personnel to remain at home may not qualify as quarantine under the program's definition.

Employers are required to pay sick leave benefits according to their size for up to two weeks. Additionally, employees may also qualify for PFL and/or DBL benefits if they meet eligibility requirements and work for an employer with fewer than 100 employees. In these instances, PFL and/or DBL benefits will be paid according to the same arrangement as the current policy, limited to NY-based employees only. If an employer has an insured PFL/DBL policy with Lincoln, we will issue benefit under the insurance policy. However, if an employer's program is currently self-funded, the employer will fund the new benefits.

California State Disability Insurance and Voluntary Disability Insurance

California expanded these benefits to employees unable to work due to having symptoms or being exposed to COVID-19, or those unable to work to care for a family member who is ill or quarantined. Additionally, for the time period that began January 24 through the duration of the COVID-19 emergency, the California Employment Development Department has waived the one-week waiting period for disability insurance for those having, or who have been exposed to, COVID-19. You can read more [here](#).

If Lincoln currently administers your California Voluntary Disability Insurance, you can rest assured we are making changes to ensure we're administering these state-required updates to keep you in compliance.