



## FAMILIES FIRST CORONAVIRUS RESPONSE ACT Employee Protection Provisions

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### Emergency Paid Sick Leave Act

- Applies to employers with *fewer* than 500 employees.
- Available to all employees, regardless of length of tenure with the employer.
- Pay to cover 80 hours (full-time employees) or average of part-time worker's hours in 2-week period.
- Requires employers to pay:
  - Regular wages, capped at \$511/day (\$5110 maximum) for employees unable to work because:
    - Employee is subject to a public COVID-19-related quarantine or isolation order;
    - Health care provider has advised employee to self-quarantine;
    - Employee is experiencing COVID-19 symptoms and seeking diagnosis.
  - 2/3 of regular wages, capped at \$200/day (\$2000 maximum) for employees unable to work because the employee is:
    - Caring for an individual subject to a public quarantine or isolation order or who has been advised to self-quarantine;
    - Caring for a son or daughter if the school or childcare facility is closed or childcare provider is unavailable;
    - Experiencing similar conditions, as specified by HHS.
- Provides an option for employers in multiemployer bargaining units to satisfy their obligations by paying into a multiemployer benefit plan *if* the plan can pay employees the required benefits.
- Employers may take a credit against payroll taxes worth 100% of the amount they pay in required benefits (through Dec. 31, 2020).
- DOL can exempt employers with fewer than 50 employees from paying for leave to care for others if "requirements would jeopardize the viability of the business" and can exclude certain healthcare workers and first responders.

### Emergency Family and Medical Leave Expansion Act

- Applies to employers with *fewer* than 500 employees.
- Available to employees who have been employed for 30 days with the employer from which they are requesting the leave.

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**Emergency Family and Medical Leave Expansion Act** – continued:

- Requires employers to provide 10 days *unpaid* leave and up to an additional 10 weeks of *paid* leave to care for son or daughter whose school or childcare facility is closed or childcare provider is unavailable for COVID-19 related reasons.
- Paid leave is 2/3 of regular wages, capped at \$200/day (\$10,000 maximum)
- Employees can elect to use accrued vacation, personal, medical or sick leave for the unpaid portion.
- Employers may take a credit against payroll taxes worth 100% of the amount they pay in required benefits (through Dec. 31, 2020).
- DOL can exempt employers with fewer than 50 employees if requirements would jeopardize business and can exclude certain healthcare workers and first responders.

**Emergency Unemployment Insurance Stabilization and Access Act**

- Provides \$1 trillion in grants to state unemployment compensation programs
  - \$500,000,000 available to any state that takes certain steps to facilitate applying for UI
  - \$500,000,000 available to states that experience a 10% increase in unemployment and that ease eligibility requirements for applicants impacted by COVID-19 by
    - Waiving work-search requirements
    - Eliminating waiting week
    - Not impacting employers' experience ratings