

DOL ISSUES SECOND ROUND OF GUIDANCE FOR EMPLOYERS REGARDING THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT



As described in Hoge Fenton's **recent article** and **webinar**, Congress has created two new forms of **paid leave benefits** that will go into effect on **April 1, 2020** for employees who need time off for qualifying reasons due to COVID-19. The U.S. Department of Labor has now issued **further guidance** on the new law, including:

- Intermittent use of FFCRA paid leave
- Confirming that “shelter in place” orders are not a qualifying reason to use FFCRA paid leave
- Documentation employers should obtain from employees in order to secure tax credits when employees use FFCRA leave

- Calculating “regular rate of pay” for employees with fluctuating compensation
- Employees’ ineligibility to use FFCRA paid leave during office closures or furloughs, or for reduced hours
- Employers ability to allow employees to coordinate other paid leave benefits with FFCRA paid leave in order to receive full pay while on FFCRA leave

Click here to see the DOL’s full list of FAQs and guidance. The DOL has also issued a **model notice** that employers are required to post, along with **FAQs regarding the posting requirements**.

For additional legal information regarding COVID-19, please visit our **COVID-19 Resources** website .

Hoge Fenton’s Employment Law team is here to provide you with additional support throughout the COVID-19 pandemic. Please feel free to contact any of us below.



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