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FAMILIES FIRST CORONAVIRUS RESPONSE ACT: Frequently Asked Questions

What is the Families First Coronavirus Response Act?

Families First Coronavirus Response Act (FFCRA) was passed and signed into law to provide certain employees with paid or expanded sick leave in response to the Coronavirus (also known as COVID-19) crisis. FFCRA helps address the workplace effects of COVID-19 by reimbursing private employers that have fewer than 500 employees with tax credits for providing employees with paid leave related to COVID-19.

Who qualifies for sick leave under the FFCRA?

To qualify for paid sick leave, the following criteria must be met:

- Your employer is a private company and has less than 500 employees.
- Your employer remains open and has work available for you. If your employer's business has been shut down in response to the Coronavirus and there is no work available for you, then you do not qualify for paid sick leave under FFCRA, and
- You must meet one of the following conditions:
 - You are unable to work for two weeks because you are quarantined pursuant to a Federal, State, or local government order or advice of a health care provider, and/or experiencing COVID-19 symptoms and seeking a medical diagnosis. If your situation satisfies this condition, you will receive up to two weeks (i.e., 80 hours) of your regular pay.
 - You are unable to work because of a genuine need to care for an individual subject to quarantine pursuant to Federal, State, or local government order or advice of a health care provider, or you must care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19. If your situation satisfies this condition, you will receive up to two weeks (i.e., 80 hours) and 2/3 of your regular pay. If you have worked for your employer for at least 30 days, you can qualify for an additional 10 weeks of paid sick leave at the same pay rate.



My child is 18 years or older and has a disability. My child's day program has been closed due to Coronavirus and I have no one to take care of him/her while I am at work. Can I take paid sick leave to take care of my disabled adult child?

Yes, if your disabled adult child is not able to take care of their daily needs (e.g., eat, drink, take care of hygiene needs, etc.) without supervision/assistance and there is no one else available to care for your child.

Is there a limit on how much I can get paid when using paid sick leave?

Yes. If you are subject of a quarantine order, have been advised by your physician to self-quarantine, or are suffering symptoms of Coronavirus, then you can earn either your regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day, but no more than \$5,110 over a 2-week period.

If you are taking care of an individual who has been quarantined or advised by his/her physician to self-quarantine, you can earn either 2/3 your regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day but no more than \$2,000 over a 2-week period.

If you are taking care of a child whose school or place of care is closed due to Coronavirus, then you can earn 2/3 of your regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day but no more than \$12,000 over a 12-week period. This pay rate would apply in the case of an employee needing to take care of an adult disabled child who is unable to engage in self-care.

Do I have to notify my employer I need to use paid sick leave?

Yes. Where leave is foreseeable, an employee should provide notice of leave to the employer as is practicable. After the first workday of paid sick time, an employer may require employees to follow reasonable notice procedures in order to continue receiving paid sick time.

What if my employer does not allow me to use paid sick leave? Who should I report my employer to?

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.

If your employer denies your request to use paid sick leave or retaliates against you for using paid sick leave, you should contact your local WHD office and ask to file a complaint. For Ohioans, you can find a list of WHD offices at the following link <https://www.dol.gov/agencies/whd/contact/local-offices#oh>.