

LEGAL UPDATE

DOL: New Coronavirus Paid Leave Requirements Take Effect April 1

The paid leave provisions of the recently enacted Families First Coronavirus Response Act will go into effect April 1, 2020, according to [Q&As](#) released by the U.S. Department of Labor (DOL). Specifically, the guidance states these provisions apply to leave taken between April 1, 2020, and Dec. 31, 2020.

The Act includes two types of paid employee leave for reasons related to the coronavirus (COVID-19) pandemic:

- Expanded federal Family and Medical Leave Act (FMLA) leave to provide workers with partially paid leave for child care purposes.
- Up to 80 hours of paid sick leave for specific reasons caused by COVID-19, including the employee's own COVID-19 illness.

Exceptions and compensation caps apply to the leave provisions.

Effective Date

The language of the Act states that the leave provisions take effect "not later than 15 days after the date of enactment." The Act was passed on March 18, 2020. Sources had interpreted this language to mean the Act would take effect on April 2, 2020. The new guidance from the DOL clarifies that the leave requirements take effect April 1.

DOL Guidance

In addition to the Q&As, the DOL has published a [Fact Sheet for Employees](#) and a [Fact Sheet for Employers](#) to explain the paid sick leave and paid family and medical leave provisions of the Act.

The guidance addresses questions such as how to count the number of employees to determine coverage, how to obtain an exemption and how to calculate employee hours and wages.

Important Dates

March 18, 2020

Congress passed the Families First Coronavirus Response Act.

April 1, 2020

The employee leave requirements of the Act go into effect.

Dec. 31, 2020

The leave provisions of the Act sunset.

The leave provisions of the new law apply to leave taken between April 1, 2020, and Dec. 31, 2020.

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