

# SIEGEL & SITLER, PLLC

ATTORNEYS AT LAW

<b>Families First Coronavirus Response Act (FFCRA)</b>		<b>New York COVID-19 Quarantine Leave Law</b>		
<ul style="list-style-type: none"> <li>Less than 500 employees</li> </ul>		<ul style="list-style-type: none"> <li>All employers</li> <li><u>Not</u> eligible when employee returns after traveling to a country for which the CDC has issued a Level 2 or 3 Travel Health Warning</li> </ul>		
-Self-Quarantine or Isolation	80 hours of sick time for full-time employees at 100% of pay up to a maximum of \$510 a week or \$5100 maximum	-Self-Quarantine or Isolation	-10 or fewer employees and less than \$1 million net income	-Unpaid sick time
-Self with COVID-19 symptoms		-Self with COVID-19 symptoms		-Eligible for a combination of PFL and disability benefits up to a maximum of \$2,884.62 per week
		-Self-Quarantine or Isolation	-10 or fewer employees and more than \$1 million net income	-5 days of paid sick time
		-Self with COVID-19 symptoms	-11-99 employees	-After 5 days, eligible for combination of PFL and disability benefits up to a maximum of \$2,884.62 per week
		-Self-Quarantine or Isolation	-100 or more employees	-14 calendar days of paid sick time at regular rate of pay
		-Self-Sick with COVID-19 symptoms	-Public employers	
Caring for <u>an individual</u> in quarantine or isolation	80 hours of sick time at 2/3 pay up to a maximum of \$200 a day or \$2000 total	-Caring for a <u>minor child</u> in quarantine or isolation		Eligible for PFL at 60% of pay for a maximum of \$840.70 per week.
-Child has COVID-19 symptoms				
<u>FMLA Expansion</u> Caring for a child whose school or place of care is closed due to COVID	Total of 12 weeks of sick and paid FMLA at 2/3 pay up to a maximum of \$200 per day or \$12,000 total			

**NOTES:**

- Employees in New York who are also covered by the FFCRA are eligible to receive the difference between what the federal legislation provides and what is available under the state law.
- Employees are only eligible if they are unable to work or telecommute.
- Cannot require employees to use other paid leave/PTO/sick time before employees use the above sick time or leave.
- Job restoration required in most situations including quarantine/isolation and when taking leave for school closures *unless* employer has less than 25 employees and falls into an exemption.
- Part-time employees are eligible for sick time/leave for the number of hours that the employees are normally scheduled to work over that period of time.
- Employers are permitted to ask for appropriate documentation and should keep a copy in a confidential place.
- FMLA Expansion only—Employers with fewer than 50 employees may qualify for an exemption if the leave requirements would jeopardize the viability of the business as a going concern.
- Wages paid under FFCRA are 100% covered by a dollar-for-dollar refundable tax credit available to the employer.