

**OMAHA HOUSING AUTHORITY**  
**FAMILIES FIRST CORONAVIRUS REPONSE ACT SUMMARY**

On March 18, 2020, President Trump signed into law the Families First Coronavirus Response Act, which extends paid sick and family leave to eligible employees.

The new law, which will become effective on April 2, 2020, requires employers with 500 or fewer employees to provide paid sick leave to employees who are unable to work or telework due to quarantining or care of a family member ("emergency paid sick leave") or to care for a minor child due to closure of their school or place of care due to COVID-19 precautions ("emergency family and medical leave").

**Emergency Paid Sick Leave**

The emergency paid sick leave component of the act provides up to 80 hours of paid leave and is capped based on the circumstances for which the wages are paid.

If the employee:

- (1) is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- (2) has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or
- (3) is experiencing symptoms of COVID-19 and seeking a medical diagnosis

then the employee is entitled to their regular pay rate, **limited to \$511 per day**.

If the employee:

- (4) is caring for an individual covered by (1) or (2) above;
- (5) is caring for a son or daughter whose school or place of care has been closed or whose child care provider is unavailable due to COVID-19 precautions; or
- (6) is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services

then the employee is entitled to two-thirds of their regular pay rate, **limited to \$200 per day**.

Full-time employees are entitled to 80 hours of paid sick leave. Part-time employees are entitled to paid sick leave based on their average numbers of hours worked in a two-week period.

All employees are immediately eligible for this benefit, regardless of how long they have been employed. In addition, employer may not require employees to use existing vacation or sick leave prior to using the emergency paid sick leave.

The availability of paid sick time provided under this provision ceases as soon as the employee starts their next scheduled shift. (For example, if an employee takes 5 days of leave under the emergency paid sick leave provision and returns to work, the remaining 5 days that would have been available under this act is no longer available to be used, regardless of the reason for leave.)

"Child care provider" means a provider who receives compensation for providing child care services on a regular basis.

**Emergency Family and Medical Leave**

All employees who have worked for their current employer for **30 calendar days** are eligible for the new emergency FMLA leave. The emergency family and medical leave component of the act provides up to 12 weeks of leave (which is inclusive of the 10-days of emergency paid sick leave) for employees who are unable to work due to caring for a child whose school or childcare has closed due to the public health emergency. Emergency FMLA pay takes effect after the first 10 days of emergency paid sick leave (see above). Employers are not required to pay employees for the **first 10 days** of the emergency FMLA leave, but employees may substitute any accrued vacation leave, personal leave, or medical or sick leave for this unpaid leave. (For example, if an employee used the emergency paid sick leave, but later needed the emergency FMLA.)

Paid family leave is limited to two-thirds of their regular rate of pay, limited to \$200 per day for a total of \$12,000 per employee.

Both provisions are temporary and expire December 31, 2020.

Employers have been encouraged to keep good records for wages paid under the Emergency Paid Sick Leave or Emergency Family and Medical Leave. As such, documentation from health department, medical provider(s), daycare, or other relevant official will need to be provided by employees requesting leave under this act.

