

FAMILIES FIRST CORONAVIRUS RESPONSE ACT NOTICE

As you know from prior bulletins, the Families First Coronavirus Response Act (FFCRA) temporarily (added to the Family and Medical Leave Act (FMLA)) becomes effective April 1, 2020. The Department of Labor has issued a mandatory notice that employers must either post or otherwise deliver to employees. This notice may be posted on bulletin boards or where other employment notices are posted or can be emailed or direct mailed to employees. Additionally, the notice can be placed on the employer's employee information internal or external website.

As you will note the notice is a condensed recitation of the Act's primary entitlements. That notice is attached to this bulletin and may be copied or you may download from the Department of Labor website. The notice may then be duplicated to fit the needs of the employer. Also attached is the official current version of Department of Labor publication of frequently asked questions concerning the notice. There are a couple of significant answers for questions often asked since the passage of the Act.

1. Please note the response to Question No. 3 as to laid off employees. Those employees will have no rights under this act unless they are put back to work after April 1, 2020. We still believe that the best practice would be to remove laid-off individuals from payroll records.
2. Also note Paragraph No. 4 – An employer does not have to share the notice with job applicants unless they are employed after April 1 or have been extended a job offer to commence employment after April 1.
3. Employers also should note that there are no entitlements under the Act unless the employee has been employed for at least 30 days. For example, an employee that might test positive for the Coronavirus or would need to leave to care for a child under the age of 18 where childcare is unavailable, would not be entitled to benefits under the Act. Employers, of course, are free to extend benefits to nonqualified employees should they wish.

The notice should be posted or distributed to employees no later than March 31, 2020. See attached for poster. [FFCRA Poster](#)

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