

KNOW YOUR RIGHTS

Paid sick leave and family leave during COVID-19 crisis

Until March 31, 2021, if you are unable to work for COVID-19 reasons and if your employer has less than 500 employees, your employer can provide **paid sick leave and family leave** and will be reimbursed by the federal government. If you had to take leave for COVID-19 before December 31, 2020, you have the right to be paid for that time.

Sick Leave

Two weeks of paid sick leave is available if you are unable to work or telework because you:

- 1.** Are subject to a federal, state, or local government quarantine or isolation order (such as an order advising people to stay at home or restrict non-essential travel);
- 2.** Have been advised by a health care provider to self-quarantine;
- 3.** Are experiencing symptoms of COVID-19 and are seeking a medical diagnosis;



If you take leave for the above reasons, the federal government will reimburse your employer for your pay at your regular rate and for your regular number of hours (up to 80 hours), up to the maximum pay of \$511/day and \$5110 total.

- 4.** Are caring for someone in quarantine or isolation because of a government order or doctor's advice; **or**
- 5.** Are caring for your child because school is closed or a child care provider is unavailable due to COVID-19 related reasons.



If you take leave for the above reasons, the federal government will reimburse your employer for your pay at 2/3 your regular rate, up to the maximum pay of \$200/day and \$2000 total.

This leave is available no matter how long you have been employed by your employer.

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Family Leave (to provide care for children)

Twelve weeks of family leave is available if you are unable to work (or telework) because you need to care for a child because the child's school is closed or a regular care provider is unavailable, due to COVID-19 reasons.

This leave is available once you have worked for your employer for at least **30 days**.

The first two weeks of family leave will be **unpaid leave**, unless you use paid sick leave (described above) or other paid leave that your employer offers like vacation days.

The federal government will reimburse your employer for **the next 10 weeks** of family leave **at 2/3 of your regular pay**, up to a maximum of \$200/day and \$10,000 total.

Can an employer require documentation of the need for leave?

Your employer may require simple documentation, such as a signed statement that you're unable to work (and that no other person is available to care for a child), the name of the government or healthcare entity issuing an isolation order, or the name of your child and school or care provider that is closed.

Can contractors and self-employed people get paid leave?

If you are self-employed or are classified as an independent contractor, you can pay yourself these types of paid leave and be reimbursed by the federal government. You will receive the reimbursements as refundable credits against your employment taxes.

Can an employer deny a request for leave?

- ★ From January 1 to March 31, 2021, providing this paid leave is optional. But if employers provide it they can get fully reimbursed from the federal government.
- ★ Before January 1, 2021, most employers were required to provide paid emergency leave and could not deny requests for leave. Only employers with 500 or more employees or employers of health care providers or emergency responders can refuse to pay you for your leave time. If your employer refuses to pay you for leave you took before January 1, you may complain to the U.S. Department of Labor by calling (866) 487-9243. You may also file a lawsuit against your employer.

