Know Your Rights: Emergency Paid Sick Days and Paid Leave for Child Care and Coronavirus

What is the Families First Coronavirus Response Act?
The Families First Coronavirus Response Act (FFCRA) provides many workers new rights to paid sick time and paid family leave to use for coronavirus-related health and family caregiving reasons like quarantine and child care.

Emergency Paid Sick Time: The FFCRA provides workers with up to 80 hours (10 days/two work-weeks) of paid sick time to address illness and caregiving needs associated with the coronavirus and/or the closure of a child’s school or place of care if the employee is unable to telework.

Emergency paid sick time can be taken:
- If you are subject to a federal, state, or local quarantine or isolation order.
- If you have been advised by a health care provider to self-quarantine; or have symptoms and are seeking a medical diagnosis.
- To care for an individual subject to a quarantine or isolation order.
- To care for a child whose school or place of care is closed (including if their child-care provider is unavailable) for reasons related to coronavirus.

How much emergency paid sick time can I use?
- Full-time employees can take up to 80 hours (10 work days) of paid sick time.
- Part-time employees can take the number of hours they work on average over a two-week period.

How much do I get paid when I take emergency paid sick time?
- If you are taking paid sick time to care for yourself, you will be paid at your regular rate of pay, up to $511 per day. If your regular rate of pay is below the minimum wage, you will be paid at least the minimum wage.
- If you are taking care for someone else, you will be paid at two-thirds of your regular rate of pay, up to $200 per day. If your regular rate of pay is below the minimum wage, you will be paid at least two-thirds of the minimum wage.

Other things to know:
- If your employer provides your health coverage, they must continue your coverage during your emergency leave.
- Emergency paid leave (both paid sick days and paid family leave) are available until December 31, 2020.
- You can use this emergency paid sick time first before taking any other paid sick time, PTO or other paid leave benefits your employer provides. Your employer cannot require you to use other accrued time before or instead of the emergency paid sick time.
- Emergency paid sick time cannot be taken retroactively.

Who is covered?
- Workers whose employer has fewer than 500 employees
- Employees of state and local government agencies of all sizes
- Most federal workers
- Self-employed workers and independent contractors can claim a tax credit for time they are unable to work
Emergency Paid Family Leave for Child Care

For longer-term child-care needs, the Families First Act provides up to **12 weeks** of job-protected family leave for working parents whose child’s school or usual place of care is closed or unavailable due to the coronavirus.

**For what reasons can I take emergency paid leave for child-care?**
Emergency paid leave can be taken to care for a child whose school, place of care or provider is closed or unavailable due to a public health emergency. This leave is only available if you are unable to work or telework.

**What types of child care are covered?**
- Licensed child care centers, group home child care providers, family child care providers, or a provider who is paid for providing child care services on a regular basis are covered.
- Unpaid child-care from a relative or another unlicensed provider is probably not covered.

**How much emergency paid leave can I use?**
- Full-time employees can take up to **12 weeks** of leave, paid as if they worked **40 hours per week**.
- Part-time employees can take up to 12 weeks of leave, paid as if they worked for the number of hours they are normally scheduled to work over that period.

**Do I get paid my usual salary when I take emergency paid family leave?**
- The first 10 days of emergency leave can be unpaid (typically covered by emergency paid sick days).
- Emergency paid family leave is paid at a rate of *two-thirds (2/3)* of your regular rate of pay.
- The employer is not required to pay more than **$200 per day** and **$10,000 total**.

**Will my employer continue providing health insurance coverage when I am on paid family leave?**
- Yes, if you are enrolled in health coverage through your employer, your employer must continue coverage during your paid family leave.

**Will my job be there when I return from taking paid leave?**
- Yes. Workers who take emergency leave are entitled upon returning to be restored to their job or an equivalent position. Some states and localities have additional paid sick days and paid leave protections.