Individual Rights and Protections under the Families First Coronavirus Response Act (FFCRA) and the Coronavirus Aid, Relief, and Economic Security (CARES) Act
Agenda

• Welcome
• Emergency Paid Sick Days & Family Leave
• Unemployment Insurance
• Economic Impact Payments
• Practitioners’ Perspectives
• Question & Answer
Our Presenters

Laura Narefsky, Workplace Justice Fellow, National Women’s Law Center

Melissa Boteach, Vice President for Income Security and Child Care, National Women’s Law Center

Amy Matsui, Senior Counsel and Director of Income Security, National Women’s Law Center

Elizabeth Kristen, Senior Staff Attorney and Director of Gender Equity & LGBTQ Rights Program, Legal Aid at Work

Shelia R. Maddali, Co-Director, National Legal Advocacy Network
Emergency Paid Sick Days and Family Leave

Emergency Paid Sick Days

• 2 weeks of job-protected leave (80-hours for full-time and two-week average for part-time)
  1. To comply with government-mandated quarantine or isolation order
  2. To self-quarantine following advice of a health care provider
  3. To obtain a medical diagnosis or care for COVID-19;
  4. To care for someone under reasons 1 or 2
  5. To care for a child whose school or child care provider is closed

• Full pay up to maximum of $511 per day, $5,110 total if caring for self; 2/3 regular rate of pay, up to $200 per day, $2,000 total if caring for someone else

• Employers with less than 500 employees

• Hardship exemption for small businesses (fewer than 50)

• Employees request sick days from their employer and refusals to provide sick days are considered violations under the FLSA
Emergency Paid Sick Days and Family Leave

Emergency Paid Family Leave

- 12 weeks of job-protected leave to employees who need to care for a child whose school or child care provider is closed
  - Reinstatement not required for employers with less than 25 employees if “reasonable efforts” are taken
- 2/3 regular rate of pay, up to a maximum of $200 per day, or $10,000 total (first two weeks may be unpaid)
- Exemptions for large employers (500) and small employers (50)
- Employers who refuse to provide paid leave may be subject to penalties under FMLA
Unemployment Insurance

Pandemic Unemployment Assistance (PUA)
• People who are unemployed or underemployed—including significant reduction in hours—because of COVID-19, but not eligible for traditional UI
  1. COVID-19 diagnosis or symptoms and seeking a medical diagnosis;
  2. A member of their household has been diagnosed with COVID-19;
  3. Providing care for a family member diagnosed with COVID-19;
  4. Primary caregiving responsibilities for child whose school or child care provider is closed
  5. Cannot reach their place of employment because of the quarantine;
  6. Self-quarantining under advisement of health care provider;
  7. Scheduled to start a job that is no longer available or that they cannot reach as a result of the health emergency;
  8. They became primary breadwinner after head of the household died from COVID-19;
  9. Had to quit their job as a direct result of COVID-19;
  10. Place of employment is closed
• Also applies to self-employed and independent contractors
• Eligible for up to 39 weeks of benefits
Unemployment Insurance

Pandemic Emergency Unemployment Compensation (PEUC)
• 13 weeks of additional benefits for individuals who exhausted their traditional UI after July 1, 2019
• Paid at the state’s standard benefit rate
• Only applies to people who otherwise qualify for traditional UI

Federal Pandemic Unemployment Compensation (FPUC)
• $600 per week, paid out on a weekly basis, in addition to UI, extended PEUC benefits, or PUA benefits.
Economic Impact Payments

- **$1,200** payment for adults making less than $75,000; payments reduced as income rises (up to $99,000)
  - Maximum **$2,400** for a couple that files taxes jointly
  - Additional **$500** payment for each child under 17
- All household members must have SSN
- Direct deposit for people who filed 2018 or 2019 taxes and provided bank information to IRS and SS, SSI, RR retirement and veterans not claiming children
  - IRS has 2 online portals -- one for filers to provide bank or debit card information and one for non-filers to claim
  - IRS letter when payment processed
  - Reconcile any errors when filing 2020 taxes
Practitioners’ Perspectives

Elizabeth Kristen, Senior Staff Attorney and Director of Gender Equity & LGBTQ Rights Program, Legal Aid at Work

Shelia R. Maddali, Co-Director, National Legal Advocacy Network
Question & Answer
Thank You!

More information and additional resources are available at:

- **National Women’s Law Center**
  nwlc.org/coronavirus
- **Legal Aid At Work**
  legalaidatwork.org/factsheet/coronavirus-faq/ (English, Spanish, Chinese, Vietnamese)
- **National Employment Law Project**
  nelp.org (COVID-19 resources for unemployed and frontline workers)