

## **Congress and the President Authorize Mandatory Sick Leave and Paid Family Leave**

On March 18, 2020, President Trump signed legislation designed to help slow the spread of the novel coronavirus, COVID-19, including two employee-focused Acts that extend paid sick leave and paid family leave. Both Acts will become effective on April 2, 2020. More information will be forthcoming and there is still additional guidance to be provided, but I wanted to let you know right away that the legislation has been signed.

The **Emergency Paid Sick Leave Act** requires that “covered employers” provide employees with two weeks of paid sick leave. “Covered employers” are those with fewer than 500 employees, but small businesses with fewer than 50 employees are exempt if providing sick leave would “jeopardize the viability of the business.” The Secretary of Labor will issue regulations to explain how a business would be considered to meet that standard. Perhaps of particular note in Arizona, the eligible uses include if an employee is caring for a child whose school or childcare has been closed or whose childcare provider is unavailable to protect against the spread of COVID-19, in which event the employee is to be paid two-thirds their regular compensation (to a maximum of \$200 per day and \$2000 total).

The **Emergency Family and Medical Leave Expansion Act** amends the Family and Medical Leave Act (“FMLA”). As an additional basis for taking job-protected leave, eligible employees will be able to take up to 12 weeks of job-protected leave if they are unable to work because they need to care for a child whose school or childcare has been closed or whose childcare provider is unavailable due to the COVID-19 pandemic.

If you have questions about this legislation or how it may apply to your employment practices and policies, please let me know.

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