

COVID-19: Employment Law Changes and Challenges

Gregory F. Rouchell
Margaret R. T. Myers

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NEW LAW:
Emergency Family First Response Act

PART 1:
Emergency Paid Sick Leave Act
(EPSLA)

Emergency Paid Sick Leave Act

- Temporary?
- Covered employers?
- Covered employees?
- How much leave?
- How much pay?
 - Any caps?
- Can we require use of leave under existing leave policies (Sick Leave, PTO and Vacation) first/instead?
- Unused leave paid at termination?

Emergency Paid Sick Leave Act

Six Triggering Events

Employers Repaid Through Tax Credits – How Much?

EPSLA Non-Compliance = FLSA Violation?

Anti-Retaliation Provision

Part 2:
***Emergency Family and Medical
Leave Expansion Act (EFMLEA)***

Emergency Family and Medical Leave Expansion Act

- Temporary
- Covered employers?
- Covered employees?
- Same Repayment in Tax Credits as EPSLA?
 - Any caps?
- Reinstatement rights?

**ONLY ONE TYPE OF EFMLEA
QUALIFYING EVENT:**

**CHILD CARE ISSUES
DUE TO COVID-19**

HELP!....

**What If We Can't Afford Any of
This???**

What If:

Employee Reports Testing Positive for COVID-19?

Next Steps...

- Instruct infected employee to STAY HOME!
- Encourage employee to:
 - Self-quarantine
 - Contact qualified health care provider
 - Is 14-day quarantine enough?
- ADA Considerations

What Else Should We Do?

- Questions to Ask Infected Employee
- Determine Relevant Windows of Time
 - Before Diagnosis
 - After Diagnosis
- Mitigation Measures
 - Close the office/facility?

What Do We Say To...

- Employees identified as having come into contact with infected employee?
- All other employees?
- Infected employee who wants to return to work after claiming to have recovered?

What If:

**Employee Reports Being Exposed
to Someone Positively Diagnosed
with COVID-19?**

Thank you!



Margaret R. T. Myers
margaret.myers@arlaw.com
Nashville
615.259.1009



Gregory F. Rouchell
gregory.rouchell@arlaw.com
New Orleans
504.585.0285