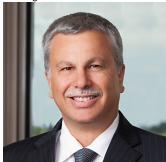


New Legislation Amending the FMLA and Providing Paid Sick Leave

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Safety and Health Act (OSHA) defense.

LEGISLATION PASSED BY SENATE 3/18/20

Two new leave provisions have passed both the House and Senate and has been signed by the President for signature. Both are effective April 2, 2020, and expire 12/31/20.

EMERGENCY PAID SICK LEAVE ACT

Provides covered employees with 80 hours paid sick leave if:

- Employee is diagnosed with Covid-19;
- Employee is experiencing symptoms of virus and needs to be tested or treated;
- Public official or health care provider determines employee's presence at work creates a risk to other workers because he has been
 exposed, or exhibits symptoms;
- · To care for a family member for any of the above reasons; or
- To care for a child whose school or place of care has closed, or whose care provider is unavailable due to coronavirus.

NOTE: Employee is eligible for benefit from first day of employment.

Applies to all Employers with less than 500 employees.

AMENDMENT TO FAMILY & MEDICAL LEAVE ACT (FMLA)

Provides covered employees with 12 weeks paid FMLA leave for public health emergency reasons after the first 10 days of leave, which are unpaid. Such reasons for leave are:

- Comply with recommendation or order of public official or health care provider that presence at work would create a risk to health of
 others because of exposure or symptoms and employee cannot perform job and comply with order or recommendation;
- Care for a family member when a public official or health care provider that presence at work would create a risk to health of others in community because of exposure or symptoms;
- Care for child under 18 when school is closed or childcare provider is unavailable due to public health emergency.

Employee is to be paid not less than 2/3 regular rate of pay for normal schedule (even if part-time.

Employee must be reinstated after leave unless employer has less than 25 employees and economic conditions caused by the public health crisis result in elimination of position.

NOTE: Employee eligible for benefit when employed for 30 days.

Applies to all Employers with less than 500 employees.

FINALLY: EMPLOYERS COMPLYING WITH THESE REQUIREMENTS WILL RECEIVE A TAX CREDIT FOR 100% OF THE WAGES PAID PURSUANT TO THESE PROVISIONS.

Disclaimer: This article is intended to provide you with general information regarding the impact of a potential or actual coronavirus pandemic. The contents of this article are not intended to provide specific legal advice. For more information, please contact Angelo Filippi, afilippi@kklaw.com or TEXT, 954-281-9244.