

On March 18, 2020, President Trump signed [HR 6201: the Families First Coronavirus Relief Act](#), which has certain requirements for employers. The San Diego Regional Chamber is making this document available as a guideline, but it should not constitute legal or formal HR advice.

Per the text of the bill, the Secretary of the Treasury and the Department of Labor do have responsibilities to provide clarification or outline processes for various components. To participate in online dialogue with the Department of Labor around leave made available, please visit [here](#). The bill is in effect on April 2, 2020.

	Paid Sick Leave (newly created Paid Sick Leave program)	Paid Medical Leave (Family Medical Leave Act)
Eligibility: Employers	Employers with under 500 employees	Employers with under 500 employees <ul style="list-style-type: none"> Employers with under 50 employees MAY apply for a hardship exemption to the Department of Labor
Eligibility: Employees	Any employee who has worked for their employer for at least 30 days; AND <ul style="list-style-type: none"> Is quarantined due to COVID-19; or Is experiencing symptoms and seeking diagnosis; or Is caring for an individual who is diagnosed or seeking diagnosis; or Must care for a child who is no longer in school or care due to COVID-19 	Any employee who has worked for their employer for at least 30 days; AND <ul style="list-style-type: none"> Cannot work or telework because they must care for a child who is no longer in school or care due to COVID-19
Length of Benefit	Two weeks (80 hours, based on a 5-day work week) <ul style="list-style-type: none"> Must be used by December 31, 2020 	Twelve weeks of paid leave over the course of a year
Pay Guidance	<ul style="list-style-type: none"> Pay at usual rate <ul style="list-style-type: none"> DAILY CAP: \$511 AGGREGATE CAP: \$5110 An employer is not required to pay out sick time per this Act when an employee leaves employment 	<ul style="list-style-type: none"> First two weeks (10 days can be unpaid) <ul style="list-style-type: none"> Employee may use vacation/sick or other paid leave for this time if available, or go unpaid Pay at 2/3 rate <ul style="list-style-type: none"> DAILY CAP: \$200 AGGREGATE CAP:

		<p>\$10,000</p> <ul style="list-style-type: none"> For Part Time Employees: pay is at the average number of hours an employee has worked per day over the course of 6 months
Protections	<ul style="list-style-type: none"> Employers cannot require that an employee find a different person to cover hours missed 	<ul style="list-style-type: none"> Any employer with over 25 employees must reinstate an employee after leave <ul style="list-style-type: none"> If under 25 employees, the employer does not have to reinstate in certain situations An employer may not require an employee to utilize sick or vacation leave first
Tax Credits	Employers can claim 100% of the payments made AND the cost of group health plan payments as a payroll tax credit.	Employers can claim 100% of the payments made AND the cost of group health plan payments as a payroll tax credit.
Self Employed	Individuals who are self employed can claim a credit equivalent to the family leave and sick leave.	Individuals who are self employed can claim a credit equivalent to the family leave and sick leave.