



FEDERAL CORONAVIRUS EMERGENCY PAID SICK LEAVE

The federal Coronavirus Aid, Relief, and Economic Security (CARES) Act builds upon the Families First Coronavirus Response Act (FFCRA) passed by Congress in response to the Coronavirus crisis

How much paid sick leave can I get and what does it cover?

As an employee, you can get 10 days (80 hours) of job-protected paid sick leave if you are unable to work (or telework) because:

- o You are caring for your child whose school or day care is closed
NOTE: After receiving 10 paid sick days, you should consider requesting paid Family and Medical Leave (FMLA). Paid FMLA is another benefit provided by Congress in the FFCRA and Cares Acts. The Community Justice Project has a separate flyer on Paid FMLA.
- o You are experiencing symptoms of COVID-19 and are seeking a medical diagnosis
- o You are experiencing a “substantially similar condition” as specified by U.S. Department of Health and Human Service, Department of Labor, or Department of Treasury
- o You are subject to an individual quarantine or isolation order
- o You are caring for someone subject to a quarantine or isolation order

When can I get paid sick leave?

- Paid sick leave is available as through December 31, 2020

How much of my wages does paid sick leave cover?

- Full wage replacement if you are experiencing COVID-19 symptoms, with maximum required benefit of \$511/day (total \$5110)
- 2/3 wage replacement if you are caring for another individual or a child whose school or day care is closed, with a maximum required benefit of \$200 a day (\$2000 total).
- You will be paid by your employer (and they can be reimbursed by federal government).

What workers are eligible?

- Private sector workers for employers with less than 500 employees;
- Local, state, and some federal employees;
- Self-employed;
- Covers full-time and part-time workers
- You are eligible regardless of how long you have worked for your employer.

Exemptions:

- Employers of health care providers and emergency responders can opt out or be exempted by U.S. Department of Labor (DoL);
- DoL can also exempt private employers with less than 50 employees from providing leave to care for a child whose school or day care is closed, if it harms their business.

How do I request paid sick leave?

- You should follow your employer's procedures for requesting leave under the Family and Medical Leave Act. If you do not know what those procedures are, you should ask your employer.

Immigrant Eligibility

- There are no immigration status-related restrictions on eligibility for paid sick leave. Employees are entitled to paid sick leave regardless of their immigration status.
- Because paid sick leave is paid directly to employees by their employers in the same way wages are paid, there is generally no involvement with government agencies, unless an employee decides to file a claim alleging violations of a paid sick leave law.
- The emergency paid sick leave provisions of the law will be enforced by the Wage and Hour Division (WHD) of the U.S. Department of Labor, which does not inquire into workers' immigration status in conducting its enforcement activities.
- Paid sick leave is not a public benefit and, therefore, will not be part of a public charge determination for those applying for legal permanent resident (LPR) status.



Community Justice Project is a nonprofit legal aid program that provides legal assistance at no cost to income-eligible clients

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