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**UPDATE:**  
**DEPARTMENT OF LABOR GUIDANCE REGARDING**  
**PAID SICK LEAVE AND FMLA CHILDCARE LEAVE UNDER THE**  
**FAMILIES FIRST CORONAVIRUS RESPONSE ACT**

On March 27, 2020, the U.S. Department of Labor's Wage and Hour Division published its latest round of guidance to assist employers with complying with the Families First Coronavirus Response Act ("FFCRA"). This new guidance appears in the form of an updated Questions and Answers (available [here](#)) and addresses issues such as:

- What documents employees must submit to their employers to use paid emergency sick leave or FMLA childcare leave in order for employers to receive the tax credit;
- Whether and under what circumstances employees can take paid emergency sick leave and FMLA childcare leave intermittently; and
- Whether employers who closed their business before the FFCRA went into effect on April 1, 2020 (or who close their business after it goes into effect) must still provide paid emergency sick leave or FMLA.

Field Assistance Bulletin No. 2020-1 (available [here](#)) also clarifies that the grace period under which the DOL will not bring enforcement actions is only through April 17, 2020. (Our earlier guidance understood that the grace period would be through April 30, 2020.)

We encourage you to review the Department of Labor's website at [www.dol.gov](http://www.dol.gov) for additional guidance regarding the FFCRA and other resources on preparing your workplace for the COVID-19 virus.

*The foregoing legislative update is designed to be accurate and authoritative but is not intended to provide and should not be construed as providing legal advice or as creating any attorney-client relationship with the author or Parr Brown Gee & Loveless, P.C. For legal advice regarding the Families First Coronavirus Response Act, you should consult with your legal counsel.*

