



LIVESTOCK MARKETING ASSOCIATION

Families First Corona Virus Response Act (FFCRA) —
Market Owner Reference Guide

Effective April 1, 2020 — December 31, 2020

EMERGENCY FMLA (EFMLA)

EFFECTIVE APRIL 1, 2020 — DECEMBER 31, 2020

1. DO YOU EMPLOY FEWER THAN 500 U.S. BASED EMPLOYEES?*

FEWER?

MORE?

EFMLA does not apply.

2. AT THE TIME OF LEAVE, HAS THE EMPLOYEE WORKED 30 DAYS OR MORE?

MORE?

FEWER?

EFMLA does not apply.

3. REASON FOR BEING AWAY FROM WORK?

DUE TO:

The public health emergency, employee is unable to work/remotely work because of school or childcare facility closure for child under the age of 18.

ANY OTHER REASON:

EFMLA does not apply.

4. EMERGENCY FMLA:

Up to 12 weeks of job-protected leave.

4a. 10 DAYS (UNPAID)

EPSL or other accrued paid leave may be used.

4b. UP TO 10 WEEKS (PAID)

(Paid at 66.67% of employee's regular rate of pay).

Pay may be capped at \$200/day (or \$10,000 in aggregate); Employer must pay more, but Employer tax credit capped based on \$200/day or \$10,000 in aggregate.

5. JOB REINSTATEMENT AT THE END OF EMERGENCY FMLA

Applies to employers with 25 or more employees; employers with less than 25 employees are generally exempt from this requirement if position no longer exists following Emergency FMLA due to economic downturn or other circumstances.

*Certain public employers are covered, regardless of size.

EMERGENCY PAID SICK LEAVE (EPSL)

EFFECTIVE APRIL 1, 2020 — DECEMBER 31, 2020

1. DO YOU EMPLOY FEWER THAN 500 U.S. BASED EMPLOYEES?*

FEWER?

MORE?

EPSL does not apply.

2. REASON FOR BEING AWAY FROM WORK?

UNABLE TO WORK OR REMOTELY WORK DUE TO:

1. Employee is subject to Federal, State, or local quarantined or isolated order related to COVID-19 (does not include worksite closure due to shelter-in-place order).
2. Employee advised by health care professional to self-quarantine due to concerns related to COVID-19.
3. Employee is experiencing symptoms of COVID-19 and seeking medical diagnosis.
4. Employee is caring for an individual subject to quarantine or isolation by Federal, State, or local order or by direction of health care professional.
5. Employee is caring for child because of school or childcare facility closure.
6. Employee is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services.

ANY OTHER REASON?

EPSL does not apply.

3. EMERGENCY PAID SICK LEAVE

Up to 80 hours (prorated amount for part time employees) in addition to any other employer-provided paid time off.

3a. REASONS 1-3 (FROM ABOVE)

Paid at 100% of employee's regular rate of pay.

Pay may be capped at \$511/day or \$5,110 in aggregate.

3b. REASONS 4-6 (FROM ABOVE)

Paid at 66.67% of employee's regular rate of pay.

Pay may be capped at \$200/day or \$2,000 in aggregate.

Employer may pay more, but Employer tax credit capped based on noted amounts above.

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FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)

EFFECTIVE APRIL 1, 2020 — DECEMBER 31, 2020

The following chart is our current understanding of the possible application of benefits available to employees in response to the COVID-19 crisis under federal law:

EMPLOYEE...	EARNED SICK LEAVE	EMERGENCY FMLA	EMERGENCY PSL	UNEMPLOYMENT INSURANCE
... has COVID-19 OR similar symptoms and seeking medical diagnosis	✓	✗	✓	✗
... was unable to work because of school or daycare closure for a public health reason	✓	✓	✓	✗
... was exposed while at work and required to self-quarantine	✓	✗	✓	✗
... was laid off or placed on furlough	✗	✗	✗	✓
... cannot work because employer is considered "non-essential," and subject to closing order as deemed by the government	✗	✗	✗	✓
... has a reduction in hours due to adversity in business, or slowdown	✗	✗	✗	✓
... is "self" distancing" and refusing to attend work	✓	✗	✗	✗
... has been advised by doctor to self-quarantine due to weakened immune system	✓	✗	✓	✗
... is caring for a family member that has tested positive for COVID-19	✓	✗	✓	✗
HEALTH CARE EMPLOYEE...				
... is forced to self-quarantine due to exposure while on the job	✓	✗	✓	✗
EMPLOYER...				
... does not comply with government order and continues to operate business as usual; Employee refuses to attend work	✓	✗	✓	✓

**Certain public employers are covered, regardless of size.*

Provided for informational purposes only. Seek individualized, professional advice prior to acting. LMA members with questions regarding this resource may call (800) 821-2048.