

Department of Labor Updates Employer Guidance on FFCRA

The United States Department of Labor (“DOL”) has once again updated its guidance for employers on the implementation of emergency FMLA and emergency sick leave under the Families First Coronavirus Response Act (“FFCRA”).

[The Guidance](#) is in the form of a series of questions and answers. The well-organized topics are easily navigated (which is a good thing since there are over 90 questions and counting). The latest additions address temporary workers (who possibly work for two companies), teleworking employees (who in some cases may refuse to return to work and claim the need to take FFCRA leave for child care), documentation required for employees seeking leave to obtain a medical diagnosis, and eligibility for leave once the school year ends.

Employers should be wary of the fact that the DOL not only adds new questions and answers but it also – without any notice – amends prior answers, in some instances offering the complete opposite opinion of its original answer. Employers relying on any portion of the guidance must be sure to double check the DOL website to make sure they are relying on the most current information.

This guidance does not supplant the FFCRA’s implementing Regulations and their Correction Notice.

Partridge Snow & Hahn’s [Employment & Labor Group](#) is ready to answer questions and advise on this topic.

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