
Emergency Paid Sick Leave Act

Description of Program and Relief

The Emergency Paid Sick Leave Act (the “EPSLA”) requires government employers and employers with fewer than 500 employees to provide their employees with paid sick leave if those employees are unable to work due to COVID-19. Full paid leave is available to employees who cannot work due to being diagnosed with or experiencing the symptoms of COVID-19. Paid leave at a 2/3 rate is available to employees who cannot work due to the need to care for other individuals or their children.

Government or Lead Agency

Department of Labor

Dates Available

April 2, 2020 to December 31, 2020

Eligibility Requirements/Restrictions

Eligibility: Paid sick leave under the program is available to government employees and employees of companies with fewer than 500 employees.

Two weeks of **full** paid sick leave (up to \$511/day or \$5,110 total) is available to employees who are unable to work (or telework) due to:

- Being subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
- Being advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- Experiencing symptoms of COVID-19 and seeking a medical diagnosis.

Two weeks of paid sick leave at **2/3** of an employee’s pay rate (up to \$200/day or \$2,000 total) is available to employees who are unable to work (or telework) due to:

- Caring for an individual who:
 - Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19; or

- Has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- Caring for a son or daughter if:
 - The son or daughter's school or place of care has been closed due to COVID-19 precautions;
or
 - The son or daughter's care provider is unavailable due to COVID-19 precautions.
- Experiencing any other substantially similar condition (as specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor).

Exceptions: However, employers of employees who are **health care providers** or **emergency responders** may elect not to give such employees paid sick time. The Secretary of Labor also has the authority to create an exception for small businesses with fewer than 50 employees when the imposition of the paid sick time requirements would jeopardize the viability of the business.

Duration: **Full-time** employees are entitled to 80 hours of paid sick time. **Part-time** employees are entitled to paid sick time equal to the number of hours that they work on average over a 2-week period. Unused paid sick time under this program does not carry over from one year to the next.

Sequencing: Employees who are entitled to paid sick time under this act may use that sick time **before** using any other sick time or leave offered by their employers.

Application Deadlines (If Applicable)

None.

List of Additional Information

Employers are prohibited from discharging, disciplining, or otherwise discriminating against employees who take the leave provided by this program. Any violation of that prohibition is considered a violation of the Fair Labor Standards Act of 1938.