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DOL PUBLISHES MODEL NOTICE FOR THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

Mar 26, 2020

On March 25, 2020, the Department of Labor (“DOL”) published model notices for federal and private employers regarding employees’ rights under the Families First Coronavirus Response Act (“FFCRA”). As we’ve summarized in earlier posts, the FFCRA was signed into law on March 18, 2020 and generally requires U.S. employers with fewer than 500 employees to provide paid sick leave and emergency family and medical leave (“Emergency FMLA”) benefits to employees in connection with COVID-19.

The model notices, along with Frequently Asked Questions regarding the notices, follow a series of other informal guidance issued by the DOL in the last week. Below are some highlights from the new guidance for employers to consider regarding the notices:

- Posting Requirement: All covered employers, including small businesses, must post the model notice.
- Posting Location: Employers must post the notice either in one location where all employees will see it or in various locations to accommodate all employees if no single location is available. If workplaces are closed due to local stay-at-home orders, physical posting may not be possible at this time, in which case electronic posting is probably required.
- Electronic Posting: Employers may, but are not required to, satisfy their posting obligations by emailing or direct mailing this notice to employees, or posting this notice on an employee information internal or external website.
- Languages Other than English: The DOL is working on non-English versions of the model notices, but employers are not required to post the notices in any language other than English.

Bryan Cave Leighton Paisner LLP has a team of knowledgeable lawyers and other professionals prepared to help employers deal with coronavirus related issues. If you or your organization would like more information on such issues or any other employment issue, please contact an attorney in the Employment and Labor practice group.

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