



*(See Updates in **RED**)*

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FAMILY MEDICAL LEAVE ACT (FMLA)

- On March 18, 2020, the President signed into law the Families First Coronavirus Response Act which includes the Emergency Family and Medical Leave Expansion Act and the Emergency Paid Sick Leave Act.
- These two Acts will become effective on April 1, 2020, and expire on December 31, 2020. This is a federal law and CT DOL will not have jurisdiction. The US Department of Labor has issued guidance, Q&As and posters for employers that must be posted by April 1, 2020. You can find all of these documents on the USDOL website here: <https://www.dol.gov/agencies/whd/pandemic>
- **In addition, the IRS has also provided guidance on the documentation required by employees requesting paid time off under FFCRA and how the tax credits for employers will work. You can find the IRS Q&As here: <https://www.irs.gov/newsroom/covid-19-related-tax-credits-for-required-paid-leave-provided-by-small-and-midsize-businesses-faqs>.**

Does the CT FMLA protect my job if my employer sends me home because I have a fever?

You may be protected if:

- You are an eligible employee, who worked for the employer for at least 12 months and 1,000 hours in the past year
- The employer is a covered employer for FMLA purposes (75 or more employees in CT) and you have FMLA time available

Your employer may require you to submit a medical certification from your health care provider, in order to determine if this is a serious health condition under the FMLA.

If your health care provider substantiates a serious health condition, FMLA will protect your job. Also, your employer may institute a more lenient medical certification policy if it so wishes.

Does the FMLA protect me if my employer sends me home because I told him that my 17-year-old daughter just returned from travel to a Level 3 country and has a cough and a fever? You may be protected if:

- You are an eligible employee, the employer is a covered employer for FMLA purposes, and you have FMLA time available.
- Your employer may require you to submit a medical certification from your daughter's health care provider, in order to determine if she has a serious health condition under the FMLA.
- If her health care provider substantiates a serious health condition, the FMLA will protect your job. Also, your employer may institute a more lenient medical certification policy if it so wishes.

If I send an employee home because he told me that his 17-year-old daughter just returned from travel to a Level 3 country but she has no signs or symptoms of COVID-19, does FMLA protect his job?

- At this time, if his daughter does not have a serious health condition under the FMLA, then his job will not be protected. You may institute a more lenient absenteeism policy if you so wish.

More information about COVID-19 and federal FMLA is available from the USDOL Wage and Hour Division here:

www.dol.gov/agencies/whd/fmla/pandemic