Paid leave can protect health and sustain families
How emergency paid sick and family leave policies work and can be improved for COVID-19

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COVID-19 has changed how we live, work, and care for one another. It brings new caregiving responsibilities: attending to parents and vulnerable family members, caring for children when daycare and schools close. As schools adopt distance or hybrid learning models, many families face a near irresolvable puzzle regarding work and care. An emergency family leave program enacted early in the COVID-19 crisis could provide part of the solution to this puzzle.

Families First Coronavirus Response Act (FFCRA)
In March 2020, Congress enacted an emergency paid sick and family leave program covering wages for workers with COVID-related health and family care duties.

- 10 days of fully paid sick leave to seek diagnosis, treatment, or quarantine due to COVID-19 for oneself. Workers can receive full wages up to $511 per day.
- 10 days of partially paid sick leave to care for a family member affected by COVID-19.
- 10 weeks of paid family leave to care for a child whose school has closed at partial pay. Workers receive ⅔ of wages up to $200 per day.

Employers are responsible for providing qualified paid leave; a refundable federal payroll tax credit covers employer costs including health premiums. Self-employed workers can use the tax credit as well.

Learn more about your eligibility for emergency leave or how to provide leave to your employees: Department of Labor, COVID-19 and the Workplace https://www.dol.gov/agencies/whd/pandemic

Improving FFCRA to meet health and family needs now
FFCRA created a workable solution to certain pandemic work-care dilemmas but many employers and households have not yet heard of the benefit. Others have been left out due to coverage gaps.

- **Many workers are not covered**: Individuals working for employers with 500 or more employees are not covered by FFCRA. Exemptions for small businesses, health care and emergency responders have been interpreted to exclude many workers. As many as 106 million workers were left out. Many of those left out are low-wage workers, people of color, and those serving as essential workers.¹

• **Some workers cannot negotiate for the schedule they need.** Many individuals who are juggling family responsibilities prefer an intermittent leave. Intermittent leave describes a schedule that alternates work and leave: working in the morning while supervising a child in the afternoon, taking off 2 out of 3 days in a week. Intermittent leave can help families share care. But, FFCRA has been interpreted to give employers broad discretion to reject intermittent leave.²

• **The FFCRA covered only a portion of the recovery and caregiving needs households experience.** For example, FFCRA provides only 10 days to care for a family member who is experiencing COVID. The FFCRA covered care for a child whose school has closed but not for an adult with disabilities or an elder family member. It does not cover bereavement. The FFCRA also did not cover prenatal leave or parental leave. Yet, as the pandemic continues, the parents of newborn children or pregnant women need leave to protect their health and the health of loved ones. Lawmakers should ensure that emergency leave covers all the purposes listed below.

**Paid sick and family leave helps reconcile the call to family and the dignity of work**

Families have always been at the heart of a healthy society. Families nurture the bonds of love and trust that create resilience in the face of pandemic. Family responsibilities belong to parents and they extend across and between the generations: to aging parents, to siblings, to nieces and nephews. In order to take up vital family care responsibilities and continue to earn a living, families need support.

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**Pandemic-ready paid sick and family leave should cover a wide range of care**

- Care for a family member after exposure or infection by COVID-19.
- Care for oneself after exposure or infection by COVID-19.
- Care for a child whose school or place of care is closed or who is participating in distance learning due to COVID-19.
- Care for a disabled or elder family member at risk of COVID-19 in their typical place of care or whose place of care is unavailable.
- Bereavement for a family member who has died.
- Care for oneself and one’s child during the prenatal period, postnatal period, foster care, or adoption.

**Family leave should support a range of family caregivers: parents, grandparents, aunts, uncles, siblings, or other close relatives.**

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