



Emergency FAMILY MEDICAL LEAVE Expansion Act



Eligible Employees:

Includes those employed for at least 30 days who are unable to work (or telework) because they must care for their children whose school or daycare closed due to COVID-19.

Eligible Employers:

Employers with less than 500 employees.

Does Not Include:

- Certain health care providers and emergency responders.
- Certain small businesses with fewer than 50 employees requiring leave would jeopardize the viability of the business.



Paid Leave:

Ten (10) days of unpaid leave (can substitute accrued PTO). Followed by ten (10) weeks of paid leave at:

- Two-thirds pay
- Capped at \$200/day and \$10,000 total
- Leave does not have to be continuous or even in full-day increments. It can be taken intermittently. In other words, employees can take half-day leave if needed.

Notice:

Employees must provide employers with reasonable notice when the need for leave is foreseeable.

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For more information,
call **Victor Bermudez** at
(239) 593-7900 or
visit **LindsayAllenLaw.com**.

Rights of Those Taking Leave Under FMLA:

Employers Cannot:

- Require employees to delay the start of medical leave.
- Fail to assist employees in filling out FMLA paperwork.
- Require employees to only take FMLA leave in full-day increments.
- Deny FMLA leave when the employee qualifies.
- Fail to give employees their job back with the same or equivalent position.*
- Retaliate against the employee for taking or seeking FMLA leave.

**Some employers with fewer than 25 employees may be excluded.*

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