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The Coronavirus Relief Bill Keeps Changing

On Saturday, March 14, 2020, the House overwhelmingly passed HR 6201, the Families First Coronavirus Response Act. In its originally passed form, HR 6201 offered certain paid FMLA leave protections to employees diagnosed or exposed to COVID-19, and those taking care of affected family members, including stepparents, parents-in-law and grandparents.

The bill then was “corrected” late on Monday, March 16, 2020, to take out most of the previously proposed FMLA paid leave protections, except those applicable to employees who are unable to work due to needing to care for a child whose school or daycare has been shut due to coronavirus. The bill also aims to offer some paid sick leave protections, which would provide some relief to full-time and even part-time employees who are quarantined from work due to being diagnosed, exposed to or taking care of family members diagnosed or exposed to the COVID-19 – regardless of the employee’s length of employment.

Over the past few days, the bill has received substantial criticism from employers and employees alike for not being broad enough in its coverage – the current version applies only to employers with fewer than 500 employees, and for providing only limited financial relief to the exponentially growing number of businesses and workers in need.

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While we have seen a lot of commentary and guesses on the bill's anticipated final parameters, the fact of the matter is we do not yet know what the final version will look like – and recommend employers avoid making important decisions based on speculation in that regard. Yes, some federal legislation providing coronavirus-related financial relief, at least to smaller-size employers, is likely to be signed into law in the coming days, and it will likely include provisions for at least some paid time off work for coronavirus-related reasons. Unfortunately, we do not yet have further confirmed details. Stay tuned for more updates, as additional information becomes available.

UPDATE: Hot off the presses, the corrected version of HR 6201 was just approved by the Senate, and is headed to President Trump for signature.

If you have any questions regarding the Families First Coronavirus Response Act or other Labor and Employment issues, please do not hesitate to contact Sonya Rosenberg or your Neal Gerber Eisenberg attorney.

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