

Families First Coronavirus Response Act (FFCRA)

A guide for HR Partners on documentation/record keeping for Emergency Paid Sick Leave or Expanded Family and Medical Leave

For both the Emergency Paid Sick Leave Act and the Expanded Family Medical Leave Act you will follow your normal internal processes. In addition, the following documentation should be retained for approval consideration, and record-keeping.

Emergency Paid Sick Leave Act requests should include:

- Employee's name, and;
- Qualifying reason for requesting leave, and;
- Statement that the employee is unable to work – including: telework, for that reason, and date(s) for which leave is requested, and;
- Documentation of the reason for the leave, such as the source of any quarantine or isolation order, or the name of the health care provider who has advised you to self-quarantine.
 - For example:
 - a copy of the Federal, State or local quarantine or;
 - a copy of the isolation order related to COVID-19 applicable to the employee or;
 - written documentation by a health care provider advising the employee to self-quarantine due to concerns related to COVID-19.
- If an employee is caring for someone who has been subject to government quarantine order or has been advised by a health care provider to self-quarantine the employee must also provide:
 - Name of the person they are caring for, and;
 - The relation that person has to the employee.

Expanded Family and Medical Leave Act requests should include:

If a school closes or childcare provider is unavailable, the statement from the employee should include:

- The name and age of the child or children, and;
- The name of the school or place of care that has closed or is unavailable, and;
- A representation that no other person will be providing care for the child during the period for which the employee is receiving family or medical leave, and;
- With the care of a child older than 18 during daylight hours, a statement that special circumstances exist requiring the employee provide care.

The employee should also include:

- A notice that has been posted on a government, school, or day care website, or;
- A notice that has been published in a newspaper, or;
- An email from an employee or official of the school, place of care, or childcare provider.

**This requirement also applies when the first two weeks of unpaid leave run concurrently with the Emergency Paid Sick Leave, taken for the same reason.*

**Please also note that all existing certification requirements under the FMLA remain in effect if an employee is taking leave for one of the existing qualifying reasons under the FMLA. For example, if an employee is taking leave beyond the two weeks of emergency paid sick leave because their medical condition for COVID-19-related reasons rises to the level of a serious health condition, they must continue to provide medical certifications under the FMLA.*