

**ROBERTS
& STEVENS**
ATTORNEYS AT LAW
EMPLOYMENT LAW UPDATE

New State and Federal Employment Benefits Help Your Employees Impacted by Coronavirus

On March 18, 2020, the federal government enacted paid leave for workers affected by coronavirus as part of the Families First Coronavirus Response Act. Highlights include:

- ***Paid FMLA Leave***
 - Applicable to employers with more than 50 and fewer than 500 employees
 - Available to employees who have been on the job for at least 30 days
 - Provides up to 12 weeks of protected leave for workers to care for a family member ill with coronavirus, or children whose school or child care is closed because of the pandemic
 - Initial 10 days of leave are unpaid unless employee chooses to use accrued employer-provided leave
 - After 10 days, employee is entitled to be paid two-thirds (2/3) of employee's regular wages, up to \$200 per day
 - Becomes effective April 2, 2020 and remains in effect until December 31, 2020
- ***Emergency Paid Sick Leave***
 - Applicable to employers with fewer than 500 employees
 - Employer required to provide two weeks of paid sick leave at employee's regular rate, up to \$511 per day and \$5,110 total per employee (If sick leave is needed to care for someone else, the employee is paid two-thirds(2/3) the employee's regular pay rate and is capped at \$200 per day and \$2,000 in the aggregate)
 - Employees may take paid sick leave if:
 - They are ordered to quarantine
 - They are told to self-quarantine by a health care provider
 - They are showing symptoms or seeking a diagnosis of coronavirus
 - They caring for someone under quarantine
 - They are caring for a child whose school or child care is closed to coronavirus
 - Employers with fewer than 50 employees may be exempted if they can show hardship
 - Employers will receive a dollar-for-dollar tax credit for this paid sick leave

On March 17, North Carolina Governor Roy Cooper issued Executive Order 118, which extends ***unemployment benefits*** to employees who are lose work due to the coronavirus.

- The usual one-week waiting period for benefits is waived, so employees may file as soon as they lose some or all of their work. Employees need not be terminated to apply for unemployment related to coronavirus
- Employees are not required to seek or be available to work
- Employers will not be charged for benefits paid for reasons related to the coronavirus

If you need help planning for your employment response to the coronavirus, please contact Roberts & Stevens employment law attorneys [Jackie Grant](#) at 828- 253-7200 or [Susan Russo Klein](#) at 828-210-6821.