

# KNOW YOUR RIGHTS

## New! You have rights to paid sick leave and family leave during COVID-19 (coronavirus) crisis

**As of April 1, you have the right to paid sick leave and family leave if you are unable to work for COVID-19 reasons,**  
and if your employer has less than 500 employees.

This emergency leave is available between April 1 and December 31, 2020.

### Sick Leave

You have the right to **two weeks** of paid sick leave if you are unable to work or telework because you:

- 1.** Are subject to a federal, state, or local government quarantine or isolation order (such as an order advising people to stay at home or restrict non-essential travel);
- 2.** Have been advised by a health care provider to self-quarantine;
- 3.** Are experiencing symptoms of COVID-19 and are seeking a medical diagnosis;



If you take leave for the above reasons, you must be paid at your regular rate and for your regular number of hours (up to 80 hours), up to the maximum pay of \$511/day and \$5110 total.

- 4.** Are caring for someone in quarantine or isolation because of a government order or doctor's advice; **or**
- 5.** Are caring for your child because school is closed or a child care provider is unavailable due to COVID-19 related reasons.



If you take leave for the above reasons, you must be paid at 2/3 your regular rate, up to the maximum pay of \$200/day and \$2000 total.

*You have the right to this leave no matter how long you have been employed by your employer.*

**You may be required to give documents to your employer,** such as a signed statement that you're unable to work (and that no other person is available to care for a child), the name of the government or healthcare entity issuing an isolation order, or the name of your child and school or care provider that is closed.

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### Family Leave (to provide care for children)

You are entitled to **12 weeks** of family leave if you are unable to work (or telework) because you need to care for a child because the child's school is closed or a regular care provider is unavailable, due to COVID-19 reasons.

You have a right to family leave once you have worked for your employer for at least **30 days**.

**The first two weeks** of family leave will be **unpaid leave**, unless you use paid sick leave (described above) or other paid leave that your employer offers like vacation days.

**The next 10 weeks** of family leave must be **at least 2/3 of your regular pay**, up to a maximum of \$200/day and \$10,000 total.

#### What if an employer refuses to provide the paid leave?

If your employer refuses to provide the paid leave, you may complain to the U.S. Department of Labor by calling (866) 487-9243.

#### Can contractors and self-employed people get paid leave?

If you are self-employed or are classified as an independent contractor, you can pay yourself these types of paid leave and be reimbursed by the federal government. You will receive the reimbursements as refundable credits against your employment taxes.

#### Can an employer deny requests for leave?

- ★ Employers of health care providers or emergency responders can deny an employee's request for leave.
- ★ Employers with less than 50 employees can deny leave to care for a child because the child's school is closed or regular care provider is unavailable, **only if:**

- ★ The employee's leave would cause the employer's expenses to exceed revenue and keep the employer from being able to operate;
- ★ The employee's leave would pose a substantial risk to the health or capacity of the employer because of the employee's specialized skills, knowledge, or responsibilities; or
- ★ The employer cannot find another worker who is able, willing, qualified, and available to perform the employee's labor, and without this labor the employer cannot operate.

