

House Sends Amended Coronavirus Response Act to Senate with Significantly Reduced Employee Paid Leave Protections – Vote Expected Today

UPDATE: Ongoing coverage - This bill is currently being considered by the Senate and is not yet law. The following story will be updated throughout the day as new information is available.

By [Lauren Barghols Hanna](#)



Lauren Barghols
Hanna

Late last evening, the U.S. House of Representatives passed an amended version of the Families First Coronavirus Response Act, originally passed by the House on Saturday. Although the amended bill was labeled as “technical corrections,” it makes broad substantive changes to the paid leave protections originally provided to employees.

Some provisions remain the same. The amended Act still applies to all private employers with fewer than 500 employees. Paid sick time will still be permitted to

employees regardless of tenure, while employees with at least 30 days on the job will be eligible for the amended FMLA leave connected to the coronavirus.

However, the amended Act made several important revisions, primarily acting to reduce and restrict the benefits previously afforded employees:

Paid Sick Time (up to 80 hours/2 weeks paid leave)

- Secretary of Labor now has the authority to issue regulations exempting small employers (fewer than 50 employees) from providing paid sick leave
- Clarifies that paid leave time available only to workers who are unable to work or telework due to a more-tightly defined coronavirus-related absence
- Healthcare professionals and emergency responders may be excluded from eligibility
- Introduces new caps to paid sick time (\$511/day and up to \$5,110 for employee's illness/quarantine and \$200/day and up to \$2,000 total for all other qualifying leave)
- New cap for tax credit permitted for self-employed individuals

Paid FMLA Leave (up to 10 additional weeks of paid leave related to coronavirus emergency)

- Extended paid FMLA leave is no longer available to employees for their own COVID-19 treatment or quarantine or care for their family members.
- Paid FMLA leave available only to employees who are unable to work or telework due to caring for a minor child due to school closing or childcare unavailability
- Healthcare professionals and emergency responders may be excluded from eligibility
- Tightens the definition of "parent" to remove prior coverage for employees caring for next of kin and grandchildren

- Paid leave capped at 2/3 of an employee's wages, up to \$200/day or \$10,000 total

The bill is set to be taken up by the Senate this morning, with some reports indicating that the Senate is prepared to adopt it in its current form, allowing President Trump to enact it without the delay of a typical reconciliation process.

Phillips Murrah's labor and employment attorneys continue to monitor new developments and stand ready to assist your company timely and efficiently implement these new paid leave obligations as soon as the final bill is signed into law.