

DOL Offers Guidance on Families First Coronavirus Response Act Requires Employers to Provide Notice to Employees

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Late yesterday, the U.S. Department of Labor (DOL) offered employers some important guidance on complying with the Families First Coronavirus Response Act (FFCRA), which President Trump signed into law last week. DOL also published a notice that employers must post or distribute to employees. (Our initial alert on the statute can be found [here](#).)

First, the DOL clarified that the new emergency paid sick and family and medical leaves under the FFCRA will be available starting April 1, 2020. The statute had provided that the leave would be available no later than April 2, 2020.

Second, the new guidance indicates that, for the first 30 days that the FFCRA goes into effect, the DOL would not enforce the law against employers who were making reasonable, good-faith efforts to comply. This guidance offers some assurance that employers subject to the law will not face enforcement actions for technical violations of the law as long as employers are attempting in good faith to comply.

Third, the DOL published a notice to employees about the FFCRA that employers will be required to post in their workplaces. That notice is available [here](#). Employers with employees who work remotely may satisfy this requirement by e-mailing the notice or posting it on an company employee information website.

Given the remaining questions about how the FFCRA will operate, we expect further guidelines and regulations to be forthcoming before the April 1 start date. Stay tuned for updates.

Foley Hoag has formed a firm-wide, multi-disciplinary task force dedicated to client matters related to the novel coronavirus (COVID-19). For more guidance on your COVID-19 issues, visit our [Resource Page](#) or contact your Foley Hoag attorney.

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