

COVID-19

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Discussion Items

- CA Mini WARN Act
- Disaster Unemployment
- Family First Coronavirus Response Act
- Q&A



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CA MINI WARN ACT

- Effective March 4, 2020
- Executive Order – Gavin Newsom
- Labor Code sections 1401(1), 1402, and 1403 are hereby suspended
- Suspended until end of disaster or order of the Governor



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CA MINI WARN ACT REQUIREMENTS

- Give as much notice as possible regarding layoffs and furloughs
- Provide a brief statement regarding the bases for reducing the notification period
- State that “business circumstances were not reasonably foreseeable as of the time the notice would have been required.”
- All written notice must state “If you have lost your job or been laid off temporarily, you may be eligible for Unemployment Insurance.”



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CA MINI WARN ACT REQUIRMENTS

- You must state “For more information on Unemployment Insurance and other resources available for workers is available at labor.co.gov/coronavirus2019.”



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DISASTER UNEMPLOYMENT

- The Disaster Unemployment Assistance (DUA) program provides unemployment benefits to individuals who have become unemployed as a direct result of a Presidentially declared major disaster.
- You your employment or self-employment must have been lost or interrupted as a direct result of a major disaster declared by the President of the United States.
- You must have been determined not otherwise eligible for regular unemployment insurance benefits (under any state or Federal law).
- Payment will be made to an unemployed worker, who as a direct result of a Presidentially declared major disaster:
 - No longer has a job.
 - Is unable to reach their place of work.
 - Cannot work due to damage to the place of work.
 - Becomes the head of the household and is seeking work because former head of household died as a result of the disaster
 - Cannot work because of a disaster-incurred injury



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DISASTER UNEMPLOYMENT CONDITIONS

- CA must first publish announcements about the availability of Disaster Unemployment
- To file a claim, individuals who are unemployed as a direct result of the disaster should contact their State Unemployment Insurance agency
- Applications for Disaster Unemployment Assistance (DUA) must be filed by an individual within 30 days of the announcement of the availability of DUA in the state
- Individuals must follow the instructions in the announcement and file for DUA based on the filing methods used by the state
- For more information call: 1-877-872-5627



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FAMILIES FIRST CORONAVIRUS RESPONSE ACT

- Applies to employers with fewer than 500 employees
 - 80 Hours of paid sick leave for fulltime employees
 - Part-time employees are entitled to the number of hours of paid sick leave equal to the number of hours they work on average over a two week period



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FAMILIES FIRST CORONAVIRUS RESPONSE ACT

- Sick Leave Can be used for the following:
 - The worker is diagnosed with COVID-19
 - The worker is quarantined (including self-quarantine) at the instruction of health provider, employer, or government official
 - The worker is caring for someone diagnosed with COVID-19 or is quarantined



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FAMILIES FIRST CORONAVIRUS RESPONSE ACT

- Sick Leave Can be used for the following:
 - The worker is caring for child or other individual who is unable to care for themselves due to closure of school, child care facility, or other care program as a result of COVID-19.



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FAMILIES FIRST CORONAVIRUS RESPONSE ACT

- Employers must compensate employees for any paid sick time they take:
 - At 100% of their regular pay, but not to exceed \$511 per day (\$5110 total) for their own use or 2/3 of their pay not to exceed \$200 a day to care for others



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FAMILIES FIRST CORONAVIRUS RESPONSE ACT

- Employer Relief:
 - Employers receive 100% reimbursement for paid leave pursuant to the Act
 - Health insurance costs are also included in the credit
 - Employers face no payroll tax liability
 - Self-employed individuals receive an equivalent credit



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FAMILIES FIRST CORONAVIRUS RESPONSE ACT

- Employer Relief:
 - Receive immediate dollar-for-dollar tax offset against payroll
 - Where a refund is owed, the IRS will send the refund as quickly as possible



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FAMILIES FIRST CORONAVIRUS RESPONSE ACT

- Exemption:
 - 50 or less employees eligible for exemption from providing leave for the care of a child whose school closed or if childcare is unavailable
 - Only in cases where the viability of the business is threatened



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QUESTIONS & ANSWERS



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QUESTIONS?

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