



# Coronavirus Federal Legislation that Aids Workers

*As the American Rescue Plan takes effect, major laws passed in March 2020 to support workers during COVID-19 will change. Our updated factsheet shows benefits available in the workplace and during unemployment.*

## The American Rescue Plan (ARP)

The American Rescue Plan (ARP) extends and updates the March 2020 emergency leave law (FFCRA). ARP reimburses certain employers who voluntarily provide emergency paid sick days and emergency paid leave under the law until September 30, 2021. This information regarding emergency paid sick days and paid leave only apply to employers who choose to comply.

## Paid Sick Time for Public Health Emergencies

### Purposes

- To obtain a medical diagnosis or care if experiencing symptoms
- To self-quarantine due to COVID-19 concerns under the advice of a health care provider
- To comply with a a federal, state, or local quarantine or isolation order related to COVID-19
- To comply with a recommendation from a public health official
- To obtain a COVID-19 vaccination and/or recover from COVID-19 vaccine related side effects
- To care for an individual who is self-isolating because of diagnosis or symptoms (pay is reduced to  $\frac{2}{3}$ )
- To care for their child if school or place of care is closed (pay is reduced to  $\frac{2}{3}$ )

### Eligibility

- Applies to public employers of all sizes (including federal, state, and local governments) and private employers with fewer than 500 employees but businesses must choose to participate
- Workplace must be open and the employee must be unable to telework (either unable because their job is only in-person or because they are prevented from teleworking due to COVID needs)
- Available to full-time, part-time, and temporary employees if employers choose to provide this leave. Also applies to self-employed, gig, and contract workers
- No tax credit will be available to employees who discriminate in favor of highly compensated employees, full time workers, or tenure in the workplace.
- Employers (including self-employed and gig economy workers) will receive reimbursement for wages through a tax credit if they choose to provide this leave and meet the requirements above

### Hours and Rate of Pay

- Employers can provide a total of 80 hours of paid sick time related to COVID-19. This time resets on April 1, 2021, creating a new block of 80 hours for workers to use.
- Maximum payment: \$511 per day/\$5,110 total for self-care; \$200 per day/\$2,000 total for family care
- Part-time workers receive the average number of hours worked over a two-week period. If their schedule varies, workers receive the average hours scheduled per day over the prior six months. Otherwise the employee receives the amount they expected to work when hired.

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### Emergency Paid Leave

#### Purpose

- To care for your child if school or place of care is closed
- Beginning April 1, 2021
  - To obtain a medical diagnosis or care if experiencing symptoms
  - To self-quarantine due to COVID-19 concerns under the advice of a health care provider
  - To comply with a federal, state, or local quarantine or isolation order related to COVID-19
  - To comply with a recommendation from a public health official
  - To obtain a COVID-19 vaccination and/or recover from COVID-19 vaccine related side effects
  - To care for an individual who is self-isolating because of diagnosis or symptoms

#### Eligibility

- Applies to public employers of all sizes (including federal, state, and local governments) and private employers with fewer than 500 employees but businesses must choose to participate
- Workplace must be open and the employee must be unable to telework (either unable because their job is only in-person or because they are prevented from teleworking due to COVID needs)
- Available to full-time, part-time, and temporary employees who have been on the job for at least 30 days if employers choose to provide this leave. Also also applies to self-employed, gig, and contract workers
- No tax credit will be available to employers who discriminate in favor of highly compensated employees, full time workers, or tenure in the workplace.
- Employers (including self-employed and gig economy workers) will receive reimbursement for wages through a tax credit if they choose to provide this leave and meet the requirements above

#### Hours and Rate of Pay

- Employer can provide 12 weeks of job-protected leave for COVID-related absences for a total of 14 weeks of time
- Pay should be calculated on an employee's normal schedule, including overtime
- Employer can pay worker 2/3 of their wage, up to \$200 per day/\$12,000 total
- Up to 14 weeks maximum time between emergency paid sick days and emergency paid leave

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## The Coronavirus Aid, Relief, and Economic Security (CARES) Act

Congress passed an emergency law on The CARES Act (Coronavirus Aid, Relief, and Economic Security Act) on March 27, 2020, that has different kinds of unemployment support for workers. Some parts of this law were extended by Congress through ARP until September 6, 2021.

### Pandemic Emergency Unemployment Compensation (PEUC)

#### Purpose

- Provides an additional 53 weeks of state unemployment insurance benefits after someone uses all their regular state UI benefits

#### Eligibility

- To qualify, a person must be actively looking for work
  - States must provide flexibility for people who are ill, quarantined, or restricted in movement due to COVID-19

#### Additional information

- States cannot decrease the number of weeks or weekly benefits below what was available to workers on January 1, 2020
- This program is fully federally funded

### Pandemic Unemployment Assistance (PUA)

#### Purpose

- Provides benefits for up to 79 weeks (retroactive from Jan 29, 2020 and until September 6, 2021) for workers not normally eligible for state unemployment insurance
- Individuals with upcoming contracts or other suspended employment can apply under this program
- Also available for people who have exhausted their state unemployment insurance, including extended benefits

#### Coverage

- Self-employed, freelancers, and independent contractors
- Workers seeking part-time work
- Workers whose work history is too short to qualify for state unemployment insurance
- Workers who have exhausted state unemployment benefits

#### Eligibility

- Partially or fully unemployed
- Unable to work for a COVID-19-related reason
  - They have been diagnosed with COVID-19 or have symptoms and need diagnosis

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- A member of their household has been diagnosed with COVID-19
- They are providing care for someone diagnosed with COVID-19
- They are providing care for their child or household member who can't attend school or work because it is closed due to COVID-19
- They are quarantined or have been advised by a health care provider to self-quarantine
- They were scheduled to start employment and do not have a job or cannot reach their place of employment as a result of a COVID-19 outbreak
- They have become the breadwinner for a household because the head of household has died as a direct result of COVID-19
- They had to quit their job as a direct result of COVID-19
- Their place of employment is closed as a direct result of COVID-19
- Not able to telework for pay
- Not receiving paid sick days or paid leave
- And unfortunately, must be authorized to work, so undocumented workers will not qualify
- Workers eligible for state unemployment insurance are not eligible

## Pandemic Unemployment Compensation (PUC)

### Purpose

- Provides additional \$300 per week on top of other unemployment benefits
- This is a flat amount provided to each person, including those receiving a partial unemployment check
- This benefit restarted in the December 2020 stimulus bill and is available until September 6, 2021.

## Work Sharing

The CARES Act helps some employers avoid layoffs by providing partial unemployment benefits for workers put on part-time schedules. In the [states](#) with work-sharing laws, the federal government will fully reimburse states for work-sharing. For more information, contact the [National Employment Law Project](#).

## Lost Wage Assistance Program

Some states are participating in the [Lost Wage Assistance Program](#), which provides additional short term money during unemployment. Check with your state to learn more.

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