

## Overview of Employment Benefits Under the CARES Act, FFCRA, and California Law (Effective April 1, 2020)

FFCRA Provisions	Eligible Employees	Benefits Provided	Qualifying Reasons
<p><b>Emergency Sick Leave<sup>1</sup></b></p>	<ul style="list-style-type: none"> <li>• Employees (<b>full time and part time</b>) who are unable to work or telework after April 1, 2020 due to a Qualifying Reason.</li> <li>• Employees are eligible regardless of working duration with employer.</li> </ul> <p>Employees who are laid off after March 1, 2020, and then subsequently rehired are entitled to the emergency sick leave (per the CARES Act). Employee must have worked for the employer for at least 30 of the last 60 days prior to his or her layoff.</p>	<ul style="list-style-type: none"> <li>• For <u>full time</u> employees up to <b>80 hours of paid sick leave</b> at the employee's regular rate (for Qualifying Reasons 1, 2, and 3) or two thirds the employee's regular rate for qualifying reasons 4, 5, and 6. (see Qualifying Reasons listed in the next column).</li> <li>• For <u>part-time</u> employees, a number of hours equal to the number of hours that such employee works, on average, over a 2-week period.</li> </ul> <p><u>Cap on sick leave</u></p> <ul style="list-style-type: none"> <li>- Up to \$511 per day up to \$5,110 total per employee for own use.</li> <li>- Up to \$200 per day up to \$2,000 to care for others.</li> </ul>	<p>The act allows Eligible Employees to take paid sick leave when the employee is:</p> <ol style="list-style-type: none"> <li>(1) Subject to a governmental quarantine or isolation order related to COVID-19;</li> <li>(2) Advised by a health care provider to self-quarantine due to concerns related to COVID-19;</li> <li>(3) Experiencing symptoms of coronavirus and seeking a medical diagnosis;</li> <li>(4) Caring for or assisting an individual who is subject to categories (1) or (2) above;</li> <li>(5) Caring for a child whose school or place of childcare is closed or unavailable due to coronavirus; or</li> <li>(6) Experiencing any other similar condition to be specified by the Secretary of Health and Human Services.</li> </ol> <p>For Department of Labor (DOL) Guidance on Frequently Asked Questions (FAQs) related to FFCRA Emergency Sick Leave and Emergency Family Leave see:  <a href="https://www.dol.gov/agencies/whd/pandemic/ffcra-questions">https://www.dol.gov/agencies/whd/pandemic/ffcra-questions</a></p>

<sup>1</sup> Each covered employer must post a notice of the FFCRA requirements. Notice posters are now available on the U.S. Department of Labor's website.  
[https://www.dol.gov/sites/dolgov/files/WHd/posters/FFCRA\\_Poster\\_WH1422\\_Non-Federal.pdf](https://www.dol.gov/sites/dolgov/files/WHd/posters/FFCRA_Poster_WH1422_Non-Federal.pdf)

<p><b>Emergency Family Leave</b></p>	<ul style="list-style-type: none"> <li>• Employees who are unable to work or telework.</li> <li>• Employee must have been employed for at least <b>30 calendar days</b> prior to taking the Emergency FMLA.</li> </ul> <p>Employees who are laid off after March 1, 2020, and then subsequently rehired are entitled to the emergency sick leave (per the CARES Act). Employee must have worked for the employer for at least 30 of the last 60 days prior to his or her layoff.</p>	<ul style="list-style-type: none"> <li>• Up to <b>12 weeks of FMLA</b>.</li> <li>• Employees are to receive a benefit from their employers equal to at least <b>two-thirds of their normal pay rate</b>. The paid leave is capped at \$200 per day and \$10,000 in the aggregate.</li> <li>• The first 10 days of leave can be unpaid (a worker could opt to use accrued vacation days or other available paid leave for those days).</li> </ul> <p>For employees who work irregular schedules, the remaining time must be paid based on the <b>average number of hours the employee worked for the six months prior</b> to taking Emergency FMLA.</p>	<p>The act allows for up to 12 weeks of FMLA in the event:</p> <ul style="list-style-type: none"> <li>- Employee needs leave to care for their child under 18 years of age if the school (elementary or secondary school) or place of care has been closed.</li> <li>- Employee needs leave to care for their child because their child care provider is unavailable, due to a public health emergency related to COVID-19.</li> </ul>
<p><b>California Unemployment Benefits</b></p>	<p>Individuals are eligible to apply for unemployment benefits if they suffer a total or partial loss of income due to Qualifying Reasons and they meet the other eligibility requirements specified by the Employment Development Department, which can be found here:  <a href="https://www.edd.ca.gov/Unemployment/Eligibility.htm">https://www.edd.ca.gov/Unemployment/Eligibility.htm</a></p>	<ul style="list-style-type: none"> <li>• The FFCRA and CARES Acts remove the "job search requirement" and <b>allow for benefits entitlement on the first day</b> of the loss of employment rather than the one-week waiting period.</li> <li>• California waived the one-week waiting period for employees unemployed or disabled due to the coronavirus.</li> <li>• In California, eligible individuals can receive benefits that range from <b>\$40-\$450</b> per week.</li> </ul> <p>If eligible, the EDD processes and issues payments within a few weeks of receiving a claim.</p>	<p>In California, you can apply for unemployment benefits for the following reasons:</p> <ul style="list-style-type: none"> <li>• Your hours are reduced due to the quarantine.</li> <li>• You were separated from your employer during the quarantine.</li> <li>• You are subject to a quarantine required by a medical professional or state or local health officer.</li> </ul> <p>Employees can now submit their application online through <a href="https://www.edd.ca.gov">edd.ca.gov</a>, by phone, fax or mail. (See phone and mailing information on website.) For specific questions related to unemployment benefits that are now available following the onset of the pandemic see: <a href="https://www.edd.ca.gov/about_edd/coronavirus-2019/faqs.htm">https://www.edd.ca.gov/about_edd/coronavirus-2019/faqs.htm</a></p>

<p><b>California Disability Benefits</b></p>	<ul style="list-style-type: none"> <li>Per California, employees who are ill due to having or being exposed to COVID-19.</li> <li>Per California, employees who are under quarantine certified by a medical professional or a state or local health officer.</li> </ul> <p>(Note: Individuals cannot receive both disability and unemployment benefits at the same time.)</p>	<ul style="list-style-type: none"> <li>Benefit amounts are approximately <b>60-70 percent of wages</b> (depending on income) and range from \$50-\$1,300 a week. The EDD provides a Disability Insurance Calculator to estimate an employee's potential benefit amount.</li> </ul> <p>The one-week unpaid waiting period has been waived. If employee is eligible, the EDD processes and issues payments within a few weeks of receiving a claim.</p>	<p>Employee is unable to work due to having or being exposed to COVID-19 and has the necessary supporting medical documentation.</p> <p><u>Medical documentation</u> includes: Medical certification signed by a treating physician or a practitioner that includes a diagnosis and ICD-10 code, or if no diagnosis has been obtained, a statement of symptoms; the start date of the condition; its probable duration; and the treating physician's or practitioner's license number or facility information.</p> <p>This requirement can also be met by a written order from a state or local health officer that is specific to the employee.</p> <p>For the EDD's response to FAQs related to potential state disability benefits available due to the pandemic, see: <a href="https://www.edd.ca.gov/about_edd/coronavirus-2019/faqs.htm">https://www.edd.ca.gov/about_edd/coronavirus-2019/faqs.htm</a></p>
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<u>CARES Act Provisions</u>	<u>Eligible Employees</u>	<u>Benefits Provided</u>	<u>Qualifying Reasons</u>
<p><b>Pandemic Unemployment Assistance (PUA)</b></p> <p><b>(CARES Act Section: 2102)</b></p>	<ul style="list-style-type: none"> <li>• Self-employed,</li> <li>• Independent contractors,</li> <li>• Part time employment seekers,</li> <li>• Individuals who lack sufficient work history, or</li> <li>• Individuals who have exhausted their unemployment benefits under existing schemes – provided they are able to self-certify that they are unemployed, partially unemployed, or unable to work due to a Qualifying Reason (see Qualifying Reasons column).</li> </ul> <p>(Note: This does not include an individual who has the ability to telework with pay; or an individual who is receiving paid sick leave or other paid leave benefits, regardless of whether the employee meets any of the qualifications described in the Qualifying Reason column).</p>	<ul style="list-style-type: none"> <li>• <b>Half of the average state provided unemployment benefit</b> and an extra <b>\$600</b> per week.</li> <li>• Up to <b>39 weeks</b> of PUA beginning on or after January 27, 2020 and ending on or before December 31, 2020 (39 weeks includes the normal 26 weeks of state Unemployment Insurance (UI) and the additional 13 weeks allotted by CARES Act).</li> </ul>	<p>Individuals would need to provide self-certification that they are (1) partially or fully unemployed, or (2) unable and unavailable to work because of one of the following circumstances:</p> <ul style="list-style-type: none"> <li>• They have been diagnosed with COVID-19 or are experiencing symptoms of COVID-19 that require a medical diagnosis.</li> <li>• A member of their household has been diagnosed with COVID-19.</li> <li>• They are providing care for a family member or member of their household who has been diagnosed with COVID-19.</li> <li>• A member of their household for whom they have primary caregiving responsibility is unable to attend school or another facility that has been closed as a direct result of the COVID-19 public health emergency and because of this closure they are unable to work.</li> <li>• They are unable to work because of a quarantine imposed as a result of the COVID-19 public health emergency.</li> <li>• They are unable to work because they have been advised to self-quarantine by a health care provider.</li> <li>• They were scheduled to start a job but are unable to do so as a result of the COVID-19 public health emergency.</li> </ul>

			<ul style="list-style-type: none"> <li>• They have become a “major support for a household” because the breadwinner in the household has died as a direct result of COVID-19.</li> <li>• They quit their job as a direct result of COVID-19.</li> </ul>
<p><b>Emergency Increase in Unemployment Compensation Benefits</b></p> <p>(CARES Act: Section 2104)</p>	<ul style="list-style-type: none"> <li>• Recipients of State Unemployment Insurance.</li> <li>• Recipients of PUA.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Up to 39 weeks</b> of state unemployment assistance beginning on or after January 27, 2020 and ending on or before December 31, 2020 (39 weeks includes the normal 26 weeks of state Unemployment Insurance (UI) and the additional 13 weeks allotted by CARES Act).</li> <li>• Additional <b>\$600 a week for a period of four months</b> on top of any existing state benefits.</li> </ul>	<p>Qualifying individuals have to meet their state qualification for Unemployment Insurance.</p>
<p><b>Pandemic Emergency Unemployment Compensation (PEUC)</b></p> <p>(CARES Act: Section 2107)</p>	<ul style="list-style-type: none"> <li>• Individuals who otherwise would be ineligible for such compensation because they have exhausted all rights to regular unemployment compensation under applicable state or federal law with respect to this benefit year.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Additional 13 weeks of unemployment</b> (state Unemployment Insurance Benefits) compensation, through December 31, 2020.</li> </ul>	<p>Qualifying individuals include:</p> <ul style="list-style-type: none"> <li>• An individual who has no right to regular unemployment compensation under any applicable state or federal law;</li> <li>• An individual who is not receiving unemployment compensation under Canadian law; and</li> <li>• An individual who is able, available, and actively seeking work.</li> </ul>

<p><b>Recovery Rebates</b></p> <p><b>(CARES Act: Section 2201)</b></p>	<ul style="list-style-type: none"> <li>• <b>All taxpayers</b> that meet the income requirement (does not include: a non-resident alien individual; an individual with respect to whom a deduction under Section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which the individual's taxable year begins; or an estate or trust).</li> </ul>	<ul style="list-style-type: none"> <li>• Up to <b>\$1,200 for individual adults;</b></li> <li>• Up to \$2,400 in the case of eligible individuals filing a joint return; plus,</li> <li>• Eligible families will receive an additional \$500 for each child (defined as a dependent under the age of 17.)</li> </ul>	<p>The amount of the credit allowed shall be reduced by 5% of such of the taxpayer's adjusted gross income which exceeds:</p> <p>(1) \$150,000 in the case of a joint return;</p> <p>(2) \$112,500 in the case of a head of household, and</p> <p>(3) \$75,000 in the case of a taxpayer not described in (1) or (2).</p>
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