

H.R. 6198, *Emergency Paid Leave Act*

Background

- Under current law, the majority of U.S. workers do not have paid family and medical leave. Workers at employers with 50 or more employees are entitled to take unpaid leave.
- State and employer paid leave programs vary greatly. Florida does not have a paid leave program. Many Florida employers do not offer paid leave.

Rep. Murphy's Measure (as Amended)

- The core of Rep. Murphy's measure, H.R. 6198, the *Emergency Paid Leave Act*, was included as Division C of H.R. 6201, the *Families First Coronavirus Response Act*.
- This measure amends the Family and Medical Leave Act to require that employers of all sizes provide up to 10 weeks of paid emergency (family and medical) leave for eligible workers.
- This benefit would begin once an eligible worker has exhausted their initial 2 weeks of mandatory paid sick leave, for a total of 12 weeks.

Which workers are eligible for the new emergency leave benefit?

- The worker is recommended or directed by a doctor or public health official to take leave because the worker has coronavirus, symptoms of coronavirus, or exposure to someone with coronavirus; or
- The worker must take leave to care for a family member (e.g., child, parent, spouse, sibling, grandparent, grandchild) who has coronavirus, symptoms of coronavirus, or exposure to someone with coronavirus, and a doctor or public health official determines that the family member's presence in the community would jeopardize the health of others; or
- The worker must take leave to care for a son or daughter if the child's child care provider or elementary or secondary school is closed due to coronavirus.

What is the new emergency leave benefit?

- Employers of all sizes will be required to provide eligible workers with a benefit (partial wage replacement) that is equal to at least two-thirds of their regular rate of pay (\$1,000 per week maximum) and lasts for up to 10 weeks.

How will the new emergency leave benefit be administered?

- Employers will administer the benefit, in line with statutory requirements. The federal government will provide an employer with a payroll tax credit to reimburse the employer for 100 percent of the cost of providing the paid emergency leave benefit.
- Eligible self-employed workers, including independent contractors, would receive a 100 percent refundable income tax credit for their average daily self-employment income for days they are unable to work up to the equivalent cap.