

## Client Alert **Employment & Labor**

### **FFCRA Employee Notice Requirements Are Now in Effect**

Effective April 1, 2020, the Family First Coronavirus Response Act's ("FFCRA") notice requirements go into effect for all covered employers. FFCRA requires employers covered by the act (specifically, employers with fewer than 500 employees) to post a notice of the act's requirements in a conspicuous place on its premises. Where a covered employer's physical premises have been shut down but employees continue to telework, an employer may satisfy this notice requirement by emailing or direct mailing the FFCRA notice to its employees. Alternatively, an employer may post the required notice on an employee information internal or external website. Importantly, where an employer has employees reporting to different worksites or buildings, the employer must post all required federal notices in each worksite, even if the worksites are located in the same environment, industrial complex, or campus.

Note that small businesses with fewer than 50 employees must post the notice; however, they potentially may be able to qualify for the small business exemption if providing leave under the act jeopardizes the viability of the business as a going concern. According to the United States Department of Labor, guidance on the small business exemption will be addressed in forthcoming regulations.

A copy of the FFCRA notice may be accessed by clicking on the following link:

[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)

April 1  
**2020**

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## U.S. Department of Labor's FFCRA Compliance Guide

The U.S. Department of Labor has posted its answers to frequently asked questions ("FAQs") concerning FFCRA, in order to provide compliance assistance to employers. The FAQs are updated regularly and may be accessed by clicking on the following link: <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>

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Attorneys in our Employment and Labor Law Practice Group can assist employers regarding the issues raised in this alert.

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### Grace A. Byrd, Esq.

Client Alert Issue Co-Author; Of Counsel, Employment and Labor Practice Group  
[gbyrd@sillscummis.com](mailto:gbyrd@sillscummis.com) | (973) 643-6792

### Clifford D. Dawkins, Jr., Esq.

Client Alert Issue Co-Author; Associate, Employment and Labor Practice Group  
[cdawkins@sillscummis.com](mailto:cdawkins@sillscummis.com) | (973) 643-3381

### Jill Turner Lever, Esq.

Client Alert Issue Co-Author; Of Counsel, Employment and Labor Practice Group  
[jlever@sillscummis.com](mailto:jlever@sillscummis.com) | (973) 643-5691

### David I. Rosen, Esq.

Client Alert Issue Editor; Chair, Employment and Labor Practice Group  
[drosen@sillscummis.com](mailto:drosen@sillscummis.com) | (973) 643-5558