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WORKFORCE SOLUTIONS

Employer Advisory – April 2, 2020

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.

We have previously sent this required poster out in an earlier Advisory.

In order to satisfy the requirement that when a worksite has been shut down and employees are allowed to telework, we will be emailing this poster to all employees that we have email addresses for.