

(FFCRA) Families First Coronavirus Response Act – Exemptions

Medical Temporaries encourages employees who were available to work, but have experienced lack of available work, for economic reasons related to COVID-19, to apply for unemployment benefits. We will respond immediately to any unemployment verifications, and if appropriate, we will supply the reason for unemployment as “lack of work due to economic reasons related to COVID-19.”

According to the FFCRA rules, employees who were laid off due to economic reasons associated with COVID-19 are not eligible for benefits under the FFCRA. In addition, the Department of Labor rules issued under the FFCRA further state that the following employees may be exempted from the paid sick leave and/or expanded FMLA: employers of health care providers, defined as anyone working in a doctor’s office, hospital, health care center, clinic, post-secondary educational institution offering health care instruction, medical school, local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, any facility that performs laboratory or medical testing, pharmacy, or any similar institution, employer or entity. This includes any permanent or temporary institution, facility, location, or site where medical service are provided that are similar to such institutions.

This definition includes any individual employed by an entity that contracts with any of the above institutions, employers, or entities institutions to provide services or to maintain the operation of the facility. This also includes anyone employed by any entity that provides medical services, produces medical products, or is otherwise involved in the making of COVID-19 related medical equipment, tests, drugs, vaccines, diagnostic vehicles, or treatments.

Thus, Medical Temporaries will exempt any of its temporary employees employed as “health care providers” from the emergency paid sick leave and/or the expanded FMLA leave set forth in the FFCRA, in accordance with the definitions above.

