

# The Interplay Between the Families First Coronavirus Response Act and Virtual Schooling

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The rise of hybrid or potentially 100% virtual learning as a result of the novel Coronavirus has sparked uncertainty for employers and employees across our nation. The Families First Coronavirus Response Act (“FFCRA”), which remains effective through December 31, 2020, provides some relief and requires certain employers to provide paid leave to employees with a qualifying need, as we have explained in previous guidance. Despite the uncertainties resulting from Covid-19 and its impact on students’ ability to return to school, it is likely that even if a school offers full access to its curriculum online through virtual instruction, because the school is not physically open on “virtual” days for student attendance, employees should be allowed to use FFCRA (or the balance thereof) for their child’s virtual instruction time at home. For more assistance concerning the E-FMLEA and paid sick leave provisions under the FFCRA, please contact a member of the Sandberg Phoenix Labor and Employment Team.