



## Group Protection

Valued Lincoln partner,

On Friday, Bob Reiff and Michelle Wertz provided our most recent [Coronavirus \(COVID-19\) update](#). Today, we're touching base again to share a critical update on HR 6201, the Families First Coronavirus Response Act, and what it may mean for you.

### **What to Know About the Bill**

On Friday, March 13, the United States House of Representatives passed the act, and the United States Senate is expected to consider this legislation today, March 16. While there likely will be some changes to the act as the House and Senate negotiate its terms, we can expect a final version to be enacted this week. The current version of the act includes the following:

- The bill will create a **paid sick leave benefit** for Coronavirus-related absences that are not covered under an existing employer-provided paid sick leave plan. The current draft provides 80 hours of sick leave for full-time employees. Part-time employees would be eligible for paid sick leave based on the average number of hours worked over a given period of time.
- The bill will expand the Family Medical Leave Act (FMLA) to cover Coronavirus-related absences and add a **paid component to FMLA benefits** for such absences. There are many details yet to be worked out and we anticipate changes to the definition of covered employer, family member, and an expanded qualifying leave reason to include time off due to school and child care provider closures.

**The above provisions apply to employers with fewer than 500 employees.**

For your reference, we have also provided this [summary of leave provisions](#) sharing important details within the act. We know that there will be additional changes to the bill, and we want you to know Lincoln is preparing to operationalize these provisions to meet the needs of your employees. You can also view the text of the bill that passed the House [here](#).

### **Statutory and Paid Family Leave Plan Updates**

On a related note, we also wanted to provide a brief summary of Coronavirus-related impacts to state statutory disability and paid family leave plans.

#### California:

- State Disability Insurance/Voluntary Disability Insurance and Paid Family Leave: The California Employment Development Department (EDD) expanded the availability of benefits under these programs to employees who are unable to work due to having symptoms or being exposed to Coronavirus or being unable to work to care for a family member who is ill or quarantined. The EDD guidance requires that medical documentation be provided to support the claim. The EDD has more information posted on its [website](#) and in their [FAQ](#).

#### New Jersey:

- Family Leave Insurance (FLI): The New Jersey Department of Labor and Workforce Development (NJ DOL) issued guidance that employees may be eligible to take FLI to care for a family member who has Coronavirus or symptoms of the virus. The claim would need to be filed with the State and a health care provider would need to provide the diagnosis and the expected length of time an employee will be out of work.
- Temporary Disability Insurance (TDI): The NJ DOL has not made any specific changes to the TDI program at this time. Employees who are unable to work due to having or being exposed to Coronavirus may be eligible for benefits under the program depending on their situation and eligibility. The NJ DOL has more information posted on its [website](#).

#### New York:

- While there have been no changes to New York Disability Benefits Law (DBL) or Paid Family Leave (PFL) as of today, proposals expanding DBL and PFL to cover quarantined workers have been floated, and we anticipate some legislative activity in the coming days or weeks that may impact these programs.

#### Rhode Island

- Temporary Disability Insurance (TDI): The Rhode Island Department of Labor and Training (RI DOL) issued guidance that it is waiving the 7-day minimum amount of time that a claimant must be out of work for COVID-19 claims, and it will waive the required medical certification for COVID-19 claims and will allow a claimant to self-attest that they are under quarantine. The RI DOL has posted additional information on its [website](#).

#### Washington

- Paid Family and Medical Leave (PFML): The Washington Employment Security Department (WA ESD) clarified some scenarios related to COVID-19. If a claimant is quarantined and not sick with the virus, the quarantine alone is not a qualifying event. If a claimant has COVID-19 and their health care provider has certified that the claimant is unable to work, the claimant may be eligible for PFML (provided they meet all other eligibility for the program). The WA ESD has additional information on its [website](#) and [here](#).

### **We're Here to Help**

At Lincoln, we are monitoring all Coronavirus-related developments closely and are committed to sharing additional actionable intelligence with you as we know more. We appreciate your continued partnership during this emergency and are here to support your employees. If you have any additional questions, please reach out to your Lincoln sales or service contact.

Lincoln Financial Group