DOL FFCRA Required Employee Documentation
Emergency Paid Sick Leave & Emergency Family and Medical Leave

Employers with fewer than 500 employees are required to offer Family & Medical Leave and/or Paid Sick Leave to their employees. Some exemptions exist for businesses with fewer than 50 employees. To learn more about the leave requirement and tax credit, please click here.

For an employee to take either type of leave, they must provide documentation on the following to the employer:

1. Employee name
2. Dates of requested leave
3. Qualifying reason for the leave
4. Oral or written statement of inability to work because of the reason above

Additional documentation is required in the following circumstances:

A. If leave is requested due to a government stay-at-home order or quarantine, the employee must provide the name of the government entity which gave the order.

B. If leave is requested due to a self-quarantine on the recommendation of a healthcare provider, the employee must provide the name of the healthcare provider.

C. If leave is requested to care for a relative, the employee must provide the information in points A or B above for the person being cared for.

D. If leave is requested to care for a child whose school or childcare provider is unavailable due to a COVID-19 related shutdown, the employee must provide the name of the child, the name of the school or usual child care provider, and a representation showing that nobody else can care for the child.

E. If the employer requires additional information to support an IRS request for tax credits pursuant to the FFCRA, employees may be required to provide it.

Employers who grant either type of leave must retain all documentation for four years.

If any of the above pieces of documentation are not provided by an employee when requesting leave, the employer is not required to approve the request.

Cited Resources:
DOL TEMPORARY RULE ON FFCRA PAID LEAVE
PDJ NECA FACT SHEET: PAID LEAVE REQUIREMENTS & TAX CREDITS
IRS FFCRA TAX CREDITS AND REIMBURSEMENT

Additional Resources:
H.R. 6201 FFCRA BILL FACT SHEET
REQUIRED EMPLOYEE PAID LEAVE NOTIFICATION POSTER