

## **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](#)