



### **FFCRA Enforcement is Ramping Up: Are You Prepared?**

The Department of Labor's (DOL) Wage and Hour Division (WHD) is actively enforcing the paid leave provisions of the Families First Coronavirus Response Act (FFCRA) resulting in payments of thousands of dollars in back wages for those employers found to be out of compliance, and in some cases, reinstatement of employment when employees are wrongfully terminated. Employers with fewer than 500 employees who are subject to the FFCRA should ensure they are complying with these paid leave requirements and monitoring the latest guidance from the DOL, especially given the recent uptick in COVID-19 case numbers across several states.

Since the WHD first began enforcing the FFCRA paid leave requirements on April 20, 2020, it has publicly announced compliance actions against 24 employers in public and private sectors across 13 states. These actions primarily resulted from employers failing to provide paid leave in two instances – when the employee was advised by a healthcare provider to self-quarantine for reasons related to COVID-19 or the employee needed to care for his or her child whose school or place of care closed due to COVID-19.

The WHD is also investing resources towards its enforcement efforts. Per a [recent DOL news release](#), the WHD will hire 55 additional investigators and eight technicians to join the 92 investigators and 28 technicians recently hired earlier in 2020.

For employers subject to the FFCRA, recognizing when they must provide paid leave, calculating the amount of wages owed, and understanding the documentation needed to support their calculations when agency guidance is constantly changing is overwhelmingly complex. ETC has the resources to help support employers through the full process of administering FFCRA paid leave. If you would like more information on how ETC can support your business, please reach out to [info@etctracking.com](mailto:info@etctracking.com).

