



**Headquarters**  
40 Worth Street, 10<sup>th</sup> Floor  
New York, NY 10013  
tel: 212.430.5982

**Southern Office**  
2301 21<sup>st</sup> Ave. South, Suite 355  
Nashville, TN 37212  
tel: 615.915.2417

**DC Office**  
815 16<sup>th</sup> Street NW, Suite 4162  
Washington, DC 20005

**Colorado Office**  
191 University Blvd., #631  
Denver, CO 80206

[abetterbalance.org](http://abetterbalance.org) | [info@abetterbalance.org](mailto:info@abetterbalance.org)

## Federal Emergency Paid Leave: What Happened & What You Need to Know

*This fact sheet covers tax credits in place for leaves between January 1 and March 31, 2021. For information about tax credits to cover leaves taken between April 1 and September 30, 2021 and other resources, including leave rights for federal employees, under the American Rescue Plan, see [here](#).*

In March 2020, the federal government enacted landmark [emergency COVID-19 paid leave provisions](#) through the Families First Coronavirus Response Act (FFCRA). These provisions gave most private sector employees whose employers have fewer than 500 employees, along with government employees, the right to paid, job-protected leave for a range of COVID-19 related needs. Recognizing this emergency situation, paid leave under the FFCRA was 100% paid for by the federal government through tax credits to employers (except government employers); self-employed people experiencing the same needs could also claim tax credits.

Under the FFCRA, covered workers could take up to 80 hours of paid leave when they had COVID symptoms and were seeking diagnosis, had been advised by a healthcare provider to self-quarantine, were subject to a government order to quarantine or stay home, needed to care for someone subject to a government order or health care provider recommendation to stay home or quarantine, or whose child's school or daycare had closed as result of COVID. For parents coping with a COVID-related school closure or loss of childcare, the law provided up to 12 additional weeks of job-protected leave (10 of which had to be paid).

The FFCRA has offered an invaluable lifeline to [workers across the country](#). Unfortunately, as originally enacted in March, the FFCRA provisions were **temporary**, ending on December 31, 2020. At the end of December 2020, Congress enacted another COVID relief package, which despite [considerable efforts](#) from legislative champions and advocates, **did not** extend and expand the FFCRA to meet the needs of working families. Instead, the package extended the tax credits (for both employers and self-employed people) until March 31, 2021, but did *not* extend employee's rights to take paid leave from work under the law.

### What do I need to know now?

- **For employees:**
  - **If your private-sector employer has fewer than 500 employees:** As of January 1, 2021, your employer is no longer *required* by federal law to provide paid leave. However, if they do provide paid leave for covered purposes, they can get a tax credit to cover the *full* cost. If you have a covered need, you can ask about leave and let your employer know about the tax credit. In effect, employers can choose to extend FFCRA protections at no cost to themselves.
  - **For all employees:** You may still have important rights under state or local paid leave laws. You can find out more [here](#) or call our free legal helpline at 1-833-NEED-ABB.
- **For self-employed workers:** You still have the right to tax credits to cover leave for covered purposes and can find out more [here](#).
- **For state and local policymakers:** States and cities across the country are stepping up to protect their workers. [Contact A Better Balance](#) for more information.

March 15, 2021