

On March 24, 2020, the U.S. Department of Labor announced an initial set of guidance concerning the recently enacted Families First Coronavirus Response Act (FFCRA). Of note, the guidance sets the effective date of the FFCRA as **April 1, 2020**.

Additionally, the Department issued a Field Assistance Bulletin announcing a Temporary Non-Enforcement Period. The Department will observe a temporary period of non-enforcement from March 18 through April 17, 2020, so long as the employer has acted reasonably and in good faith to comply with the Act. “Good faith” exists when violations are remedied and the employee is made whole as soon as practicable by the employer, the violations were not willful, and the Department receives a written commitment from the employer to comply with the Act in the future.

Please note, the Department’s non-enforcement announcement does not impact private litigation for violations of the FFCRA.

We anticipate the Department will release additional guidance in the coming days, as it continues to receive feedback regarding the FFCRA.

The guidance are available on the Department of Labor’s website:

<https://www.dol.gov/agencies/whd/pandemic>

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Annette A. Idalski
Shareholder
404-658-5386



C. Larry Carbo, III
Shareholder
713-356-1712



Diana Perez
Gomez
Shareholder
713-654-9656



Peter N. Hall
Shareholder
404-658-5390



Kellen R. Scott
Shareholder
713-356-1767



Julie R. Offerman
Senior Associate
713-654-9678



Monica M. Pogula
Associate
404-658-5388



Brian A. Smith
Associate
713-658-2547



Kyle D. Winnick
Associate
404-658-5420



Pooneh Momeni
Associate
713-356-1665



Atlanta • Houston • Philadelphia • San Antonio