

DIVISION E—Emergency Paid Sick Leave Act

DIRECT EMPLOYEE NEED	INDIRECT EMPLOYEE NEED
<p>(1) The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.</p> <p>(2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or</p> <p>(3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.</p>	<p>(4) The employee is caring for an individual who is subject to an order as described in subparagraph (1) or has been advised as described in paragraph (2).</p> <p>(5) The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions.</p> <p>(6) The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.</p>
<p>(2) AMOUNT OF HOURS.—The amount of hours of paid sick time to which an employee is entitled shall be as follows:</p> <p>(A) For full-time employees, 80 hours.</p> <p>(B) For part-time employees, a number of hours equal to the number of hours that such employee works, on average, over a 2-week period.</p>	<p>(2) AMOUNT OF HOURS.—The amount of hours of paid sick time to which an employee is entitled shall be as follows:</p> <p>(A) For full-time employees, 80 hours.</p> <p>(B) For part-time employees, a number of hours equal to the number of hours that such employee works, on average, over a 2-week period.</p>
<p>that in no event shall paid sick time exceed—</p> <p>(I) \$511 per day and \$5,110 in the aggregate for a use described in paragraph (1), (2), or (3) of section 5102(a); and</p>	<p>(II) \$200 per day and \$2,000 in the aggregate for a use described in paragraph (4), (5), or (6) of section 5102(a).</p>
<p>employee’s required compensation under this subparagraph shall be not less than the greater of the following:</p> <p>(I) The employee’s regular rate of pay</p> <p>(II) The federal minimum wage rate in effect</p> <p>(III) The state or local minimum wage rate in effect .</p>	

(ii) **SPECIAL RULE FOR CARE OF FAMILY MEMBERS.**—Subject to subparagraph (A)(ii), with respect to any paid sick time provided for any use described in paragraph (4), (5), or (6) of section 5102(a), the employee’s required compensation under this subparagraph shall be two-thirds of the amount described in clause (B)(i).

(C) **VARYING SCHEDULE HOURS CALCULATION.**—In the case of a part-time employee described in section 5102(b)(2)(B) whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the employee would have worked if such employee had not taken paid sick time under section 2(a), the employer shall use the following in place of such number:

(i) Subject to clause (ii), a number equal to the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes the paid sick time, including hours for which the employee took leave of any type.

(ii) If the employee did not work over such period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day that the employee would normally be scheduled to work.