



## **DOL Issues Updated Guidance to Assist Employers with School-Related Leave Under the FFCRA**

Please contact our  
**Carr Allison COVID-19 Response Team**  
with any questions you may have.

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The Department of Labor recently issued guidance to provide assistance to employers trying to determine what leave is required when schools are closed, or partially closed, as a result of COVID-19. The DOL FAQs are located [HERE](#).

The first situation discussed by the DOL related to alternating, or hybrid, school attendance plans. Under such plans, schools only allow some students to attend on particular days with the remaining students being allowed to attend on alternative days. When students are not allowed to attend in-person, they participate in remote learning. Under the FFCRA, employers are required to provide paid leave to employees on days when their child is unable to attend school in-person.

The next situation the DOL discussed concerns remote versus in-person learning. Many school districts across the country have provided options for parents to either send their child to school or keep the child at home full-time to participate in remote learning. The DOL clarified that FFCRA leave would not apply to allow parents to school their child at home if an in-person option is available at the school. The DOL's reasoning is that the school is not technically "closed" to children in such scenarios. If, however, parents must keep their child at home because the parent or child is under a quarantine order or has been advised by a health care provider to quarantine, paid leave would be available during the period of quarantine.

Finally, the DOL clarified that paid leave is available under the FFCRA when a child's school is only offering a remote learning opportunity for students. While such schools remain closed, parents are entitled to paid leave under the FFCRA.

We will continue to keep you updated regarding the FFCRA and changes that may impact your business. If you have employment-related questions at any time, please feel free to contact us and we will be happy to assist.