

# Request for Paid Sick Leave

## Experiencing COVID-19 Symptoms and Seeking a Medical Diagnosis

The Families First Coronavirus Response Act provides 2 weeks of paid leave to eligible employees who need leave because they are experiencing symptoms of COVID-19 and seeking a medical diagnosis. Full-time employees are eligible for 80 hours of leave; part-time employees are eligible for the number of hours normally worked over a two-week period. This form helps employees who want to request leave and their employers by asking for the information required by law to grant leave requests. It is not legal or tax advice. Employees who want to request leave should complete the sections below that apply to them and give the completed form to their employer.

**Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**How I can be reached to discuss request:** \_\_\_\_\_

**I am requesting leave because I am experiencing symptoms of COVID-19 and am seeking a medical diagnosis. I am experiencing the following COVID-19 Symptoms (briefly list symptoms):**

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For a list of COVID-19 symptoms identified by the Centers for Disease Control visit:  
<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>

**I am unable to work or telework during the time I am requesting leave and need to take leave from**  
\_\_\_\_\_ **through** \_\_\_\_\_.

**I want to take (check one):**

Full-time leave

Part-time leave on the following schedule (available only if teleworking):

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*This form was created by the Center for WorkLife Law, a nonprofit, nonpartisan research institute at the University of California, Hastings Law that works with companies and their employees to ensure working caregivers are able to meet their responsibilities to both their employers and their families. More information is available at [www.worklifelaw.org](http://www.worklifelaw.org).*

## Legal Overview: Paid Sick Leave for Employees Experiencing COVID-19 Symptoms and Seeking a Medical Diagnosis

- The Families First Coronavirus Response Act applies only to private businesses that have fewer than 500 employees and to government agencies of all sizes.
- An employee is eligible for **2 weeks of emergency paid sick time** when they need leave because they are experiencing COVID-19 symptoms and seeking a medical diagnosis. Full-time employees are eligible for 80 hours of leave; part-time employees are eligible for the number of hours normally worked over a two-week period.
- Emergency employer-paid leave and sick time is not available to all employees:
  - Employers may provide paid leave to healthcare providers and emergency responders, but they are not required to do so.
  - An employee is not eligible for paid leave if their employer does not have work for them to do during the time they need the leave (e.g., if their worksite is closed or they are furloughed).
- During the time off, employers must pay the employee their regular rate of pay or the minimum wage that applies where they work, whichever is more. Employers are not required to pay more than \$511 per day or \$5,110 total. Employers may *not* require an employee to use sick days, vacation time, or other paid time off before taking two weeks of emergency paid sick time, or while taking the emergency paid sick time.
- If an employer and employee agree, then an employee may take part-time ("intermittent") leave so long as they are teleworking.
- Employers receive tax credits to cover costs associated with providing paid leave. Visit <https://www.irs.gov/newsroom/covid-19-related-tax-credits-general-information-faqs>.
- For more information, view frequently asked questions and answers from the Department of Labor: <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>.
- Employees who are not eligible or use up their paid leave under the Families First Coronavirus Response Act may be eligible for job-protected leave under the Family and Medical Leave Act, the Americans with Disabilities Act, and/or other federal, state, and local laws. They may also be eligible to collect unemployment insurance, pandemic unemployment assistance, paid family leave, or other benefits from the state where they work.