

**Managing Your Workforce in Response to COVID-19 – Employment Law Implications  
Webinar (March 31, 2020)**  
Sample of Audience Questions and Answers

**Under the Families First Coronavirus Response Act, if a company granted sick leave to employees prior to April 1, are they eligible for the payroll tax credits?**

- No, the sick leave must be granted after April 1 to be eligible.

**Are nonprofit entities included in the Families First Coronavirus Response Act?**

- Yes, nonprofit organizations with paid employees are included.

**Are churches included among the nonprofit entities covered under this Act?**

- Yes, as long as the church has paid employees.

**How do you apply for the payroll tax credits?**

- There will likely be an amendment to the tax return documentation with a line item for the employers to include the necessary information needed to obtain the payroll tax credits, rather than an actual application.

**If the tele-work efficiency of employees impacts and reduces billable time to clients, how does the lost billable time get considered?**

- The productivity is not taken into consideration and the employer must pay the employee their hourly rate.

**My company has a mix of both W-2 employees and independent contractors. Are the independent contractors included in the 500-employee limit specified by the Act?**

- No, independent contractors are not included.

**If a business is deemed essential, but an employee chooses not to go to work because of the “stay at home” order or safety concerns, is the employer required to pay that employee?**

- No, however there are exceptions for employees with underlying conditions who have a note from the doctor if telework is available.

**Is a written confirmation of a diagnosis required for the paid sick leave to be granted?**

- No, not at this time, partly due to limited testing. An employer should still collect a written request for leave from the employee and notes from their doctor as records for tax credits.