



Julie Athey, J.D.
Director of Compliance

Julie assists with a variety of compliance issues related to employee benefits and the ACA, ERISA and other federal and state regulations.

Employee Benefits – Question of the Month

June 2020

Q: I've been trying to figure out the best approach to providing the [notice required by the Families First Coronavirus Response Act \(FFCRA\)](#) to our employees. Almost all of our employees have been working remotely since before the notice requirement took effect on April 1. I emailed the notice to all employees on April 1 because I knew they wouldn't be in the office to see it. Now I'm wondering if that was insufficient. What do you recommend?

A: The FFCRA actually allows covered employers (for the private sector, those with fewer than 500 employees) to provide the notice to employees in a number of different ways, including:

- Posting it in a conspicuous place on the premises;
- Posting it on an internal or external website; or
- Emailing or direct mailing it to employees.

Although not technically required, I recommend that you go ahead and post the notice at all locations, especially as employees start returning to the office. The notice needs to be displayed in a conspicuous place where employees can see it (preferably with your other required workplace posters). You may need to post it in more than one location at each worksite if that's what it takes for all employees to see it. For example, if different employees use different break rooms, you might want to post it in all of them.

Also, keep in mind that if you are hiring, new employees will need to receive the notice as well. Posting it one in a physical location might be easier than distributing it to all new employees. If you decide to post it to an internal or external website, make sure you do so in such a way that employees are likely to see it. (But note that the regular, highly detailed rules for electronic distribution of other similar notices do not appear to apply.)

For additional information, check out the U.S. Department of Labor's [Wage and Hour Division's website](#) or sign up for [Key News Alerts](#).

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