



This article presents general guidelines for Ohio nonprofit organizations as of the date written and should not be construed as legal advice. Always consult an attorney to address your particular situation.

LEGAL ALERT

FFCRA Obligations Are Now Voluntary

On December 31, 2020, the Wage and Hour Division of the Department of Labor (“DOL”) updated its Family First Coronavirus Response Act (“FFCRA”) guidance. Their update follows the Consolidated Appropriation Act of 2021 (the “Act”) which was signed into law on December 27, 2020. The Act extended the FFCRA tax credit through March 31, 2021 if an employer voluntarily makes paid sick and family leave available to its employees from December 31, 2020 through March 31, 2021.

The new [Questions and Answers](#) issued by the DOL clarify that:

- An employer is required to compensate employees for any FFCRA leave taken prior to December 31, 2020.
- An employer is not required to provide FFCRA leave after December 31, 2020, even if all available FFCRA leave was not exhausted in 2020.
- An employer may decide to provide such leave after December 31, 2020, and receive employer tax credits for paid sick leave and expanded family leave voluntarily provided to employees until March 31, 2021.

Need Legal Advice?

If you are a PBPO client and have questions regarding the content of this article or need legal assistance, please contact us at info@pbpohio.org or (513) 977-0304.

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