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In the past two weeks, two massive pieces of legislation have been signed into law as a result of the Coronavirus pandemic.

1. The Families First Coronavirus Response Act was passed on March 18th. It goes into effect April 1, 2020 and remains in effect through December 31, 2020. The two key provisions that impact schools pertain to Paid Sick Leave and Family Medical Leave.
2. The Coronavirus Aid, Relief and Economic Security Act (CARES) was signed into law on March 27th. There are several key provisions that can support and impact schools, child-care centers and their employees including Small Business Administration loans, expanded unemployment benefits, and relief to schools.

Please keep in mind that *federal guidance is still forthcoming* on the many provisions in these two massive pieces of legislation so information may still change. The resources below reflect the latest information we have been able to compile. We will continue to send regular bulletins as new or clarifying information becomes available. To get these updates straight to your inbox, [sign up](#) for our mailing list. Please don't hesitate to reach out with any questions as you dig into this information.

### Unemployment Insurance Provisions in the CARES Act

- The Coronavirus Aid, Relief and Economic Security Act was signed into law on March 27. Among its provisions are 3 **new Unemployment Insurance programs** which are available across varying time frames. [This bulletin](#) from the National Employment Law Project lays out the details for each of these provisions.
- The Bipartisan Policy Center and Committee for Economic Development have issued a [brief](#) regarding Unemployment Relief in the CARES Act. Even though the CARES Act is authorizing federal funds to support unemployment relief, it's important to note that unemployment compensation programs are state run and these federal funds will be administered by each state. The BPC brief notes "Because each state operates its own unemployment compensation program, the unemployment compensation changes under the CARES Act will require each state (or territory) to enter into an agreement with the U.S. Department of Labor in order to receive federal funding to both administer the benefits and pay for the federal portion of the benefits...While it is likely, as unemployment claims increase, that all states will opt-in to the additional unemployment assistance, it is not required. Because state agreements may be submitted and approved at different times, and state capacity to implement the changes may differ, it is very likely that state implementation will vary. To compensate for staggered implementation, payment of benefits will be retroactive."
- **An important note for non-profits:** Non-profits have the option of paying into their state's unemployment on a regular basis, or reimbursing the state for amounts paid to a former employee who is receiving unemployment. If your school is a non-profit and has chosen to be a reimbursable employer, the CARES Act contains a provision through which reimbursable employers can be reimbursed for half of the amounts paid to state unemployment between March 13, 2020, and December 31, 2020.

### Updated Information on Sick Leave and FMLA Provisions in the Families First Coronavirus Act

- **DOL Required Posting:** Employers covered by these provisions (1-499 employees) will be required to post (and distribute to remote workers) [this notification](#) from the Department of Labor.
- The National Association of Independent Schools (NAIS) recently held a webinar regarding these provisions along with the provisions of the CARES Act, and the slide deck from the presentation is available [here](#). It contains summary information as well as answers to several frequently asked questions.
- For those who have referenced the Fisher Phillips webinar regarding Emergency Sick Leave and FMLA provisions of the Families First Coronavirus Act, there is an [updated slide deck](#). Fisher Phillips issued the following notice along with the updated slide deck: "Thank you for attending our webinar, Families First Coronavirus Response Act: Emergency Paid Sick Leave And Emergency FMLA For Private Schools, on March 26, 2020. After producing the webinar, the Department of Labor issued guidance on some of the gray areas in the law that we mentioned on the webinar. Given that, we have modified the slides to reflect these changes...You should use these slides and not the recorded version of the webinar that you may have received from our firm as you make decisions about the applicability of the Emergency Paid Sick Leave Law and/or the Emergency FMLA."

Don't miss the MPPI Advocacy Conference

October 2-4 2020

Chevy Chase, MD



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