**Question:** If the employer is over 500 employees, can an employee take the FMLA for one of the extended reasons, like caring for a child with no childcare?

**Response:** Under The Families First Coronavirus Response Act, Emergency Paid Sick Leave (EPSL) and Emergency FMLA Expansion (EFML) components impact most public employers and private employers with fewer than 500 employees (499 or less). Some provisions may not apply to private employers with fewer than 50 employees. Also, employers may elect not to provide EPSL or EFML to health care providers or emergency responders.

In addition, many of the states and local jurisdictions require employers to provide paid sick leave to cover absences related to child care, school closures ordered by health officials etc. So, check your state and local laws for details.

***In the absence of a specific requirement, employers should consider offering paid and/or unpaid leave to impacted employees.***