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MISSOURI Restaurant News

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Client Alert

Department of Labor Issues FFCRA Workplace Poster

The U.S. Department of Labor's Wage and Hour Division ("WHD") has issued a poster related to the Paid Sick Leave and Expanded Family and Medical Leave under the Families First Coronavirus Response Act ("FFCRA"). The poster may be found at:

https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA_Poster_WH1422_Non-Federal.pdf

Please note that WHD has also released a similar poster for distribution to the federal workforce. The correct poster for non-federal employers (which includes federal contractors and subcontractors) simply reads "Employee Rights" on the top line while the corresponding poster reads "Federal Employee Rights."

The posters are accompanied by a FAQ section:

<https://www.dol.gov/agencies/whd/pandemic/ffcra-poster-questions>

Employers are required to post the poster in "conspicuous places" in the workplace that employees frequent. This may be accomplished by posting them where other required

postings are placed such as bulletin boards and breakrooms. Employers are not required to place them at all worksites as long as they are posted in locations that all employees report to at some point, such as a common lunchroom. Employers may not, however, place posters in binders if wall space is unavailable. Stated otherwise, the poster must be on a wall in the facility where it will be seen by all employees.

For companies with employees working remotely, the posting requirement may be satisfied by sending it directly to employees via e-mail or a direct mailing, or by publishing it on an employee information internal or external website.

Unlike other WHD postings, employers are only required to post the notification in English. There is currently no version of the posters in other languages, but those may be issued later.

To ensure that you are meeting all of your posting requirements, employers should download the poster and post copies of it where similar posters are placed (note: these do not replace traditional FMLA postings). Additionally, copies of the posters should be emailed to any employees who are authorized to work remotely, even if they are not actually doing so. A best practice would be to both post the poster in your physical locations and email it to all employees regardless of telework status. Posters should be distributed no later than the April 1, 2020, effective date.

DISCLAIMER: The St. Louis employment attorneys at McMahon Berger have been representing employers across the country in labor and employment matters for over sixty years. As always, the foregoing is for informational purposes only and do not constitute legal advice regarding any particular situation as every situation must be evaluated on its own facts. The choice of a lawyer is an important decision and should not be based solely on advertisements.

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Thanks to everyone who completed NRA's coronavirus (COVID-19) restaurant impact survey on March 24, when the first request was made. A little more than 4,000 surveys were returned. NRA has compiled the results of the survey into a compelling [INFOGRAPHIC](#) indicating the extent of the pandemic's impact on our industry.

NRA seeks more completed surveys. Instructions and a link to the survey can be found below. If you did not respond previously, please do so now. This data is important.

Coronavirus (COVID-19) Restaurant Impact Survey

The National Restaurant Association is collecting information on the economic impact of the recent Coronavirus (COVID-19) outbreak. Please be assured that all information provided is anonymous and strictly confidential.

If you are a restaurant operator with multiple restaurants in your organization, please consider completing a separate survey for each location. This will help provide us with data to analyze the impact on a regional level. If you wish to only complete one survey, please choose your primary restaurant for this survey.

Thank you for your time, and don't hesitate to email Bruce Grindy at bgrindy@restaurant.org if you have any questions.

For the entire survey, please provide information for a single restaurant location.

The [online survey is available here](#). It's just nine (9) brief questions.



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