



*Helping working families make it work.*

## **Expanded Rights to Job-Protected Leave for D.C. Workers**

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During the COVID-19 public health emergency, D.C. workers who qualify for unemployment insurance may also be eligible for job-protected leave. **This means that after the public health emergency ends, they may have a right to return to work.**

**Employers of any size** who operate in D.C. are required to provide “Declaration of Emergency” (DOE) Leave under the D.C. Family Medical Leave Act (D.C. FMLA).

**All employees who work in D.C. are eligible** for job-protected DOE Leave. They are not required to have worked for their employer for at least 1000 hours and one consecutive year to qualify for the leave.

DOE Leave can be taken for as long as the qualifying reason exists, for the duration of the public health emergency, which may be more or less than sixteen weeks.

The following categories of workers are entitled to job-protected DOE Leave under the expanded D.C. FMLA provisions:

- Workers who are directed by a medical provider or government official to isolate or self-quarantine;
- Workers who are diagnosed with COVID-19 or displaying symptoms of COVID-19;
- Workers who are high-risk for contracting COVID-19 (may include pregnancy – medical documentation required);
- Workers who are caring for a family member who is high risk for contracting COVID-19; or
- Workers who have child care responsibilities that prevent them from reporting to work. (Lack of child-care must be a consequence of COVID-19.)

**If a worker is terminated, furloughed or has her hours reduced** due to lack of work or because the business she works for had to shut down under the stay-at-home order, there is **no eligibility for leave and no job protection.**

**If the worker quits because the employer is not following safety precautions**, that is considered “good cause” to quit for purposes of unemployment compensation eligibility but there is **no eligibility for leave and no job protection.**

Workers who qualify for job-protected leave under the D.C. Family Medical Leave Act may also be eligible to receive paid leave under the federal Families First Coronavirus Response Act (FFCRA).

### **Need Legal Assistance?**

First Shift Justice Project can advise you on these issues for free.

Please contact us at 240-241-0897 or [intake@firstshift.org](mailto:intake@firstshift.org).