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Coronavirus - Information for Connecticut Employers

Employers are being advised to limit their operations so as to minimize the potential spreading of the coronavirus. In some cases, employers are furloughing or laying off employees.

What are the employers' obligations?

Employees are either exempt or non-exempt. A non-exempt employee is typically an employee paid on an hourly basis and entitled to overtime. Neither state nor federal law requires an employer to pay an employee for time not worked. Therefore there is no obligation to pay a non-exempt employee who cannot work because of the virus.

But contrast, under federal law, an exempt employee must be paid for a full day if the exempt employee works any part of the day. And under Connecticut law, an exempt employee must be paid for a week, if the exempt employee works any part of the week.

Both federal and Connecticut law provide exceptions for paying an exempt employee. If the employee is absent due to taking a Family and Medical Leave, the employer is not obligated to pay for that absence.

If you have any questions about this or any other employment issue, please feel free to contact **Bernard E. Jacques** at bjacques@mdmc-law.com.

Federal Regulations Part 825, The Family and Medical Leave Act, 29 C.F.R. §825.206 (“the employer may make deductions from the employee’s salary for any hours taken as intermittent or reduced FMLA leave within the workweek without affecting the exempt status of the employee”).

State of Connecticut, Department of Labor Regulations, Family and Medical Leave Act, §31-51qq-17 (“the employer may make deductions from the employee’s salary for any hours taken as intermittent or reduced FMLA leave within a workweek, without affecting the exempt status of the employee.”).

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