



Justification for Non-Material Change, OMB control number 1235-0021

RE: Adjustment of burden contained within information collection 1235-0021 under the Paperwork Reduction Act related to the regulations implementing the Families First Coronavirus Response Act.

On March 18, 2020, President Trump signed the Families First Coronavirus Response Act into law (Public Law 116-127). Division C of the Act is the Emergency Family and Medical Leave Expansion Act (EFMLEA) and offers temporary expansion of the Family and Medical Leave Act through December 31, 2020. Division E is the Emergency Paid Sick Leave Act (EPSLA) and offers a provision for paid sick leave benefits for certain employees through December 31, 2020. The provisions of the Act take effect no later than fifteen days after the Act is enacted, and expire December 31, 2020.

The Department of Labor has submitted a Temporary Rule to OMB for review. The Act provides the Department of Labor with enforcement authority. Section 826.152 of the regulations provides that employees may file complaints alleging violations of the EPSLA and/or EFMLEA with the Wage and Hour Division. The Department estimates that 1,347 employees will file a complaint with the Department under the EFMLEA.

$2,695,080 \text{ leave takers} \times .05\% = 1,347 \text{ complaints}$

Additionally, the Department estimates that 500 employees will file a complaint with the Department under EPSLA.

$1,000,000 \text{ leave takers} \times .05\% = 500 \text{ complaints}$

This is a total of 1,847 new complaints \times 20 minutes per complaint = 616 burden hours.

The Department is merely adding the statutory and regulatory references and adjusting the burden hours and responses to reflect the changes under the new law.