Sample Communication

*Please Customize for Your Organization*

Dear [EMPLOYEE],

We regret to inform you that we must deny your request for leave under the Families First Coronavirus Response Act under the small business exemption because doing so would jeopardize the viability of the business. [COMPANY] has fewer than 50 employees, and there are not sufficient workers who are able, willing and qualified, and who will be available at the time and place needed, to perform your job duties, which are needed for our organization to operate at a minimal capacity. [CUSTOMIZE AS APPROPRIATE]

Granting this request would create an undue hardship on the Company as outlined below: [CUSTOMIZE AS APPROPRIATE]

* Your absence would result in the Company’s expenses and financial obligations exceeding available business revenues and cause the Company to cease operating at a minimal capacity.
* Your absence for paid sick leave or expanded family and medical leave would entail a substantial risk to the financial health and/or operational capabilities of the Company due to your specialized skills, knowledge of the business, and/or responsibilities.
* There are not sufficient workers who are able, willing, and qualified, and who will be available at the time and place needed, to perform the labor or services provided by you, and these labor or services are needed for the Company to operate at a minimal capacity.

If you have further questions, please contact [HUMAN RESOURCES CONTACT].

Thank you,

Signature

[AUTHORIZED OFFICER OF THE COMPANY]