Taming the COVID-19 Chaos: What Employers Need to Know

PART 3

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PART 3

Presented by
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Labor & Employment Practice Group
March 23, 2020
Status of Government Orders

- Federal
- Oregon
  - Schools closed through April 28
  - Ban on gatherings
  - Non-essential business closures?
  - “Stay home, stay healthy” policy
- Washington
  - Schools closed through April 24
  - Ban of gatherings of 50+
  - Closure of many businesses through March 31
  - Non-essential medical procedures delayed
- California
  - Statewide lockdown
  - City and county shelter in place orders

Federal Update

- Families First Coronavirus Response Act (FFCRA)
  - Signed by President on March 18
  - DOL drafting regulations
- Federal aid package – still pending
- Change to California Family Rights Act?
Federal Update: FFCRA

- Employee count
- Requirements for leave
- Small employers
- Rate of pay for sick leave

Federal Update: FFCRA

- Measuring entitlement for part-time employees
- Managing abuse
- Tax credit
- Layoffs – still OK to do?
Federal Update: FFCRA

Unanswered questions:
• Overlap with other leave benefits
• Intermittent leave
• Shelter in place = quarantine under FFCRA?
• Effective date

Federal Aid Package

• Direct payments to individuals
• Small-business relief
Federal Update: Next Steps

- Look for regulations and draft notice
- Think about communication to employees re entitlement
- Should you start providing leave under the FFCRA now?

Unemployment Update

- Oregon
  - Expanded rule
  - Employees with reduced hours
- Washington
  - Emergency rule
- California
  - Waiver of one-week waiting time
- General advice
  - Use your resources!
  - Don’t make promises
WARN Act Update

- California
  - 60-day notice temporarily suspended pursuant to Executive Order
- General approach to WARN during the COVID-19 crisis

Other FAQs

- What to do about exempt employees?
- Sending someone home – where to draw the line
Final Thoughts

- Layoffs
  - Best practices
  - Layoffs when employees are telecommuting
- We want to hear from you

Questions?

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