



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

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

Presented by
Karen O'Connor & Laura Rosenbaum
Labor & Employment Practice Group
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BACKGROUND

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What is the coronavirus?

- From the World Health Organization:
 - Coronaviruses are a large family of viruses that cause illness ranging from the common cold to more severe (upper respiratory) diseases
 - Coronaviruses are “zoonotic” – transmitted between animals and people
 - MERS and SARS are both coronaviruses
- COVID-19 is the most recently discovered coronavirus

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Symptoms of COVID-19

- Respiratory symptoms
- Fever
- Cough
- Shortness of breath/breathing difficulties
- Pneumonia
- Severe acute respiratory syndrome
- Kidney failure

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How does COVID-19 spread?

- Person-to-person – small droplets exhaled by an infected person and inhaled by someone nearby
- Touching infected surfaces and then touching your eyes, nose, or mouth
- Breathing in droplets from an infected person who coughs or exhales droplets

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Be safe and smart!

- Regularly wash and clean your hands
 - Soap and water are best!
 - Supplement with sanitizer
- Maintain “social distance”
 - One meter distance
- Avoid touching eyes, nose, and mouth
- Cover your mouth/nose!
- Stay home if you’re sick!
- Keep up to date on “hot spots”

WORKPLACE IMPLICATIONS

Workplace Issues

- Communication
- Safety
- Absenteeism
- Infection/quarantine
- Employee privacy
- Workflow/continuity

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Workplace Communication

- Employees rely on and trust information from employers
- Plan and be proactive about workplace communication
- Too much openness and communication is far better than too little
- Overly frequent communication is better than not enough
- Protect confidential information

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WHAT should you be communicating?

- Policies, protocols, and practices
 - How do your policies (PTO, absenteeism, attendance, leave) apply?
 - Anticipate questions/issues and answer them before they are asked!
 - Be careful – apply your policies **consistently**, and think about precedent and implications
- Expectations/information
 - Let employees know your expectations, and provide them with resources and information

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Don't Avoid the Unknown

- Own the uncertainty
 - Focus on what IS known, and what you are doing in response to factual, scientific information
 - Be apologetic about what isn't known, and ask for (and offer) flexibility
- Communicate clearly and unequivocally
- **Be kind**
 - Remind employees that we are all in this together, and we all want the same things – safety and health – and that working together will keep people safe and healthy

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Can I ask employees about illness?

- ADA restricts certain inquiries and “medical examinations”
- You **can** ask if someone is feeling well
- Pandemic – now that we have a confirmed pandemic, employers have more latitude
- Visible symptoms – if someone has visible symptoms, you may inquire
- Direct threat analysis

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Can I send a sick employee home?

- YES!
- If you **reasonably believe** an employee is sick, you can and should send the employee home
- Be consistent and deliberate
- You need to send others who exhibit the same symptoms home, too

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Paid absence or not?

- OR/WA paid sick leave requirements
- Exempt/non-exempt employee issues
- PTO, sick, vacation policies
- Impact on predictive scheduling
 - OR/Seattle
 - Show up pay

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Leaves

- What kinds of leave might apply?
- Do your policies cover the absence?
- Is the absence protected under state/federal law?
- Do you need to extend or modify your policies?
- Do you need to add a new policy for emergent situations?

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Doctor's Notes

- You may require a symptomatic employee to provide confirmation of “fit for duty”
- You may require a doctor's note to permit someone to return to work after an absence
- Be aware of applicable state law requirements w/ respect to paid sick leave
 - OR – absence must exceed 3 days
 - WA – same
- You may require a 14-day absence

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Confirmed Case in Your Workplace

- Have your communication ready
 - **DON'T SHARE NAMES!**
- Have a PLAN
- Share important details
 - Location
 - Nature of exposure
 - Response – share what you are doing!
- To do's – give your employees action items
- Emphasize community – we are all in this together and on the same team!

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WFH (Working from Home)

- Do a “test run” to make sure your systems can handle WFH and in what numbers
- Pre-identify “key” employees and “non-key” employees, and be ready to prioritize network or remote access for pre-identified groups
- Consistency and fairness
 - Which positions can work remotely and which cannot? Why?
 - Be clear about temporary nature of WFH (if applicable)

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Travel

- Most employers have limited or prohibited non-essential travel, particularly to hard-hit areas
- Consider using tech alternatives (video-conferencing, conference calls, etc.) to travel
- Monitor WHO and CDC travel advisories
- Employees who travel to Level 2/3 countries can be precluded from returning to work for a 14-day period

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Resources

- <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>
- <https://www.cdc.gov/coronavirus/2019-ncov/index.html>
- <https://www.cdc.gov/coronavirus/2019-ncov/downloads/2019-ncov-factsheet.pdf>
- https://www.eeoc.gov/facts/pandemic_flu.html
- <https://www.dol.gov/agencies/whd/flsa/pandemic>
- <https://www.osha.gov/Publications/OSHA3990.pdf>

Questions?



Karen O'Connor
503.294.9291
karen.oconnor@stoel.com



Laura Rosenbaum
503.294.9642
laura.rosenbaum@stoel.com