

Workplace Resources for Coronavirus (COVID-19)

As U.S. cases of COVID-19 continue to multiply, the federal response to the crisis has been to try to slow the inevitable spread so that communities and health care professionals are not overwhelmed. As a result, this has had a direct impact on the practices that we support.

To help our Associates navigate through this challenging time, we wanted to share the following helpful resources.

CDC Interim Guidance for Businesses

The Centers for Disease Control and Prevention (CDC) has published Interim Guidance for Businesses and Employers, which can be found here:

- <https://www.cdc.gov/coronavirus>

This cautions employers to use the guidance to determine risk of COVID-19, and to *avoid* using race or country of origin to make a determination of risk. The Interim Guidance advises employers to:

- Actively encourage sick employees to stay home (even without a doctor's note)
- Separate sick employees, and send employees home if they appear to have acute respiratory illness symptoms
- Emphasize staying home when sick, respiratory etiquette and hand hygiene to all employees
- Perform routine environmental cleaning
- Advise employees before traveling to take certain steps

The site also provides guidance documents specific for health care professionals.

OSHA Resources

The Occupational Safety and Health Administration (OSHA) has resources to help employers and workers prepare for and respond to Coronavirus in the workplace. OSHA resources can be found at the following links:

- <https://www.osha.gov/Publications/OSHA3990.pdf> – The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) published "Guidance on Preparing Workplaces for COVID-19". The guidance was developed in collaboration with the U.S. Department of Health & Human Services (HHS). This document provides practical guidance for preventing the spread of COVID-19 and contains information on safe work practices and appropriate personal protective equipment based on the risk level of exposure.
- <https://www.osha.gov/SLTC/covid-19/> – Provides infection prevention information specifically for employers and workers.

Wage and Hour Resources

The Wage and Hour Division of the U.S. Department of Labor provides information on common issues employers and workers face when responding to COVID-19, including the effects on wages and hours worked under the Fair Labor Standards Act and job-protected leave under the Family and Medical Leave Act. A link to their site can be found here:

- <https://www.dol.gov/agencies/whd/pandemic>

Associates should determine whether any additional obligations are imposed under state or local laws, as this guidance only addresses federal requirements. Please visit your state Department of Labor site for further information.

COVID-19 Resources for Unemployment

The Employment and Training Administration announced new guidance outlining state flexibilities in administering their unemployment insurance programs to assist Americans affected by the COVID-19 outbreak. The link for this guidance can be found here:

- <https://www.dol.gov/newsroom/releases/eta/eta20200312-0>

Under the guidance, federal law permits significant flexibility for states to amend their laws to provide unemployment insurance benefits in multiple scenarios related to COVID-19. For example, federal law allows states to pay benefits where:

- An employer temporarily ceases operations due to COVID-19, preventing employees from coming to work
- An individual is quarantined with the expectation of returning to work after the quarantine is over
- An individual leaves employment due to a risk of exposure or infection or to care for a family member

In addition, federal law does not require an employee to quit in order to receive benefits due to the impact of COVID-19.

The link to find details on your state unemployment insurance program, including additional flexibility offered to those impacted by COVID-19 can be found here:

- <https://www.careeronestop.org/LocalHelp/UnemploymentBenefits/find-unemployment-benefits.aspx>

As COVID-19 situation continues to evolve, we will continue to review and provide guidance to our Associates. However, because each practice and state is unique, Associates are advised to seek the advice of outside counsel regarding their specific circumstances.

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