

# HOW COVID-19 AFFECTS YOUR BUSINESS

We ask the HR Expert

Our Presentation  
Will Begin Soon!



# HOW COVID-19 AFFECTS YOUR BUSINESS

We ask the HR Expert

Presented by:

ICW Group Risk Management &  
HR OnDemand “ThinkHR”



# TODAY'S MODERATOR

*Ahren Hohenwarter CPCU, CWCA  
Risk Management Manager  
ICW Group*



# TODAY'S SPECIAL GUEST

*Susanna Lauro JD, PHR*  
*Human Resources Advisor*  
*ThinkHR*





# COVID-19 TOPICS:

- Vaccines
- Exposure and Quarantine
- FFCRA Paid Leave
- Stigma and Discrimination
- Dealing with Employee Safety Concerns
- Testing
- Contact Tracing

COVID-19 Safety Precautions:

Give Each Other Space

6'

Wash your hands

Don't touch your face

Cover coughs and sneezes

Stay home if you are sick

# COVID-19 Vaccines: Mandatory Vaccine Policies

**Can employers require the COVID-19 vaccine?** What should employers consider when making this decision?

- The EEOC says that employers can mandate the vaccine. However, they must:
  - Provide reasonable accommodations;
  - Check state and local laws;
  - Check collective bargaining agreements; and...
  - Consider other practical challenges to enforcement



# COVID-19 Vaccines: Mandatory Vaccine Policies

Covered employers must provide reasonable accommodation for employees who cannot receive the vaccine due to:

- Disability
- Religious beliefs
- Pregnancy, childbirth and related medical conditions



# COVID-19 Vaccines: Mandatory Vaccine Policies

State and/or local laws or collective bargaining agreements may limit employers' rights to mandate COVID-19 vaccines.

- Check state and local laws
- Check your collective bargaining agreements, if applicable.

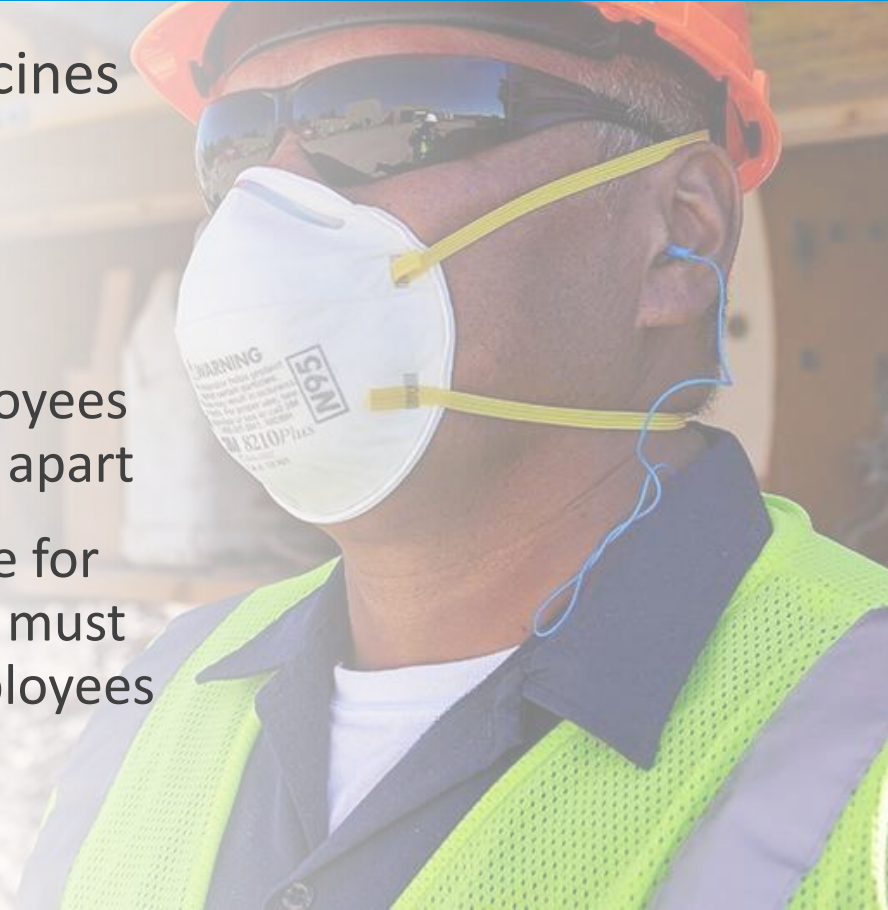




# COVID-19 Vaccines: Mandatory Vaccine Policies

Practical challenges to mandating vaccines include but are not limited to:

- Safety concerns and liability under workers' compensation policies
- Distribution plans may mean employees are eligible for the vaccine months apart
- Employees may oppose the vaccine for non-protected reasons; employers must consider whether terminating employees for their refusal is a viable plan



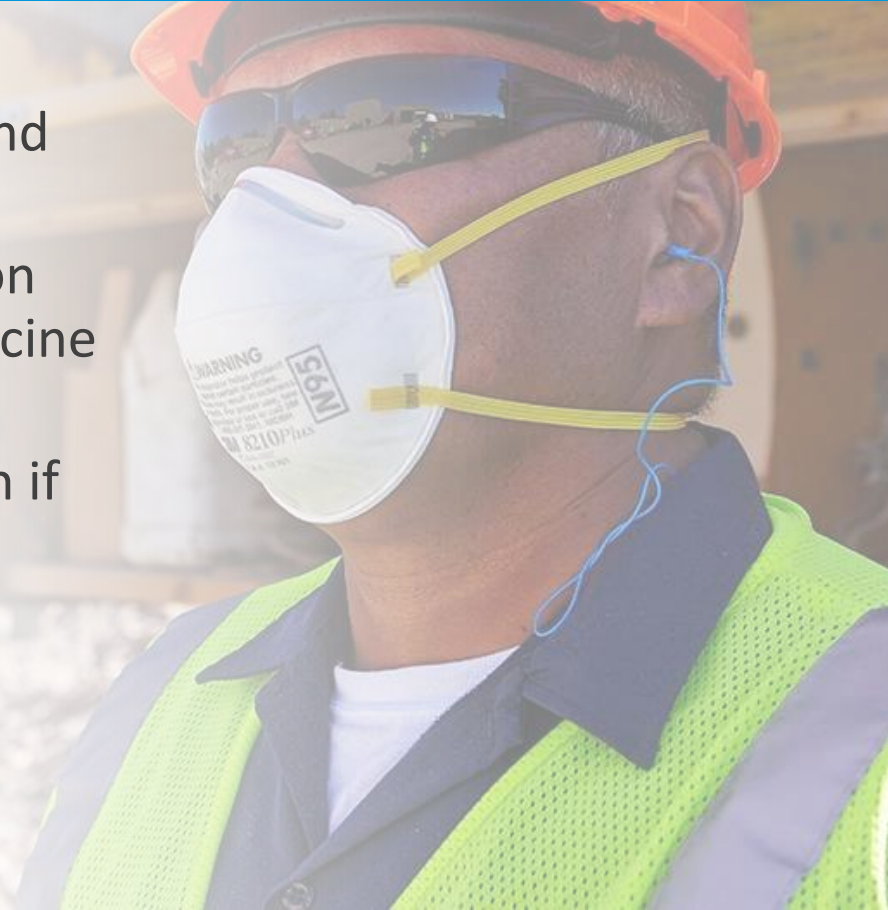
# COVID-19 Vaccines: Asking for Proof of Vaccination

- According to the EEOC, asking employees for proof of vaccine *alone* is not a disability-related inquiry, and does not violate the ADA
- Direct employees not to provide related medical information with such proof



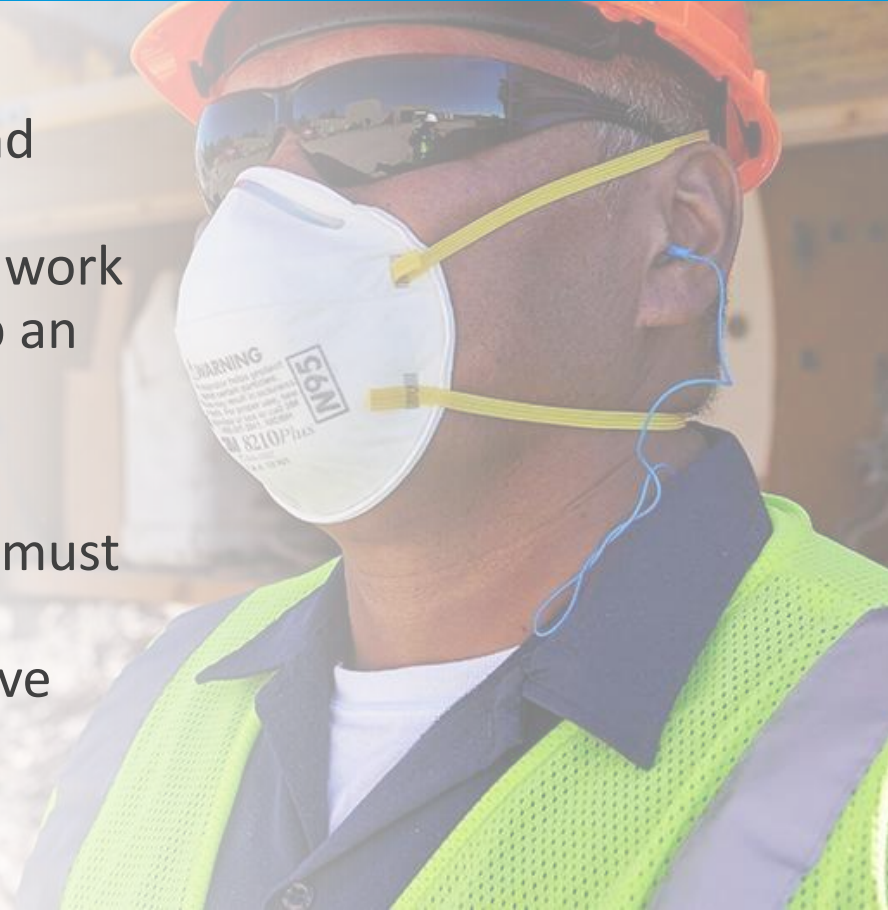
# COVID-19 Vaccines: Encouraging and Incentivizing Vaccines

- Educate employees on the benefits and efficacy of the vaccine;
- Make it easy: distribute information on where employees can receive the vaccine and how to make an appointment;
- Provide any necessary documentation if employment is a qualifying factor for receipt.
- Provide schedule flexibility



# COVID-19 Vaccines: Encouraging and Incentivizing Vaccines

- There is some legal uncertainty around providing monetary incentives to employees for receipt of the vaccine; work with an attorney if you want to set up an incentive program
- If incentives are provided, employers must provide a “reasonable alternative standard” for those who cannot receive the vaccine





# COVID-19 Vaccines and Quarantine

Should employers amend their quarantine requirements for ***vaccinated*** employees who were exposed to COVID-19?

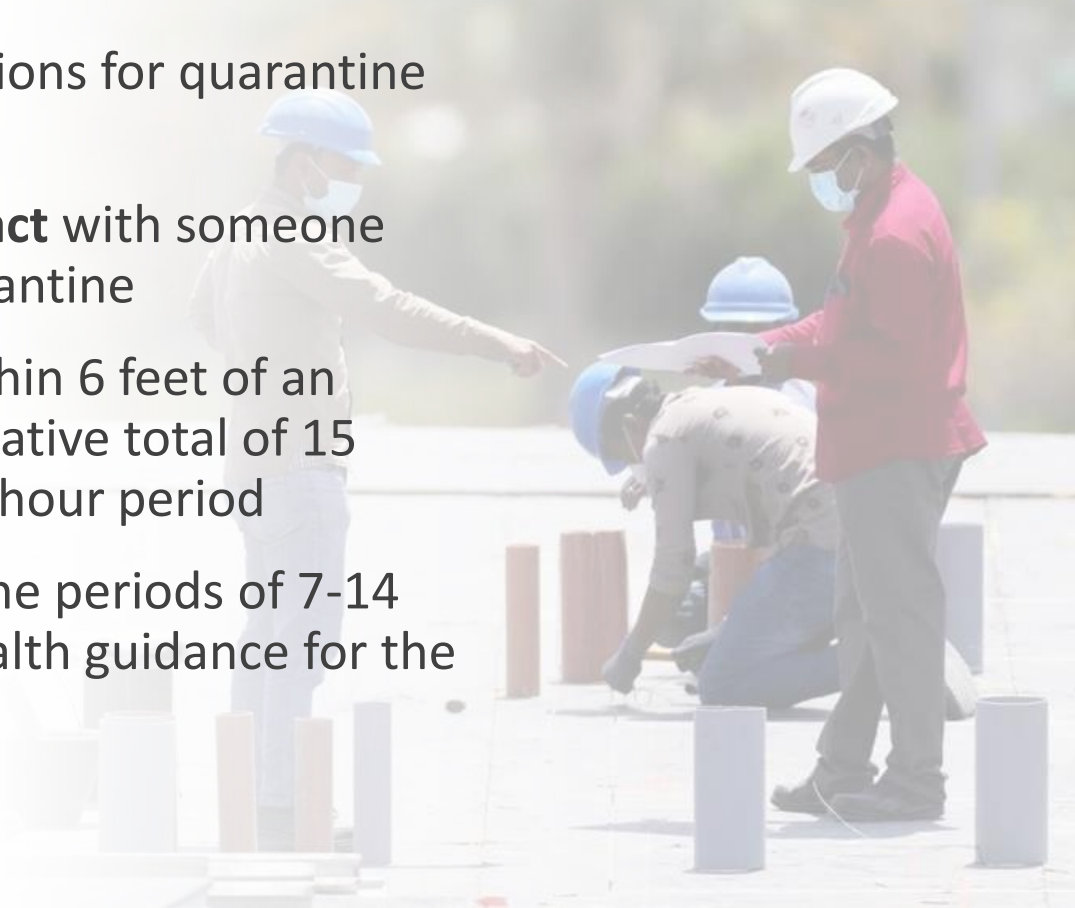
- If there is no state or local guidance, then you may change your policy to model the CDC's revised guidance



# COVID-19 Exposure and Quarantine

What are the CDC's recommendations for quarantine for **unvaccinated** individuals?

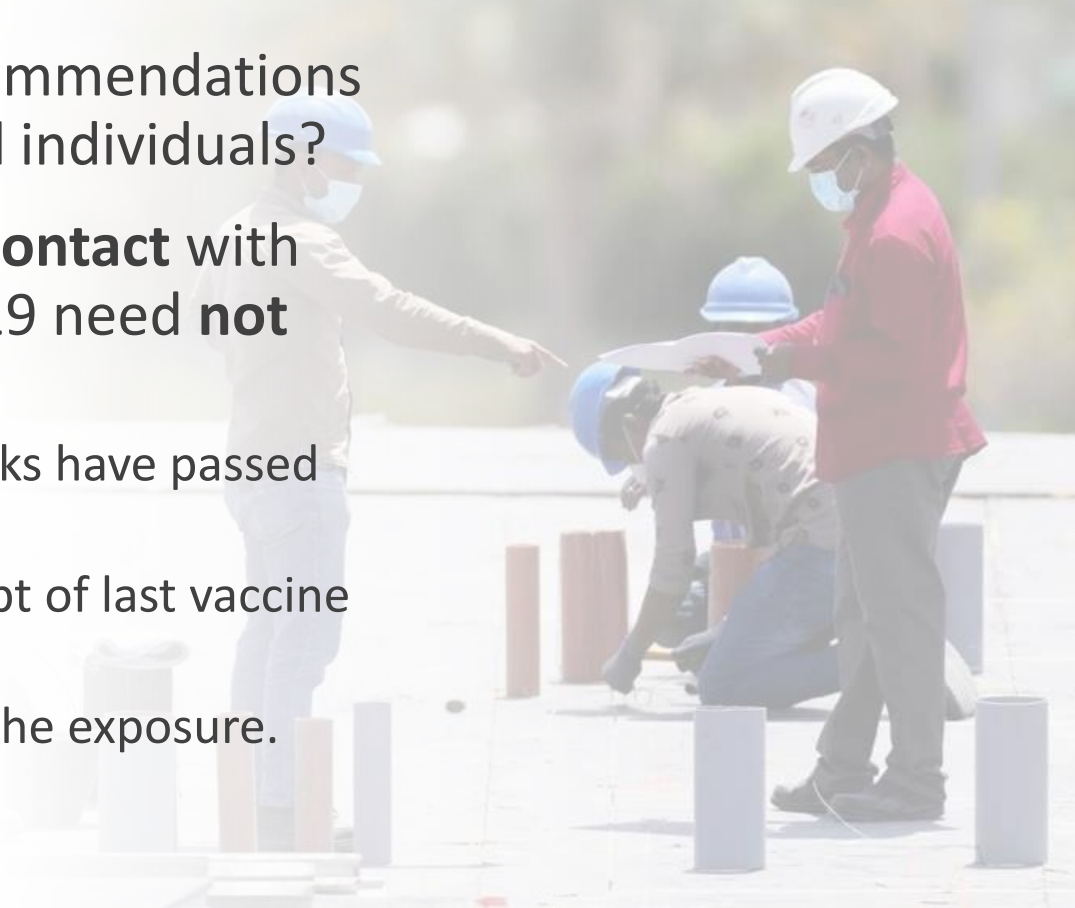
- Individuals with **close contact** with someone with COVID-19 should quarantine
- “Close contact” = Being within 6 feet of an infected person for a cumulative total of 15 minutes or more over a 24-hour period
- The CDC supports quarantine periods of 7-14 days, but defers to local health guidance for the appropriate duration



# COVID-19 Exposure and Quarantine

What are the CDC's new recommendations for quarantine for **vaccinated** individuals?

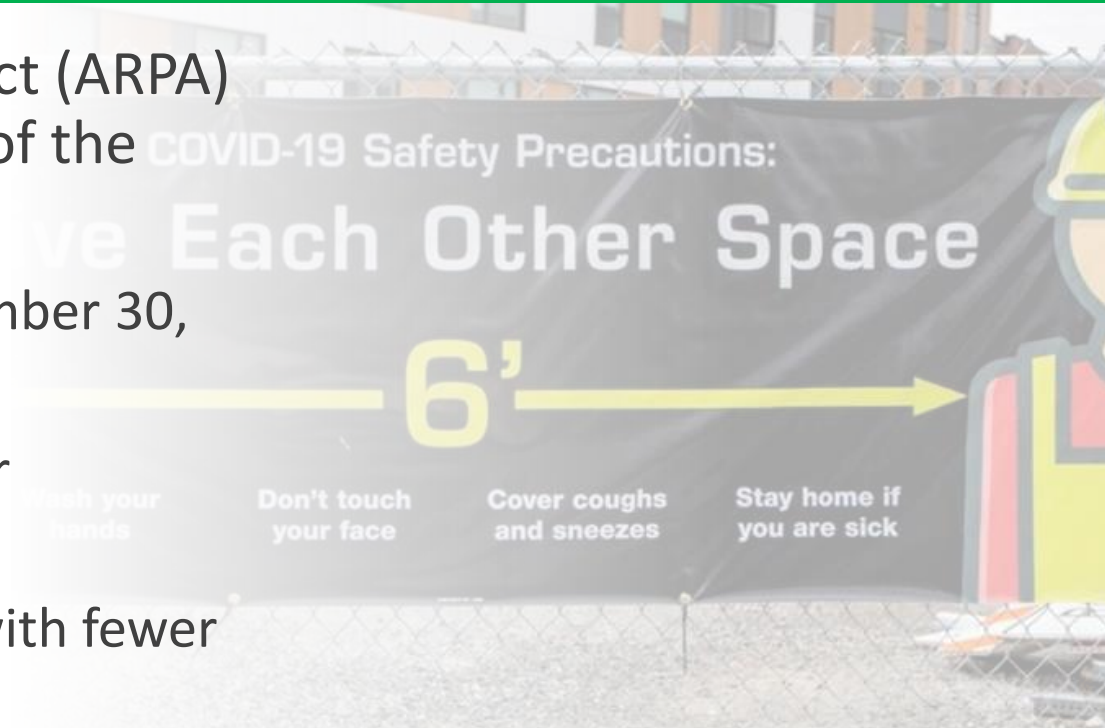
- Individuals with **close contact** with someone with COVID-19 need **not** quarantine if they are:
  - “Fully vaccinated” (2 weeks have passed since final dose),
  - Within 3 months of receipt of last vaccine dose; and
  - Still asymptomatic since the exposure.



# The Families First Coronavirus Response Act (FFCRA)

The American Rescue Plan Act (ARPA) provides another extension of the FFCRA tax credits.

- Effective April 1 – September 30, 2021
- Completely **voluntary** for employers.
- Only covers employers with fewer than 500 employees.
- Adds new reasons to take leave.





# The Families First Coronavirus Response Act (FFCRA)

Notable April 1, 2021 FFCRA changes include:

- New covered reasons to take EPSL:
  - To get a vaccine or due to experiencing side effects
  - Testing after exposure or due to employer requirement
- New bank of up to 80 hours of EPSL
- EFMLA can now be used for any EPSL reason
- EFMLA 10 day unpaid “waiting period” eliminated.

COVID-19 Safety Precautions:

Keep 6' Other Space

6' →

Wash your hands

Don't touch your face

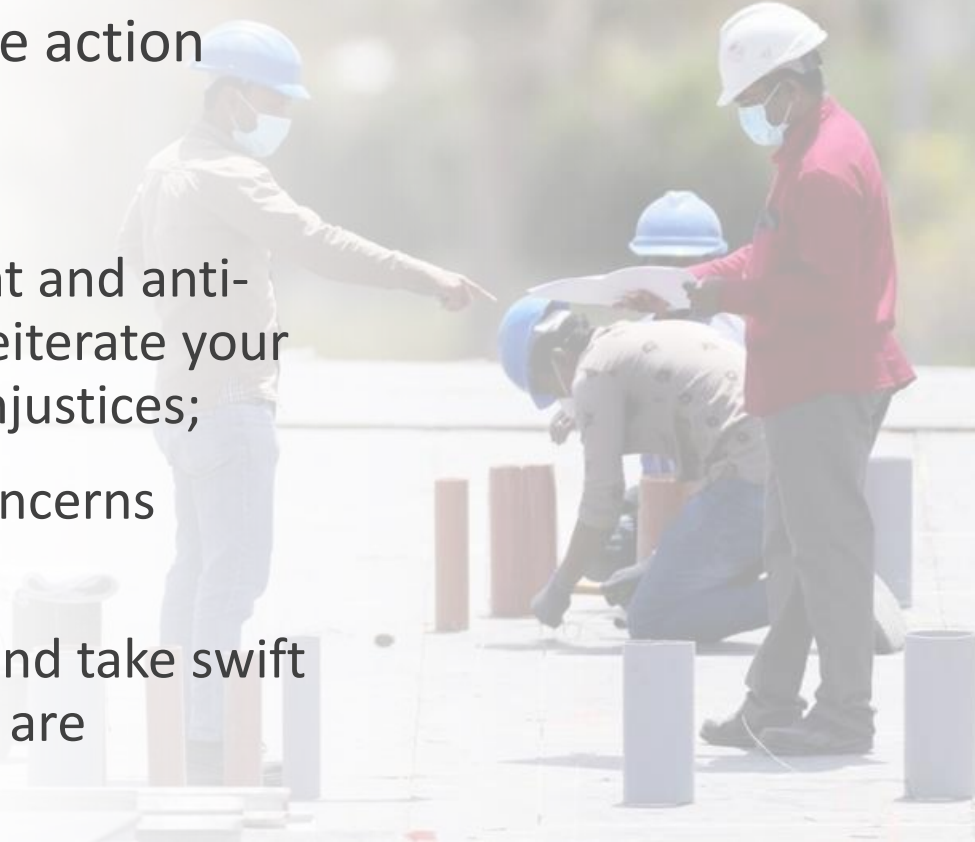
Cover coughs and sneezes

Stay home if you are sick

# COVID-19: Workplace Stigma and Discrimination

Employers must prevent and take action against racial and national origin discrimination in the workplace.

- Re-distribute anti-harassment and anti-discrimination policies and reiterate your commitment against these injustices;
- Urge employees to report concerns immediately;
- Investigate issues promptly and take swift corrective action if problems are identified.

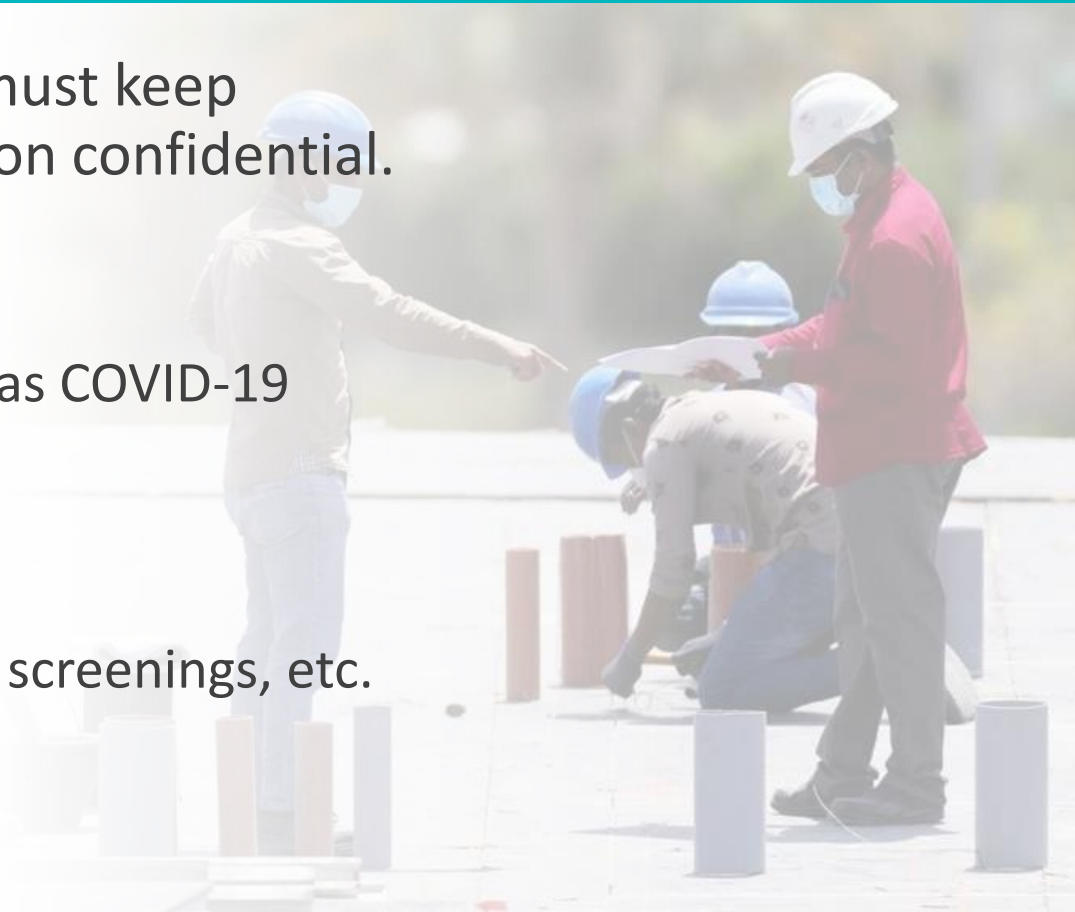


# COVID-19: Employee Safety Concerns

Under the ADA, employers must keep employee medical information confidential.

This includes:

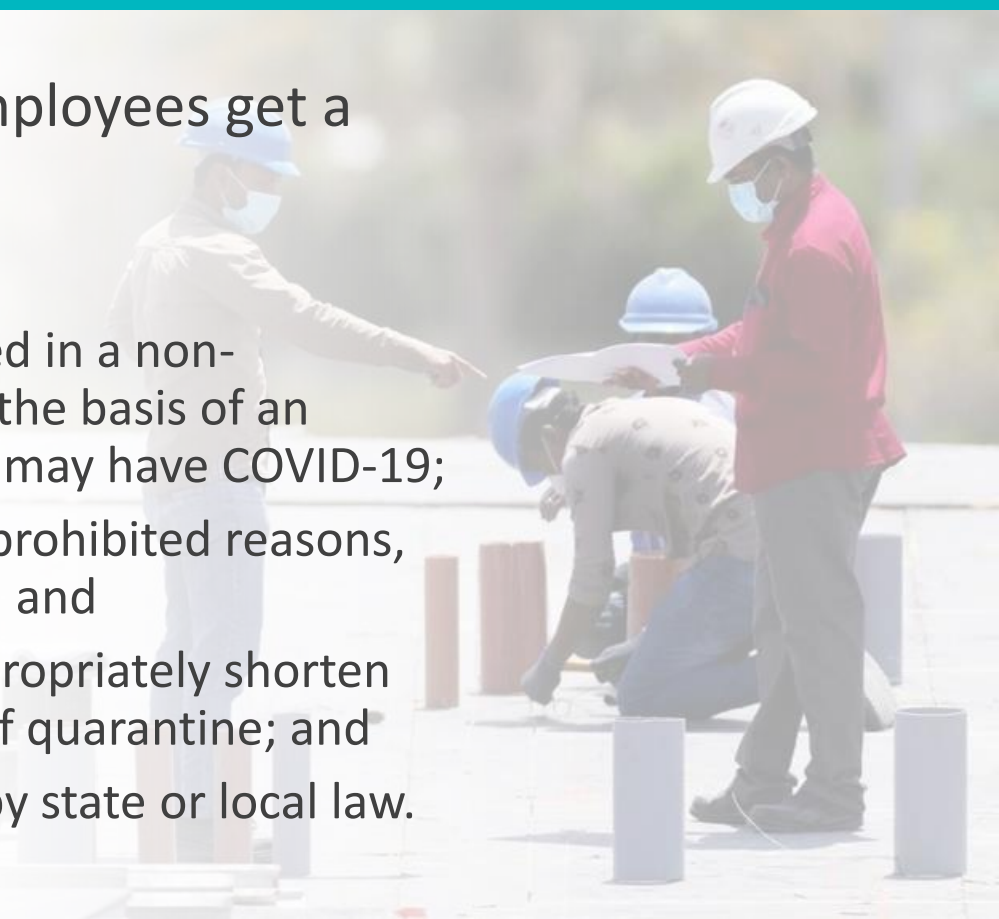
- Whether an employee has COVID-19
- Body temperature
- Symptoms
- Information from health screenings, etc.



# COVID-19: Can We Require Tests?

Can an employer require that employees get a COVID-19 test?

- Yes, if:
  - The test requirement is applied in a non-discriminatory manner, or on the basis of an individual belief an employee may have COVID-19;
  - The result is not required for prohibited reasons, such as to justify FFCRA leave; and
  - The test result does not inappropriately shorten any recommended duration of quarantine; and
  - The testing is not prohibited by state or local law.





# COVID-19: Contact Tracing in the Workplace

## Best practices:

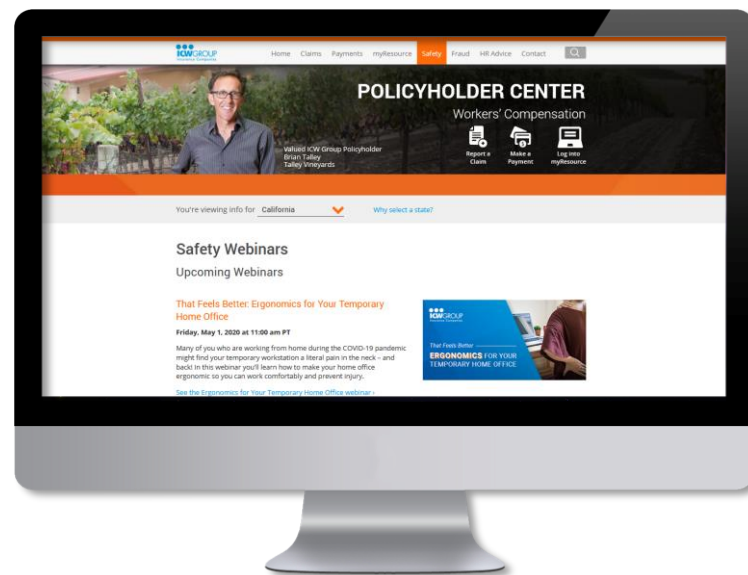
- Work with the infected employee to identify his or her close contacts during infectious period;
- Have a standard procedure in place to communicate exposure to affected employees in writing; and
- Do not disclose the sick employee's identity.



# ICW Group Policyholder Website!

Find webinars & resources!

- Safety and Risk Management area
- Safety Webinars
- **How COVID-19 Affects Your Business**

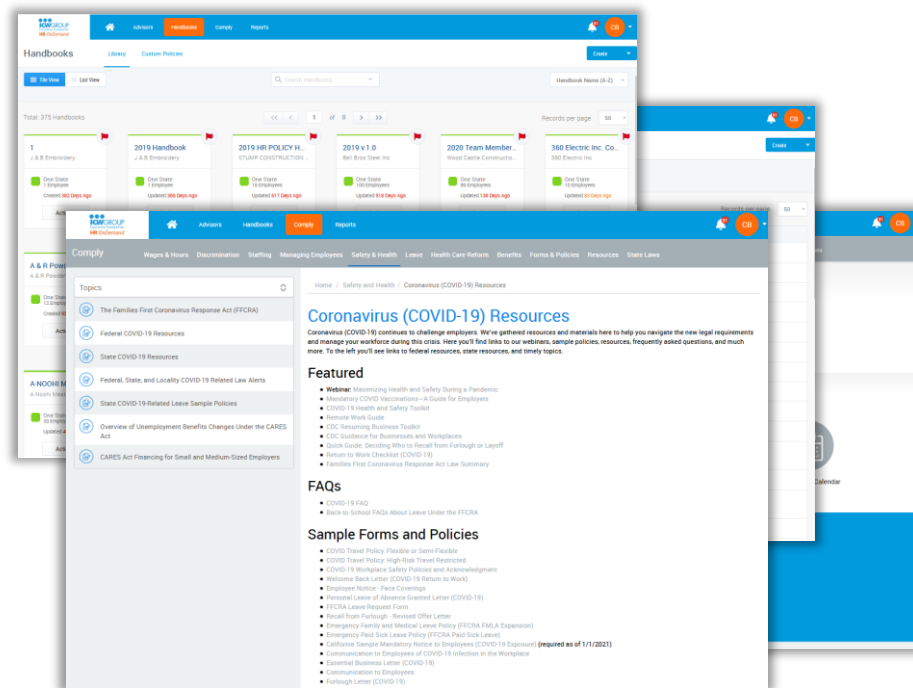


**icwgroup.com/safety**

# ICW Group Policyholder Website!

## Get HR Advice with HR OnDemand!

- Find hiring, time off and employee performance guidance.
- Free webinars, including HRCI & SHRM accredited CE courses.
- COVID-19 Resources



[icwgroup.com/hrondemand](https://icwgroup.com/hrondemand)

# ICW Group Policyholder Website!

## Check out Policyholder Center COVID-19 resources

- Disease Preparedness & Response Plan (IDPRP).
- Communications, on-demand webinars, FAQ's & more!
- Direct link to HR OnDemand COVID-19 resources

[icwgroup.com/covid19](https://icwgroup.com/covid19)

**On-demand webinars: Returning to COVID-19**

As you start to return your employees to work, you will undoubtedly have many questions. We have compiled a list of on-demand webinars to help you answer them.

**HR OnDemand Coronavirus resources**

As our policyholder, you have free access to our **HR OnDemand** services. See this helpful resource for employee guides, communications and law alerts. Newly added items include: Guidance from the CDC, OSHA, EEOC and HHS, best practices on how to handle an infectious outbreak, and a sample communication to send to employees.

**On-demand webinar: Compliance Matters: Layoffs, Furloughs, and Recalls**

Watch and share this informative COVID-19 webinar, offered through **HR OnDemand**.

**Login to HR OnDemand to get all Coronavirus resources**

To get the full benefit of **HR OnDemand's** Coronavirus resources, login to find Families First Coronavirus Response Act (FFCRA), Sample Emergency Paid Sick Leave Policy (FFCRA Paid Sick Leave), Telecommuting Agreement, Work From Home Agreement, Acknowledgement of Receipt for Company-issued Property, and more!

**Helpful FAQs on workers' comp and Coronavirus**

**Workplace safety FAQs**

These FAQs have been compiled by our risk management team to help keep your workplace safe.

- ✓ If my employee contracts Coronavirus at work is it OSHA recordable?
- ✓ Is our Respiratory Protection plan designed to help prevent our employees from getting sick?
- ✓ Should we buy N95 filtered face pieces (masks) for everyone in our workplace?
- ✓ What can a healthcare organization do to lessen potential exposure by employees and patients?
- ✓ Can we protect ourselves from off-the-clock injuries when employees are working remotely?

**Workers' compensation claims FAQs**

Our dedicated team of highly trained claim specialists is working hard to provide you with accurate information specific to your claims needs as it relates to COVID-19. These FAQs have been compiled to help you gain a handle on workplace-related illnesses and associated claims.\*

- ✓ If my employee may have been exposed to COVID-19 on the job, what should I do?
- ✓ Is disease from coronavirus covered by workers' compensation?
- ✓ Should I report a COVID-19 claim to my workers' compensation carrier?
- ✓ Should we take preventative measures to minimize the risk of exposure for my employees?



# Join us for our next four webinars....

## Safely Reopening Your Workplace

MODULE  
01

Navigating Regulations & Guidelines

MODULE  
02

Vaccines & Your Workplace

MODULE  
03

Taking Steps to Open Safely Today

MODULE  
04

Keep Your Workplace Safe for the Long Haul

***SIGN UP NOW!***  
***4-Part Certificate  
Series!***

***Registration now open!***  
***[icwgroup.com/safety](https://icwgroup.com/safety)***

# AUDIENCE QUESTIONS

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We ask the experts.

*THANK YOU!*

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