Coronavirus
Client Information Toolkit

EFFECTIVE MARCH 20, 2020
Preface

The state of the Coronavirus (COVID-19) pandemic is rapidly progressing. As the number of reported cases continues to rise, employers across the globe are making the health and wellbeing of their workforce the top business priority. Here at OneDigital, we plan to serve as the go-to strategic business partner for our customers during this uncertain time in our history.

As part of our efforts, we’re hoping to answer some of your questions within this toolkit.

We are here to assist you through these trying time. If you haven’t already visited our COVID-19 Advisory Hub, we encourage you to do so at https://www.onedigital.com/coronavirus. This site offers additional tools, templates, and guidance that will be regularly updated with the most current information. We also encourage you to reach out to your OneDigital benefits or HR consultant for further guidance.

The statements made herein are based on current and publicly available information, are informational only, are not legal advice, and no attorney-client privilege is created by OneDigital. Because the information surrounding COVID-19 and the governmental response to it is constantly changing, the information provided may quickly become outdated. OneDigital makes no express or implied representations or warranties arising by law or otherwise, all of which are expressly disclaimed.
# Table of Contents

- How to Prepare Your Workplace in the Face of a Pandemic ......................................................... 4
- Illness-Related Privacy Questions .................................................................................................. 6
- Wage Questions ............................................................................................................................... 7
- Reduction in Force Options ............................................................................................................ 8
  - Furlough vs. Layoff ....................................................................................................................... 8
  - Pay Requirements during Furlough ........................................................................................... 8
  - Furlough Letter ............................................................................................................................ 8
  - Next Steps ..................................................................................................................................... 9
  - Reduced Hours ............................................................................................................................ 9
  - Voluntary Time Off ..................................................................................................................... 9
  - Reduction in Force (RIF) ............................................................................................................ 10
- Worker Adjustment and Retraining Notification (WARN) Act ......................................................... 10
- Health Benefits .............................................................................................................................. 10
  - Layoffs & Furloughs – Eligibility and Management of Health Benefits ...................................... 11
  - Life and Disability Benefits .......................................................................................................... 11
  - Unemployment Insurance ........................................................................................................... 11
  - Eligibility for Disability Benefits .............................................................................................. 12
- OSHA and Workers’ Compensation .............................................................................................. 13
  - Is Contracting COVID-19 a Recordable Event Under OSHA? ...................................................... 13
- Families First Coronavirus Response Act ...................................................................................... 14
- Immigration .................................................................................................................................... 16
  - Working from Home ................................................................................................................... 16
    - Work from Home Tips and Techniques ...................................................................................... 17
    - Sample Telecommuting Policy .................................................................................................. 17
    - Other Sample Policy Considerations ....................................................................................... 20
    - Solutions and Best Practices if Working Remotely is NOT an Option ...................................... 22
- Additional Resources and Sample Communications ................................................................... 24
  - Pandemic FAQs ......................................................................................................................... 24
  - Sample Communication – Domestic Travel .............................................................................. 24
  - Letter to Applicants in the Hiring Process during a Pandemic ..................................................... 27
- Online Resources for Employers ................................................................................................. 28
How to Prepare Your Workplace in the Face of a Pandemic

With the Coronavirus (COVID-19) spreading quickly, the World Health Organization (WHO) has declared a global emergency and the Centers for Disease Control has classified the virus as a pandemic. The virus is currently spiking at an alarming rate. Not only is this virus spreading faster than previous viruses, but the severity of symptoms and outcomes also seems to be greater, raising the public’s concern. As the financial markets react to increasing concerns of a pandemic, businesses need to be proactive to minimize the potential effects within their own organizations and do their part globally.

So what does “Pandemic” mean and what, if any, are the implications to businesses? The Centers for Disease Control (CDC) defines a pandemic as “a global outbreak of a new ... virus that is very different from current and recently circulating human ... viruses. Pandemics happen when new (novel) ... viruses emerge which can infect people easily and spread from person to person in an efficient and sustained way.” But the question is, do we really need to worry about a pandemic?

The simple answer is, yes, you need to prepare. It’s good business practice to always be prepared for a potential emergency that could affect business operations. A pandemic is no different. As a business owner or executive, you need policies to help determine how your business will react in the event of any emergency. Incidents to consider are fire, weather emergencies, or in the case of a pandemic, should a large number of employees become sick or are absent, having a plan to ensure a faster return to business as usual and business continuity in the face of high absenteeism. Additionally, having a plan will ensure fair treatment of employees while they are out and secure compliance with applicable federal and state laws.

In addition to the plan helping out with business continuation, a thorough plan will protect employees and encourage practices that limit the spread of a virus. Employers can help cut their workers’ chances of getting sick by encouraging employees to stay home and use available paid time off when ill; they can offer in house vaccine clinics and maintain a sanitary workplace with antibacterial soaps that are easily accessible.

Some key points to keep in mind when developing your plan are:

- Assess how your company functions, both internally and externally, to determine which materials, staff, procedures, and equipment are necessary in keeping the business operating. How will you reorganize in the event such resources aren’t available?
- Identify suppliers, shippers, and other vendors you deal with regularly and set up contingency plans should their operations be interrupted.
- Plan what to do if your building, store, or plan isn’t accessible. Are people able to work from home? If so, are they currently set up to do so?
- Plan for payroll continuity.
- Define crisis management procedures and who should play a role in these procedures. Review these plans annually to ensure they are up to date with the times.

The Centers for Disease Control has a Business Pandemic Influenza Planning Checklist that will help companies think about the key aspects of setting up their plan under current circumstances. By doing some leg work upfront to set up an Emergency Preparedness Plan, you will save a lot of headaches should they need to be implemented.
Considerations For An Outbreak Response Plan (first 30 days)

• Only designated employees will be asked to work at the office – all other employees will work from home
• Take company laptop home if needed [work with IT to confirm needs]
• Those coming into the office should drive or use Uber, not public transportation (company will reimburse Uber and parking)
• Utilize remote meeting applications (e.g., Zoom) for meetings and discussions [all managers to have an account set up]
• All company travel to be stopped
• Company to locate local centers of excellence to treat COVID-19 so employees know where to go if have symptoms
• All meetings with 3rd parties in next 30 days to be rescheduled as remote meetings
• Shipping and receiving to be minimized

What if an employee is diagnosed with Covid-19?
See CDC website. No one will argue with following their guidance. Tell people what’s happened, keeping the identity confidential, and what steps the employer is taking to mitigate it. We encourage you to discuss these options with your OneDigital Team.
Illness-Related Privacy Questions

If one of our employees is quarantined, what information can we share with our employees? Who can we share it with?

If an employee is confirmed to have COVID-19, employers should inform fellow employees of their possible exposure to COVID-19 in the workplace. Employers should not, however, disclose to co-workers the identity of the quarantined employee because confidentiality requirements under federal law, such as the Americans with Disabilities Act (ADA), or state law, such as California’s Confidentiality of Medical Information Act (CMIA), may apply.

What privacy concerns do we need to be aware of when we are asking for the health information of our employees in order to evaluate whether they need to be quarantined?

Employers may ask employees if they are experiencing COVID-19 symptoms such as fever, tiredness, cough, and shortness of breath. Federal or state law may require the employer to handle the employee’s response as a confidential medical record. To help mitigate this risk, employers should maintain the information in a separate, confidential medical file and limit access to those with a business need to know.
**Wage Questions**

What wages must an employer pay when employees don’t work?

In general (and with certain exceptions):

Workers who are exempt from the overtime pay requirements of federal and state law because they meet the so-called “white collar” exemptions (e.g., professional, executive, and/or administrative meeting the legal criteria for exemption): Salary payments do not need to be made for any full week not worked. For any workweek in which the employee provided any services, the worker must be paid their full salary for the entire week. The federal Fair Labor Standards Act (FLSA) lists exceptions to full-week payment for exempt employees, such as (1) when time off is taken for personal reasons OTHER THAN sickness or disability; (2) when time off is taken for sickness or disability AND the employer has a “bona fide” health and welfare benefit plan; or (3) an employer can deduct the proportionate amount of time taken off in a week where leave is taken pursuant to the federal Family Medical Leave Act (FMLA).

Non-Exempt workers who are paid a fixed salary for a fluctuating workweek (no fixed schedule, hours can vary from week to week): These employees must receive their full pay for every workweek in which they perform work, with even fewer exceptions than are available for “white collar” workers described above.

Non-Exempt workers who are paid a fixed salary for a fixed weekly schedule (e.g., 9:00 a.m. – 5:00 p.m.): Salary payments do not need to be made for any full week not worked. For any week in which the employee provided any services, the salary can be prorated based on the number of days worked (e.g., 40% for two days worked out of five).

Hourly Workers must only be paid for hours actually worked. Keep in mind that some states require employers to pay reporting pay when an employee shows up to work, but there is less or no work available to provide them; this typically includes some minimum level of pay (e.g., 2 hours), even if the employee performs no work.

**Note** that wage and hour laws vary by state. Employers should take care to follow the rules applicable in their locations of operation.
Reduction in Force Options

Furlough vs. Layoff
A furlough is a temporary leave of absence that is generally short in duration, consisting of full-day or week increments with defined beginning and end dates. During a furlough, employees are not paid, but they are still technically employed. When the business reopens to full strength, furloughed employees become active again.

A layoff is a permanent separation of employment, but employees may be eligible for re-hire when the business reopens.

A furlough could be seen as favorable to retain talent and reduce the cost of separation (e.g., payout of vacation balance) or future hiring and training. Employers may require all employees go on furlough or may exclude essential service employees, provided they are selected based on objective criteria.

Note that some states may have restrictions on the length of a furlough. For example, the California Labor Commissioner has historically deemed furloughs lasting beyond two weeks or the current pay period, whichever is shorter, as violating final pay rules.

Pay Requirements during Furlough
Employers must be cautious of wage and hour rules during a furlough.

Non-exempt employees are generally only paid for their hours worked. Therefore, when furloughed or not working, they do not receive pay.

Per the federal Fair Labor Standards Act (FLSA), exempt employees must be paid their full salaries for any workweek in which any work is performed, subject to limited exception. Therefore, an employer seeking to furlough exempt employees should be careful to require exempt employees to take unpaid time off in full-week increments and to not perform any work during the week, including working from home, reading/responding to emails, or calls.

Furlough Letter
Below is an outline of information to include in a furlough letter, which employers can use as a resource.

- Introduction – express appreciation, concern for safety and well-being, explain reason for the action (e.g., business demands / government requirements / safety).
- Things Change Fast – explain that the situation is fluid and that things are subject to change on short notice; explain how employees will be notified.
- Be Clear as to Furlough Status - e.g., as opposed to temporary layoff. Include an end date at which point the situation will be reassessed, even if only “We will reassess the situation in two weeks, at which point a decision will be made and you will be notified as to whether there will be a partial or total recall, an extension of the furlough, or a transition to layoff status.”
- Compensation – address whether and to what extent employees will be paid. Consider option to apply accrued, unused paid time off.
• Performance of Work – if furlough is unpaid, clearly instruct employee that no work is to be performed while on furlough.

• Unemployment – if unpaid, provide information on and encouragement to apply for benefits, including state-specific unemployment benefits pamphlets and/or a link to state-specific unemployment claim processing.

• Benefits – address impact on benefits eligibility, especially regarding health insurance. If the company will not be paying premiums, address payment continuation, and logistics through COBRA.

• Notify Company of Changes / Sickness – urge employees to take care of themselves, to actively self-monitor, to seek immediate care if they fall ill, and to notify the company (specify a contact person) so that the company can assess whether it needs to take responsive measures as to other employees.

• Resources – provides references / links to CDC (e.g., information regarding Coronavirus symptoms, recommendations, updates).

• Gathering Personal Belongings – address logistics, as applicable.

• Next Steps / Questions – inform employees when / how they will hear from the company next, who to call with questions, etc.

• Strong Finish – re-iterate appreciation, concern for staff, and optimism for the future of the organization.

Next Steps
Communication is key if your organization is considering furloughing or laying off employees.

In a successful work environment, trust plays a key role, and it’s created when workers feel appreciated, understood, and respected. Communication that’s honest and forthright is part of that. So, if and when the time comes to reduce resources, it’s important that employees understand why that step is necessary, what it means for the company and, more importantly, what it means for them.

Cutbacks are stressful enough, without an HR department having to suddenly scramble to craft accurate and appropriate ways to convey the changes that are about to happen. Putting those decisions in writing helps ensure that the news is easily relayed and accessible. Getting the right information out quickly also helps quell office rumors and the fear and uncertainty they cause.

We encourage you to discuss these options with the OneDigital Team.

Reduced Hours
Employers may seek to have employees work fewer hours each week and pay them less. Reduced work hours and schedules can be applied for non-exempt employees; however, the FLSA does not allow employers to reduce exempt employees’ pay for working fewer hours.

Any adjustment in exempt employees’ salaries must be permanent in nature as short-term changes can jeopardize the employees’ FLSA exempt status.
Keep in mind that, because eligibility for health benefits is determined month to month, an employee becomes ineligible for active health benefits when he/she ceases to work the minimum hours required. However, hours paid or entitled to payment, even if not actually worked, count towards eligibility. COBRA rules may apply.

**Voluntary Time Off**
Per the FLSA, exempt employees may take voluntary time off without pay. However, this unpaid time off must be completely voluntary and cannot be caused by employer business conditions or be the result of pressure or request by the employer to take time off.

**Reduction in Force (RIF)**
This happens when a position is eliminated without the intention of replacing it – i.e., a permanent reduction in headcount. Many layoffs turn in to a RIF. This can be accomplished through terminations or attrition. Some employees can be confused thinking that a RIF means they will be called back, it is important that employers are clear on this point.

We encourage you to discuss these options with the OneDigital Team to analyze business need, consider ERISA requirements, and perform disparate impact analysis, as well as severance options.

**Worker Adjustment and Retraining Notification (WARN) Act**
Generally, under the federal WARN Act, employers with 100 or more employees, who are conducting a furlough, reduction in force, layoff, or relocation of 50 or more employees at a single site during a 30-day period (or 90 days in the aggregate), must give employees at least 60 days’ advance notice. The WARN Act has exceptions to the timing requirement if action is taken due to a “natural disaster” or unforeseeable business circumstances. In those instances, employers must provide as much advance notice as possible.

Note that some states have varying versions of the federal WARN Act, and employers should take care to know the requirements in their locations of operation, particularly whether or not their state version has any exceptions to the timing requirements. Additionally, some states are waiving their WARN Act notice timing requirements for layoffs related to COVID-19, so it is important to stay up to date on changes occurring in your state.

**Health Benefits**

*Medical Plan Benefits – Testing and Treatment for COVID-19:* For insured plans in most states, all cost sharing (copays, deductibles, and/or coinsurance) is waived for in-network testing services related to COVID-19 (costs may also be waived for out-of-network providers if in-network testing is not available). Cost sharing will also be waived for telemedicine visits related to COVID-19. If a member needs treatment for COVID-19, copays will not apply; however, deductibles and/or coinsurance will apply if the plan includes these features. These changes can be implemented for self-funded plans as well, but are made at the discretion of the plan sponsor.

*Special Relief for HSA-Qualified Medical Plans:* The IRS announced (Notice 2020-15) that all medical care services associated with testing for and treatment of COVID-19 can be covered without application of the plan deductible. This relief will not impact the status of the plan as an HDHP or the ability to contribute to a Health Savings Account.
Layoffs & Furloughs – Eligibility and Management of Health Benefits

During a layoff, employees are separated from employment and would be eligible to continue their benefits through COBRA. Employers could choose to subsidize COBRA benefit payments for impacted employees.

Because eligibility for health benefits is determined month to month, an employee becomes ineligible for active health benefits during a furlough or reduction in hours when he/she ceases to work the minimum hours required. However, hours paid or entitled to payment, even if not actually worked, count towards eligibility. COBRA rules may apply.

Life and Disability Benefits

This information represents a general overview of group life and disability policy provisions. Please note that language regarding eligibility, active work status, and other important factors will differ amongst insurers and the policies they issue. It is important to review specific policy language prior to advising an employee on their eligibility for benefits.

Closures/Partial Shutdowns: Most group life and disability plans allow for the following – If an employer temporarily closes a specific location, or specified portion of their workforce, due to COVID-19 concerns, policies allow the employee to maintain insurance coverage during that time provided that premiums are paid. Check your policy as the length of time this is allowable may vary, with most policies allowing up to 90 days of coverage for those employees who are not actively at work.

Layoffs (Termination of Employment): For Group Disability plans, coverage will depend on state provisions. Some may continue for 31 days following the date of termination provided that the premium is paid. Many states have similar provisions but policy provisions should be reviewed for specific details regarding coverage situated in other states.

For Group Life insurance plans, coverage generally ends on either the date the employee is termed from employment or the last day of the month in which employment is terminated (refer to policy language for details). There is a conversion period that lasts 30 days after the coverage ends. If there is a death that occurs during the conversion period, conversion is automatically assumed, and the benefit is paid to the beneficiary.

Unemployment Insurance

Unemployment insurance will vary by state. Be sure to check your state’s unemployment insurance benefits and any new legislation in light of the pandemic. Some states also have workshare programs which can offer an alternative to layoffs.

Many states’ unemployment insurance also applies to significantly reduced work hours, temporary furloughs, and layoffs. Eligibility for unemployment insurance is determined by each state.
## Eligibility for Disability Benefits

<table>
<thead>
<tr>
<th>Situation</th>
<th>Able to Perform Duties Remotely?</th>
<th>Potential Claim for Disability Benefits?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee receives a positive diagnosis of the COVID-19 virus and is quarantined for a period of time</td>
<td>NO, or LIMITED</td>
<td>YES – employee may be considered totally or partially disabled.</td>
</tr>
<tr>
<td>Employee receives a positive diagnosis of the COVID-19 virus and is quarantined for a period of time</td>
<td>YES (no limitations)</td>
<td>NO. Although the employee has a medical condition, they are able to work.</td>
</tr>
<tr>
<td><strong>Employee has self-diagnosed themselves with COVID-19</strong> based on symptoms</td>
<td>YES or NO</td>
<td>No eligibility for benefits as the employee does not have a valid medical diagnosis.</td>
</tr>
<tr>
<td>Employee is concerned for their own safety and elects to remain at home</td>
<td>YES or NO</td>
<td>No eligibility for benefits as the employee is not considered to be disabled.</td>
</tr>
<tr>
<td>Employer closes offices/facilities to reduce potential exposure to the virus. Requires employees that are able to work remotely to do so.</td>
<td>YES or NO</td>
<td>No eligibility for benefits as the employer has created the work restrictions. There is no applicable disability.</td>
</tr>
</tbody>
</table>

We suggest that you speak with your OneDigital Benefits Team to discuss your benefits continuation options.
OSHA and Workers’ Compensation

Is Contracting COVID-19 a Recordable Event Under OSHA?
Employers are only responsible for recording cases of COVID-19 if all of the following are met:

- The case is a confirmed case of COVID-19 (see CDC information on persons under investigation and presumptive positive and laboratory-confirmed cases of COVID-19);
- The case is work-related, as defined by 29 C.F.R. § 1904.5; and
- The case involves one or more of the general recording criteria set forth in 29 C.F.R. § 1904.7 (e.g., medical treatment beyond first-aid, days away from work).

For more information, see OSHA’s guidance on COVID-19.

Is an Employee with COVID-19 Eligible for Workers’ Compensation Benefits?
This will depend on the state, but in general, most will not qualify. In rare cases, workers’ compensation may apply when an employee contracts the disease in the course of their employment, for example, healthcare workers who are working with COVID-19 patients, or perhaps somebody sent by the company to a hot zone for work-related activities. In general, if an employee incidentally contracts the disease from a co-worker, there likely will be no workers’ compensation liability.
Families First Coronavirus Response Act

In response to the economic impacts of the coronavirus pandemic, President Trump signed the Families First Coronavirus Response Act (FFCRA) bill into law on Wednesday, March 18, 2020. The new law, which provides a number of benefits to U.S. workers including paid sick leave along with an expansion of the Family Medical Leave Act and access to unemployment compensation benefits, goes into effect beginning April 1, 2020 and will extend through December 31, 2020. Two key provisions employers need to plan for now:

Emergency Paid Sick Leave

- Applies to employers with fewer than 500 employees; employers with fewer than 50 employees may qualify for exemption if undue hardship to business; other exemptions apply for certain employers that employ health care providers and emergency responders.
- Employers are required to provide 80 hours of job protected paid leave to employees who meet any of the following eligibility criteria.
  1. Employee is subject to a Federal, State, or local quarantine or isolation order related to COVID–19.
  2. Employee has been advised by a healthcare provider to self-quarantine due to concerns related to COVID–19.
  3. Employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis.
  4. Employee needs to provide care for an individual who is subject to a quarantine or isolation order, or who has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19.
  5. Employee needs to provide care for a child whose school or day care provider is closed or unavailable due to COVID-19.
  6. Employee is experiencing any other substantially similar condition outlined by the Secretary of Health and Human Services, in consultation with Secretary of Labor and Secretary of the Treasury.
- For reasons 1-3 above, full-time employees will be eligible to receive emergency paid sick leave at their regular rate of pay (up to $511 per day/$5,110 in the aggregate). For reasons 4-6 above, full-time employees will be eligible to receive 2/3 of their regular rate of pay (up to $200 per day/$2,000 in the aggregate).
- Part-time employees will also be eligible for prorated emergency paid sick leave based on the average number of hours worked in a two-week period.
- There is no minimum term of employment to be eligible for benefits.
- Unused sick leave cannot be carried over and will not be paid out at separation.

Emergency Family and Medical Leave Expansion Act (EFMLA)

- Applies to employers with fewer than 500 employees; employers with fewer than 50 employees may qualify for exemption if undue hardship to business; other exemptions apply for certain employers that employ health care providers and emergency responders.
- Employees may take up to 12 weeks of job protected leave to care for a minor child whose school or child care provider is closed or unavailable due to a public health emergency (COVID-19).
- Employees are eligible if they have worked at least 30 calendar days for the employer.
• First 10 days of leave are unpaid; the remaining leave is paid at two-thirds the regular rate of pay up to $200 per day/$10,000 in the aggregate.
• Employees can use employer-provided, accrued, unused vacation, or paid sick leave to substitute the initial unpaid 10 days, or the emergency paid sick leave benefit under the FFCRA, all at the employee’s option.
• Length of leave under EFMLA is reduced by any FMLA leave previously taken by an employee in same administrative year; it is not a separate 12-week entitlement.
• FMLA’s job protection applies with one exception: employers with fewer than 25 employees are exempt from reinstatement obligations if an employee’s position no longer exists due to changes resulting from public health emergency, and the employer takes certain steps to restore the employee to an equivalent position.
• Anti-retaliation provisions also apply to EFMLA.
• Employers will be reimbursed for the full amount within three months in the form of a payroll tax credit. The reimbursement will also cover employer’s contributions to health insurance premiums during the leave.
Immigration

U.S. Citizenship & Immigration Services (USCIS) has taken action in response to the ongoing COVID-19 crisis, announcing that the agency will temporarily halt certain services to accommodate reduced agency working hours, and to limit in-person interaction.

USCIS announced that it is temporarily suspending its expedited, Premium Processing service for H-1B petitions, filed in the FY2021 ‘cap’ lottery. Premium Processing for these cases will resume in a two-phased approach:

- H-1B Change of Status requests for F-1 students will once again be eligible for Premium Processing service, no later than May 27, 2020.
- All other FY2021 cap-subject H-1B petitions will again be eligible for Premium Processing service, on or after June 29, 2020.

USCIS also announced that it is temporarily closing its offices to the public beginning March 18, 2020 until at least April 1, 2020. The office closure will have the following effects:

- Biometrics appointments, Adjustment of Status interviews, Naturalization ceremonies, InfoPass appointments, and other in-person services will not be available during the suspension.
- USCIS will automatically reschedule all cancelled appointments. Applicants need not contact USCIS in this regard. Specifically, USCIS will send cancellation notices to all individuals who are presently scheduled for an appointment. Once normal operations resume, applicants will receive a second notice, with a rescheduled appointment date.
- Certain emergency services will remain available during the suspension. Those in need of emergency services should contact a USCIS Contact Center.

Additionally, the Department of Homeland Security announced relaxed guidelines when reviewing work authorization documents required for completing Form I-9. Specifically, documents may be reviewed over video or email, rather than in person, if workers are remote due to COVID-19.
Working from Home

Work from Home Tips and Techniques
Remote work isn’t just about your individual productivity when you’re not in an office—you’ve also got to figure out how to work together as a remote or virtual team. Here are some tips to help you make it work.

Set up a routine
When you don’t have to commute, you get precious time back in your day. But with extra (and more flexible) hours, you still need to be thoughtful about how you structure your day. Adopting a routine can make you more productive and creative.

Create some boundaries
Even if you don’t have the space for a home office, it’s important to carve out a dedicated workspace. If you work from the comfort of your bed, it may be more tempting to take that nap. (It may also make it more difficult to fall asleep when it’s time for bed).

Take breaks
It can be hard to ‘switch off’ when your work and life are happening in the same place. But it’s important to remember that you can and you should take breaks. Avoid cabin fever by taking the dog out, or going for a run.

Share your status
Whether it’s through scheduled check-ins or just by updating your status on the chat tool, make sure you’re communicating with the rest of your team. If you go offline, provide extra context around why and when you’ll back in an away message.

Make video your friend
You may be tempted not to show your face (especially if you haven’t changed out of your pajamas) but when you can, try having video meetings instead of just calls. Face-to-face interaction leads to tons of non-verbal cues. Without video, you’re missing out on all those signals—and your chance to build relationships.

Be considerate of time zones
For example, if you have a teammate in Europe who’s always staying late for your weekly calls, offer to rotate the meeting time so you can share the inconvenience that comes from working in different time zones.

Set some ground rules for team communication
Together, decide on a ‘team charter’ for communication. Figure out in what situations you all should use video conference, phone calls, chat, or email, and set a preference order.

Check in with the team
Hold team-wide video-conference meetings if it’s possible. See everyone’s faces and allow time for casual conversation to help build those personal relationships and team bonds. Don’t forget to celebrate successes, birthdays, etc. even if you’re not meeting in person.

Trust is the foundation
Remote teams have to trust their teammates. There is simply no way around it. This means you trust that your teammates are getting something done. But also your teammates trust you. To earn that trust you want to make sure you have something to show for your work each week.
Tips:

- All team members might prepare a daily email to their supervisor on their activities the prior day and plans for the current day, and department head should be getting a weekly summary from every leader.
- Department heads should have regularly scheduled individual calls with their leaders.
- Host a weekly all-hands conference call (video conference if you can) to share wins and accomplishments from the week, and to tee up the following week. There should be time left for Q&A.
- Encourage at minimum a weekly conference call, for supervisors only, to share concerns and best practices.
- If anyone is ill, or has an ill person in their household, they should track that and share with HR so they have a view into the trend across the organization.

**Work from Home Strategies and Best Practices**

With COVID-19 spreading, managers should be preparing for the possibility that your teams - or at the very minimum members of your teams - may have to work from home. We would like to offer some strategies and best practices to help team members continue to collaborate effectively and continue business as usual, in the times of the unusual.

**Spell Out Goals and Roles**

Teams that suddenly change work patterns — particularly moving from co-located to remote — need to rethink how to accomplish their tasks and ensure that everyone understands his or her role.

**Clarify and Re-clarify Goals and Roles**

The move to home-based working is a great opportunity for a team to revisit the basics in order to ensure everyone understands the team objectives, their individual roles, and how each person contributes to the team’s ultimate success or failure. Clarifying roles among the team helps people understand when they can turn to peers instead of the leader, which prevents the leader from becoming a bottleneck. This increased communication throughout the group also helps peripheral members stay engaged.

Leaders need to continually clarify goals at the team and individual level to stay focused on key priorities. Watch out for an ever-expanding list of tasks. And when you do re-prioritize goals, think carefully about who gets the assignment and make sure the changing goals are communicated to the entire team.

**Map Skills and Capacity**

Most of us work on multiple projects at once, oftentimes with multiple cross-functional teams. In times of change, it is highly likely that a project that involves some of your team members will face an unexpected shock, which could affect your group’s projects and other groups downstream. Consider what may happen if a member of your team contracts COVID-19 and is unable to work (or at diminished capacity) for up to three weeks. To minimize the impact, think now about where you have skills redundancy built into your team or how to access capacity from outside. Because of the number of new tasks that arise during a crisis, many of your team members are likely to be pulled in multiple directions. Don’t add even more stress to your workers by expecting them to handle these situations on their own. Make it clear that they can count on you or others on the team to help manage the load for the time they are recovering. Unfortunately, onboarding a new team member while everyone, or a large portion of the team is working from home can make it difficult to build team cohesion and trust. Invest the time to formally introduce new team members, focusing on both the personal and professional.
Emphasize Personal Interactions
People suddenly working from home are likely to feel disconnected and isolated, which lowers productivity and engagement. As a leader, especially if you are not used to managing a virtual team, you may feel stressed about keeping the team on track. Under these circumstances it is tempting to become exclusively task-focused. To address these challenges, making time for personal interaction is more important than ever.

Keep Everyone in Mind
Inevitably, you may have go-to team members — those people that we are more likely to turn to in times of stress. As a result, some of our teammates may tend to unintentionally be “out of sight, out of mind.” To combat this tendency, make a list of the current core and extended team members and keep it in front of you while you’re working each day to help you make more conscious decisions about allocating responsibilities and information.

Schedule Regular Meetings
Set times for the team to come together virtually; it is easier to cancel if the meeting isn’t needed than it is to pull together a last-minute conversation without creating additional disruption. If you only meet on an ad hoc basis, you risk excluding some people who are either too busy to join or are out of sight, out of mind.

Create the Virtual “Water Cooler”
Set aside time on the agenda for personal updates, the kind of small talk you might start an in-person meeting with. This preserves the sense of camaraderie on your team. In addition, set norms that people should regularly call one another as needed rather than wait for scheduled meetings.

Humanize Communication
Instead of relying exclusively on e-mail, which tends to limit collaboration and interactive conversations, switch to real-time media such as FaceTime, Zoom web conferences, Teams chats, or even phone calls. These forms of communication are more personal, allow team members to read one another’s emotions, and help to boost morale in times of isolation. They also improve decision making by more fruitfully bringing alternative voices into the conversation and allowing people to debate ideas more effectively and completely.

Normalize New Work Environments
Working from home creates new distractions and the potential for misunderstandings. The more the members of your team know about each other’s environment, the better they will be able to make sense of one another’s behavior. Teams often ignore the advice to orient each other, because the idea seems hokey or a waste of time. But the practice has a strong basis in social psychology and cognitive bias: Fundamental attribution error is the tendency to explain another person’s behavior as a personality trait while discounting the impact of situational factors (“He never speaks up, he’s uncommitted” instead of “He’s trying to stay on mute to avoid the background noise at home”).
Take a Virtual Tour
Encourage your teams to take a few minutes to share some personal context. What are the possible distractions: like barking dogs, noisy passing trucks/trains, or kids being from school due to school closures? The aim is to help colleagues develop an understanding of each person’s work context so they can be more sensitive to each other’s constraints. Let your teammates know you appreciate their challenges and are open to discussing alternatives like flexing work hours so that calls/meetings can happen when it’s quieter or more convenient. The ambiguity inherent in having team members working from home can lead to biased assumptions about focus and commitment to work; encourage your teams to keep those assumptions in check.

COVID-19 is likely to create some disruption to your business and to your teams. However, by using strategies like these to respond effectively, layout expectations, and hold each other accountable, we can continue to deliver against our business objectives with continuity.

Sample Telecommuting Policy

**Temporary Telecommuting Arrangements**
**Effective Immediately**

This policy is effective immediately and expires only upon future notice from the PRESIDENT at the company’s discretion.

Due to the current COVID-19 (coronavirus) outbreak, many employees are inquiring about the ability to work from home. The Company is implementing [voluntary] temporary telecommuting arrangements for employees whose job duties are conducive to working from home but who do not regularly telecommute. However, there are some positions at the Company that require the employee to be physically present in the workplace. These employees are defined as essential personnel.

Essential personnel include the following positions:
[Insert position titles]

Essential personnel are expected to report to work as scheduled unless otherwise notified. Regular leave policies and procedures should be followed for employees who are unable to report to work.

Positions approved to temporarily work from home include the following:
[Insert position titles]

Additional positions may be considered on a case-by-case basis.

These arrangements are expected to be short term, and the Company will continue to monitor guidance from health officials and the need for remote work arrangements. Employees should not assume any specified period of time for telework, and the Company may require employees to return to regular, in-office work at any time.
Should the current health crisis warrant, the Company may require all employees, with the exception of essential personnel, to work from home. Employees should be proactive with department managers in preparing for these circumstances to ensure employees have the resources necessary to work remotely.

Employees agree to be accessible by phone, email, or voicemail within a reasonable time period during the workday for this specified period of telework.

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to record all hours worked in a manner designated by the Company. In accordance with state and federal requirements, hours worked in excess of those specified per day and per workweek will require the advance approval of the supervisor.

Telecommuters will also be expected to comply with applicable company policies (e.g., conflict of interest, confidentiality, privacy, moonlighting, safety, drugs and alcohol, and the like).

Equipment supplied by the Company is to be used for business purposes only. Employees will maintain equipment they have supplied. Consistent with company expectations of information security for employees physically working in the Company’s workplace, telecommuting employees will be expected to ensure the protection of proprietary Company information accessible from their home office. Steps include, but are not limited to, use of locked file cabinets, and desks; regular password maintenance; and any other steps appropriate for the job and the environment.

Injuries sustained by employees while at their home work locations and in conjunction with their regular work duties are normally covered by the Company’s workers’ compensation policy. Telecommuting employees are responsible for notifying Human Resources of such injuries in accordance with workers’ compensation procedures.

An appropriate level of communication between the telecommuter and manager will be agreed to as part of the discussion process.

Telecommuting is not designed to be a replacement for appropriate child care or elder care. However, we have been notified that various school districts across the country are being temporarily closed due to virus containment. As many of us are parents, we understand that unexpected school closures pose additional challenges as last minute childcare can be difficult to obtain. Although an individual employee’s schedule may be modified to accommodate childcare or eldercare needs, the focus of the arrangement must remain on job performance and meeting business demands.

The below policies are in response to relevant information published by the Center for Disease Control (CDC) and the World Health Organization (WHO) to address coronavirus 2019 (COVID-19), as well as the state of emergency declared in [state/locality].
Other Sample Policy Considerations

- All employees shall notify Company’s human resources department if any employee or visitor fits into one of the categories described in the clauses below:

  1. if such person or a member of such person’s household has returned in the last 14 days from travel that included a country subject to a Level 3 or 4 Travel Advisory from the United States State Department due to the incidents of a communicable disease or a Level 2 or 3 Travel Health Notice from the CDC;

  2. if such person has been in close contact with someone who has traveled from one of those countries in the last 14 days;

  3. if such person has a fever or flu-like symptoms; or

  4. if such person has been exposed to COVID-19.

- All domestic and international travel for Company business shall be pre-approved by the PRESIDENT. If you travel without pre-approval, you do so at your own risk. If you are scheduled to travel for business, but feel uncomfortable doing so, you are not required to make the trip.

- All business meetings should be conducted using our teleconferencing provider [e.g., Zoom]. All in-person Company business meetings must be pre-approved by the PRESIDENT. If you attend an in-person business meeting without pre-approval, you do so at your own risk.

- Any employee who experiences symptoms of the coronavirus disease, which may include fever, cough, shortness of breath, or a persistent cough accompanied with a fever, and that are found on the CDC’s website (link below) is encouraged to seek appropriate medical care. (https://www.cdc.gov/coronavirus/2019-ncov/about/symptoms.html)

- Any employee diagnosed with coronavirus disease 2019 (COVID-19) must immediately notify human resources.

- The Company adheres to all federal, state and local regulations and all employees are expected to comply with such regulations while conducting Company business. This includes, but is not limited to, all declared state of emergency sanctions and quarantine mandates and procedures.

This is an unprecedented situation that continues to evolve and the company reserves the right to modify its policies as needed for the wellbeing of its employees. The safety and security of our employees is a priority and we urge everyone to take precautions necessary to remain healthy and safe.

Please let your manager know if you have any questions.
Solutions and Best Practices if Working Remotely is NOT an Option

The Coronavirus has sent the economy into unchartered territories – what are your Organization’s options if your industry does not cater to supporting a remote workforce?

Impact on hourly workers
The absence of paid time off has been shown to exacerbate some infectious disease outbreaks. It can also prevent people from getting preventative care. Workers without paid sick leave are less likely to get a flu shot, as are their children, and lack of paid sick leave can disproportionately impact lower-income workers.

Create some boundaries
CDC has a few recommendations:
- Wash Your Hands! (Especially after handling money!)
- Engage in social distancing (staying at least six feet away from other people).
- Avoid people who are sick.
- Stay home if you are sick.
- If you have symptoms, you should self-quarantine.

Policy Adjustments
Review Policies and Make Adjustments. Current Policies were never written for this situation – review and adjust.

- Scrutinize PTO, call-in policies, leaving work policies, return to work, etc.
- Do not require a doctor’s note – the current demand on the healthcare community will make this difficult for employees to obtain.

Consider short-term policy changes.

- PTO usage, waiving your Attendance Policy, implementing Catastrophe Pay Policy, Quarantine Pay Policy, etc.

Be consistent in application of policies if you are looking to layoff, RIF, or terminate due to business slow down.
Additional Resources and Sample Communications

Pandemic FAQs

These frequently asked questions are intended to provide guidance to our colleagues as we navigate through the COVID-19 (corona) virus. Our objectives as a company are to protect our colleagues and customers while we continue to provide the services our customers need. We trust our colleagues to use common sense and good judgment as we work together through this difficult time.

Q1: Should I stay home if I am sick or my household member is sick?

A1: Yes. We want employees who are under the weather with any symptoms – even if they are not respiratory symptoms, to stay home. We also want employees with a household member who is sick with respiratory symptoms to stay home unless it has been determined by a doctor that the household member does not have COVID-19. We want to keep our community as healthy as possible always and during this pandemic in particular.

Q2: Should I stay home if my household member goes to school or work at a location where there was a confirmed COVID-19 case?

A2: If you can work from home, under these circumstances you should. If you cannot work from home, you should come to work only if you and your household members are not sick. If you are not sure, speak with your manager or HR. The closer in proximity your household member was to the impacted person, the more likely you should stay home for a brief period.

Q3: I have COVID-19. What should I do?

A3: If a doctor has confirmed you have COVID-19, call your Human Resources immediately and then call your supervisor to let them know you will be absent from work during the period of time recommended by your doctor. This also applies if you have COVID-19 symptoms without a formal diagnosis. (See www.cdc.gov/coronavirus).

Q4: I heard someone in my workspace/building has COVID-19. What should I do?

A4: If someone in our workplace has a suspected case, we will implement best practices to keep the community safe. If someone in our building has a suspected or confirmed case of COVID-19, we will evaluate the circumstances and take immediate action, which may include closing the building and having it deep cleaned. We will not, however, provide the name of the ill colleague.

Q5: Will I still get paid if I cannot come to work because of COVID-19?

A5: Yes. If you are absent during the pandemic due to personal illness, family member/household member illness, community containment measures and quarantines, school and business closures and public transportation closures, and you cannot work from home, your absence will be paid under the applicable Company leave policies.
Q6: I have a family trip planned, should I still go?

A6: You should decide what is best for your family. We urge employees to refrain from traveling to areas impacted by a US government-imposed travel ban as you may be forced to quarantine once home or may not be allowed re-entry. Likewise, we urge employees to refrain from traveling to areas that are virus “hot spots.” Please check the CDC website for updated information about the risk level by geographic location. Please let Human Resources know of any travel plans outside of our footprint through May 2020.

Q7: Should I still go on customer site visits within our footprint?

A7: If you can replace a visit with a call, you should. Customers will understand that we are replacing face-to-face meetings with calls whenever we can. They will want to do so as well. If your work requires you to see a customer site, for example, you may do so but please practice safe hygiene (hand washing, social distancing/avoiding close contact).

Q8: Can I work from home?

A8: Yes. We urge all employees who can do so to work from home. Employees should work with their division head to coordinate a work from home schedule for your division. We understand those in customer-facing or other positions may not be able to work from home.

We urge managers and division heads to balance the need to mitigate virus risk with the need to continue customer service and Company operations.

Q9: How do I access my work email from home?

A9: [Insert Company plans for employee access]

Q10: I work in a customer-facing job. How can I protect myself?

A10: Please take every measure to avoid risk of exposure to COVID-19. Wash your hands frequently; use hand sanitizer regularly; avoid touching your face. In addition, refrain from shaking hands and if possible, maintain a “social distance” between yourself and customers.
Sample Communication – Domestic Travel

COMPANY Team,

As the spread of the COVID-19 coronavirus continues to cause concern, our thoughts remain with those directly impacted by the virus. As cases identified in the United States continue to increase, many questions have been asked regarding domestic travel.

Aside from the precautions and minimum 14-day self-quarantine procedures already in place regarding travel from current high-risk areas, we are not, at this time, restricting travel domestically within the United States. If you are scheduled to travel for work but feel uncomfortable doing so, we will not require you to make the trip, regardless of airfare cancelation fees or non-refundable tickets. The safety and security of our employees remains our utmost priority and we urge everyone to take whatever precautions necessary for you to remain healthy and feel safe.

Meetings that can be rescheduled over [e.g., Zoom] or other teleconferencing providers, rather than conducted in-person, may be a viable alternative to travel to ensure business continuity, while remaining vigilant on preventing the spread of the virus.

As a reminder to all COMPANY teammates, please continue to monitor your health closely, stay home if you are not feeling well, and seek medical care as appropriate.

We will continue to review the CDC and WHO guidance as it is published and keep you updated on this situation as it evolves. [As such, we’ve set up dedicated Intranet to communications around the COVID-19 outbreak and will post updates there whenever there is new information to share.]

Please continue to direct any travel or safety-related questions to the COMPANY HR team at [email].

Thank you,

NAME
Letter to Applicants in the Hiring Process during a Pandemic

[Date]

Dear [Applicant]:

Thank you for your interest in the position of [title of position] at [organization name]. We certainly appreciate the time you spent during the application process. [Organization name] has instituted a hiring freeze, effective [insert date]. Due to this hiring freeze, we are unable to proceed with your candidacy at this time. We are still very interested in your skills and would like to stay in contact, should you choose to do so, to provide information about this position in anticipation of the end of the hiring freeze.

Thank you for your interest in [organization name], and for your understanding. We will be as transparent as possible with you throughout this period. We hope that you will still maintain interest in this role!

Sincerely,

[Signature]
Online Resources for Employers

World Health Organization (WHO)
- Main Page https://www.who.int/emergencies/diseases/novel-coronavirus-2019

Centers for Disease Control and Prevention (CDC)

Occupational Safety and Health Administration (OSHA)
- Main Page / Overview https://www.osha.gov/SLTC/covid-19/
- Standards Related to Coronavirus https://www.osha.gov/SLTC/covid-19/standards.html
- Fact Sheet: Protecting Workers During a Pandemic https://www.osha.gov/Publications/OSHAFS-3747.pdf

Equal Employment Opportunity Commission (EEOC)

Department of Labor (DOL)
- FAQs on COVID-19 and the Family and Medical Leave Act https://www.dol.gov/agencies/whd/fmla/pandemic