

HR Challenges Amid

COVID-19



Presented by
Katie Magoon, SPHR, SHRM-SCP

Areas of Focus:

- Legal considerations
- Workforce decisions
- Communication
- Engagement





#1

Legal Considerations



H.R. 6201 the Families First Coronavirus Response Act

Effective Date: April 2, 2020 – December 31, 2020

3 Key Parts for Employers:

- 1) Emergency Family and Medical Leave Expansion Act
- 2) Emergency Paid Sick Leave Act
- 3) Tax Credits apply toward Social Security taxes

H.R. 6201 the Families First Coronavirus Response Act

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2 Key Parts for Employers:

1) Emergency Family and Medical Leave Expansion Act

- Applies to: Employers with less than 500 employees
Note: May have an option for employers <50 to file for exemption if “jeopardizes the viability of the business”
- Employee eligibility: employees with > 30 days (part-time & full-time)
 - Unable to work (or telework) to care for child if child’s school or place of care is closed due to public health emergency

1) Emergency Family and Medical Leave Expansion Act

- Up to 12 weeks of **paid** job protection
 - Full-time – 2/3 rate of pay, up to \$200
 - Part-time – 100% based on avg # of hours prior 6 months
 - 10 day “waiting period” is unpaid, but....
- Job restoration
 - >25 employees – follow FMLA rules
 - <25 employees excluded if:
 - Position eliminated due to economy
 - “Reasonable attempt”
 - 1 year “contact window” to continue reasonable attempts if position reopens

2) Emergency Paid Sick Leave Act

- Applies to: Employers with less than 500 employees
- Employee eligibility: **all** employees
 - Subject to federal, state or local quarantine
 - Advised by health care provide to self-quarantine
 - Experiencing symptoms & seeking medical diagnosis
 - Caring for an individual subject to quarantine
 - Caring for the employee's child if school or place of care is closed
 - "Experiencing any other substantially similar conditions"

2) Emergency Paid Sick Leave Act

- 80 hours of paid sick leave
 - Self care – regular rate, up to \$511/day
 - Care of another – 2/3 rate up to \$200/day
- In addition to and before any company provided paid leave under policies



Legal Info Pending:

- DOL Regulations on documentation
- Worker's compensation
- OSHA guidelines

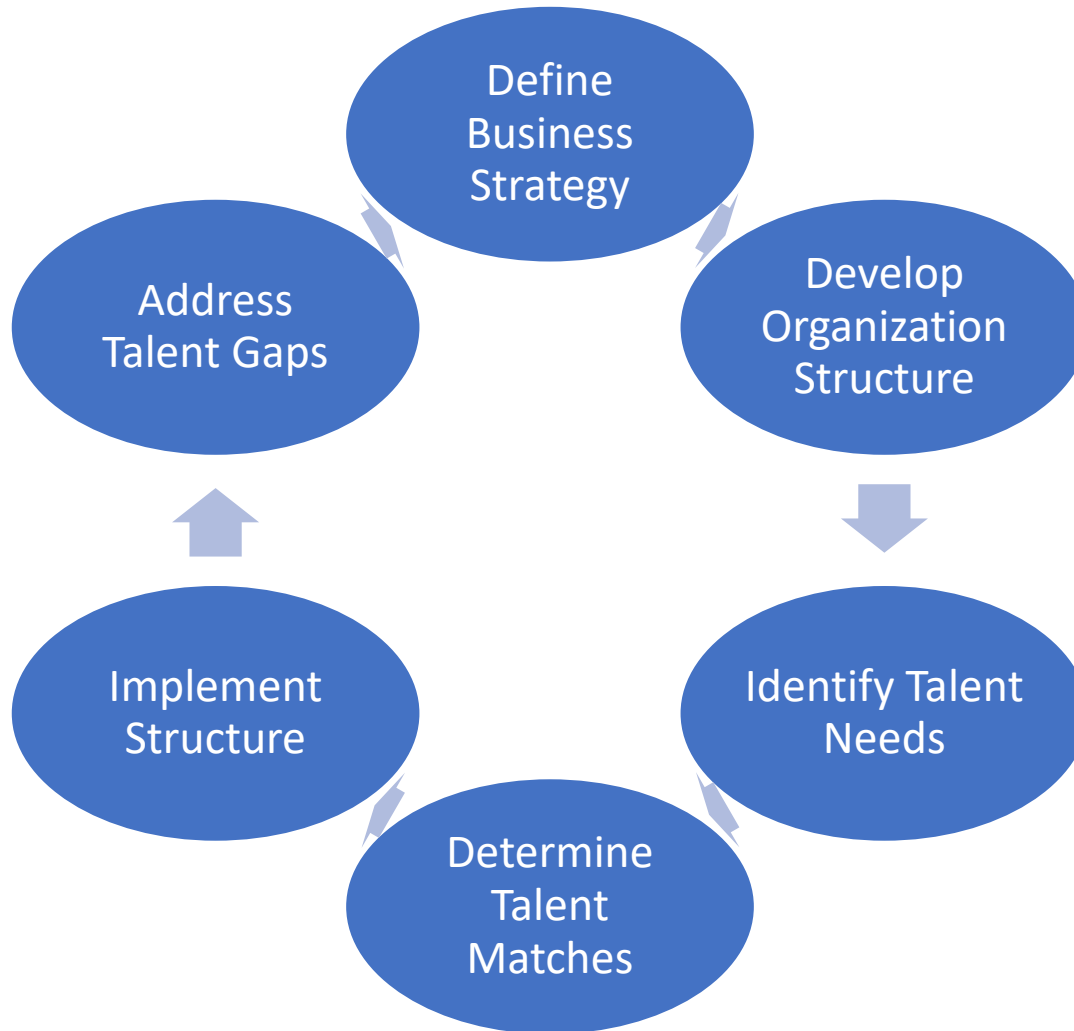




#2

Workforce Decisions

- Don't Panic – Plan!



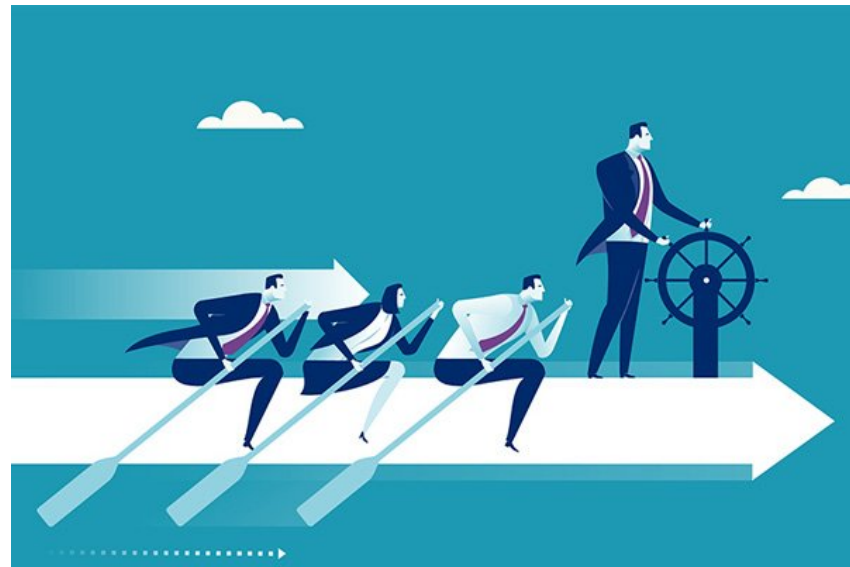


Be creative to retain talent

- Reduced work schedules
- Prioritize long-term projects
- Consider transferrable skills

Key Workforce Decisions

- Short-term staff reductions
- Work share programs
- Long-term staff reductions
- Restructure
- Reskilling
- Recruiting



Overview of CARES Act for Employers

- Payroll Protection Loans
 - 8 weeks of expenses post loan
 - Payroll, utilities, rent or interest on mortgage debt forgiven
 - Forgiveness amount reduced if layoffs occur
- Payroll Tax Credit (alternative to Payroll Protection Loan)
 - Operations fully or partially suspended or
 - Decline in gross receipts of more than 50% compared to the same quarter of the prior year
 - 50% of “qualified wages” paid to employees
- Unemployment changes
 - Contractors and gig workers covered
 - Addt'l \$600 per week
 - Addt'l 13 weeks eligibility
 - Expanding options for work-share or reduced hours coverage
 - Waiver of 1 week waiting period (by state)

What to do?

- Conduct your workforce planning session
- Consult your accountant
- Consult your small business lender
- Contact your health care broker
- Plan the communication
 - Empathy
 - Compassion
 - Honesty
 - Transparency



#4

Communication

Keys to communication:

- Track and answer questions
- Keep Q&A visible
- Share what you know, when you know it
- Be consistent & honest



Communicate

- Leverage technology
- Hold regular team meetings
- Connect daily
- Keep it spontaneous





Resources

- Department of Labor (Federal & state)
- Department of Economic Development (by state)
- [Small Business Administration](#)
- [Full Summary of CARES Act](#)
- [Forbes article](#) on CARES Act

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