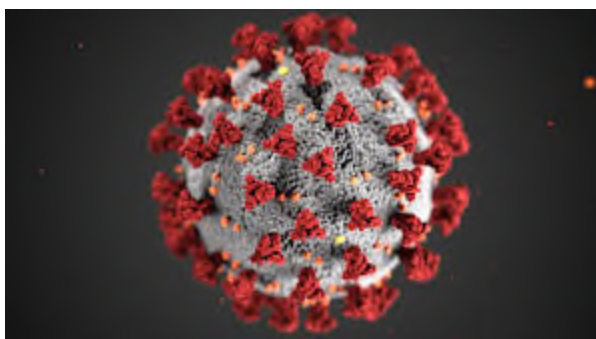

EMPLOYMENT LAW IMPLICATIONS

COVID-19



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EMPLOYMENT LAWS IN PLAY

- Occupational Safety & Health Act
- National Labor Relations Act
- Fair Labor Standards Act
- American with Disabilities Act
- Family and Medical Leave Act
- Common law privacy (not HIPAA)
- Workers' compensation
- Unemployment compensation
- Family First Coronavirus Response Act

Text or Email questions to Nadia at 937-516-4397 or nlampton@taftlaw.com

WORKPLACE SAFETY ISSUES

- Employer's obligation to provide safe workplace
- Employer's obligation to eliminate recognized hazards
- Employee's right to refuse to work and travel
 - Section 13 – Imminent danger
- Employee's right to wear mask
- Employer's right to test and take temperature
- OSHA accident/illness logs

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NATIONAL LABOR RELATIONS ACT

- Unionized operations governed by CBA
 - Section 8(a)(5)
 - Involuntary layoff
 - Lockout
 - Managements' rights clause / established past practice / owner-mandates
- Section 7 right to protected concerted activity
 - Applicable to non-union employees

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WAGE-HOUR LAWS

- Compensation for time off
- Compensation for home work
- Exempt employees' payment of salary

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BENEFITS ISSUES

- PTO
- FMLA
- Unemployment compensation
- Workers' compensation
- COBRA healthcare continuation

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OTHER CONSIDERATIONS

- Remote work policy
- Protection of confidential and trade secret information
- Employee goodwill and public relations image
- Contract obligations with force majeure clause
- Workplace changes forever?
 - Reasonable accommodations
- **COMMON SENSE!**

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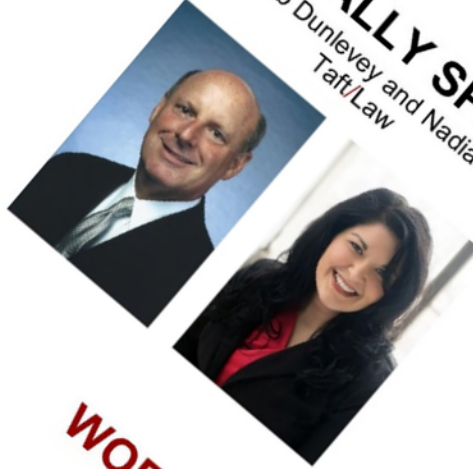
FAMILIES FIRST CORONAVIRUS RESPONSE ACT

- Employers covered
 - Employer exemption request
- Public Health Emergency Leave (FMLA)
 - 12 weeks paid
 - Qualifying events
 - Includes care for self and family
 - To comply with health officials' recommendations and school closing childcare
 - Tax credit for employers
 - State Unemployment Compensation

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LEGALLY SPEAKING

by Bob Dunlevey and Nadia A. Lampton
Taft/Law



WORKPLACE DO'S AND DON'TS COVID-19 CORONAVIRUS

The recent outbreak and fears associated with COVID-19 are causing substantial disruptions to our everyday routines and greatly impacting businesses. COVID-19 presents unique challenges for employers and their customers trying to maintain business operations amid threatened shut-downs, travel bans, and the cancellations of major industry events and conferences. In the midst of what the World Health Organization has now labeled a worldwide pandemic, employers must still wrestle with the day-to-day decisions associated with running a business. Some of these challenges include the rights and obligations of employers to send home employees if they are exhibiting symptoms, the rights and obligations of employers to require employees to wear face masks, and the rights and obligations of employers to refuse to work for fear of contracting COVID-19. Other challenges include the rights and obligations of employers to consider the following guidance on these key issues:

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