

***COVID-19 – Health, Wellness and Leave Benefits
Taking Steps to Protect Employers and Employees***

1) *Track Recent Travel*

- a. If an employee has recently returned from a country designated by the CDC and the World Health Organization (WHO) as having high risk for COVID-19 transmission, or has been exposed to someone ill with the virus, employers can require that these employees wait the maximum incubation period of the virus – thought to be approximately 14 days – prior to returning to the workplace.

2) *Follow Centers for Disease Control and Prevention (CDC) Guidelines*

- a. The CDC recommends that people who are experiencing respiratory illness stay home until they are free of fever and other symptoms, such as frequent and severe coughing, for at least 24 hours without the use of medicine (e.g. aspirin and cough suppressants).
- b. Encourage accountability among employees; “if you see something, say something,” regarding co-workers who show symptoms.
- c. The CDC advises that employers do not require a health care provider’s note for employees who are sick with acute respiratory illness to validate their illness or to return to work, as health care provider offices and medical facilities are extremely busy and not able to provide such documentation in a timely manner.
- d. Advise employees who are experiencing symptoms to work from home if they are able, or to take time off – and to return to work only when they are symptom-free.
- e. Encourage virtual meetings and conference calls; reschedule facility tours and discourage visitors.

3) *Implement Wellness Programs*

- a. Advise employees of the critical importance of hygiene and disease prevention, including handwashing vigorously throughout the day, using hand sanitizers and disinfecting hard surfaces. Additional “back to basics” reminders include avoiding physical contact (especially handshakes), getting enough sleep, exercising and eating healthy.
- b. Consider taking precautions and informing employees through lunch ‘n learn sessions, posters, emails and town hall meetings.
- c. Encourage the use of the Employee Assistance Program (EAP) for those experiencing stress or mental health issues triggered by virus fears.

4) *Employee Benefits and COVID-19 Testing / Treatment*

- a. Inform employees about what is included in their benefit plan in case they were to get sick. Employees may become concerned about the cost of testing and treatment.
- b. Lab tests for COVID-19 will be covered by private insurance, as well as by Medicare and Medicaid, as Vice President Mike Pence recently shared.
- c. Although not yet Pennsylvania, several states have now directed insurance carriers to waive all health plan cost-sharing associated with COVID-19 testing. For fully insured health plans in these states, employees and family members will have COVID-19 testing covered in full by the plan without being subject to any deductibles, co-pays or co-insurance.
- d. Employees who are recent hires or part-time workers may not be eligible for health benefits. In these cases, employers are encouraged to point these employees in the right direction and communicate with their local health departments to assist them.

5) Recommend Telehealth Services (if applicable)

- a. The CDC encourages employees to use telehealth services, rather than visiting a doctor's office or clinic, to limit the spread of the virus. Telehealth programs can assist by providing clarity to the situation and aid the employee with determining their next steps.
- b. If such services are not included with the company's health insurance provider, encourage employees to contact their local urgent care clinic, or the local emergency room if circumstances are severe.

6) Sick Leave and Family and Medical Leave Act (FMLA)

- a. Employers can require employees who exhibit coronavirus symptoms to stay home until they are symptom-free. However, requiring quarantines may encourage hourly workers who have no remaining paid sick days / paid time off (PTO) not to reveal that they may pose a risk to others; consider some leniency with sick leave.
- b. An eligible employee of a covered employer could request FMLA leave in order to recuperate from coronavirus or care for a sick family member if the illness is considered a "serious health condition." For long-term absence, most employees dealing with their own or a family member's serious illness can take up to 12 weeks of unpaid leave under the federal Family Medical Leave Act.
- c. Typically, a doctor's certification is needed for FMLA leave; however, if an employer understands the employee has a serious health condition within the meaning of the FMLA, the employer is free to waive the requirement to provide documentation.
- d. At the same time, employers may have concerns about employees trying to take advantage of the system and take 12 weeks off, claiming they have something they do not. Ultimately, this is an ownership / management decision; employers may also want to consult with an employment attorney on this matter.

7) Create a Preparedness Plan

- a. In the event of the Coronavirus outbreak become more severe, businesses should establish an action plan to ensure employee safety while reducing business disruption.
- b. Implementing a simple "stoplight" communication plan, such as the following, may be helpful in communicating change to employees:
 - **Green** – business as usual (pre-COVID-19).
 - **Yellow** – extra cautious; additional measures are in place (current situation).
 - **Red** – requires urgent variation in policies and procedures as a result of extraordinary circumstances affecting both the company and the greater workforce.

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