

# Handling Infectious Disease

## A Coronavirus Update

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# Hello!

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**Katy Stowers**

EVP, Managing Director and General Counsel  
at FirstPerson

Hi!

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**Megan Nail, CCP, SHRM-SCP, SPHR-CA**

Compensation Advisor at FirstPerson  
Director of HR Indiana SHRM

# Agenda

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- Best practices
- Steps you can take immediately
- Resources
- Questions?



Chat with our  
team and others  
in your position

# Best Practices

# Serious Disease Response

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CDC issued *Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease (COVID-19)*

## Important Facts to Know

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Per the CDC and OSHA

Travel restrictions in China, Iran, Italy  
and South Korea (most  
severe outbreaks)

Most who contract the virus recover  
without significant medical treatment

Spread person-to-person  
through respiratory secretions

For most US workers, risk of infection  
is currently low

# Evaluating an Employer's Risk

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OSHA Hazard Recognition  
Standards

At risk groups include:

Healthcare workers

Deathcare workers

Airline operations

Waste management

Workers who travel to high risk  
areas



## Why is infectious disease planning important?

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Employers have duty to protect employees in workplace

Liability could result if employees are infected in workplace and employer didn't take steps to protect them from exposure

Balance duty to protect with  
employee's rights to be free  
from workplace discrimination

Must take into account ADA  
concerns and avoid national  
origin discrimination

Americans with  
Disabilities Act &  
State Disability  
Laws

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If employee has condition/disability,  
ADA requires employer to work  
through interactive process to  
determine accommodation

Employees have reasonable  
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or any leaves of absence

## Compliance Planning

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Have policy and actionable plan  
in place that considers ...

- 1) legally protected employees under  
the ADA,
- 2) privacy issues of infected  
employees
- 3) recognition of risk, and
- 4) reduction of employer liability and  
continuing operations

## Impact on Attendance Policies

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Employer can enforce attendance and leave policies, but must do so in nondiscriminatory manner

Maintain flexibility and consistency with public health guidelines

*Don't forget to ask  
your questions*



# Immediate Steps You Can Take

# Education and Communication

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## Educate Employees

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If you choose to communicate to educate and calm concerns, most accurate, up-to-date info is on [CDC.gov](https://www.cdc.gov)

Stay calm – educate employees on symptoms, sick and remote policies, and how disease is spread

Encourage infection control and general hygiene best practices

## Communicate with Employees

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Share any changes to travel policies, large meeting policies, and the like

Encourage employees to report illness to manager and manager to confidentially report concerns to HR

Ensure that employees understand FMLA and other leave policies

# Business Response Strategy

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# Leadership Training

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Stress importance of avoiding panic

Reiterate ADA confidentiality  
requirements

Share only with those with an absolute  
and identifiable need to know

Review absence and telecommuting  
policies so that managers are prepared  
to respond to requests

# Emergency Preparedness

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Establish emergency preparedness plan, including reporting procedures, communication plans and medical options

Check for OSHA, worker's comp and any other reporting requirements

If shutdown contemplated, be sure to follow federal WARN Act requirements, applicable collective bargaining agreements, etc.

# Creating a Response Plan

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- Identify work-related exposure risks
- Review LOA and FMLA policies to ensure compliance with federal and state leave laws
- Consider telecommuting or flexible work hours to limit exposure
- Identify essential business functions and roles and critical supply chain elements to maintain business operations
  - What is minimally essential to continue operations?

# Creating a Response Plan

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- Set up processes for activating outbreak response plan
- Understand "social distancing" and how to implement it
- Plan for how to handle employee absences due to school closings, family illness, etc.
- Cancel non-essential business travel, particularly to infected areas
- Consider cancelling large work-related meetings or events
  - Travel to large conferences

# Creating a Response Plan

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- Stay connected to reliable sources for public health updates
  - Local Department of Health
  - CDC
  - OSHA and Department of Labor
- Monitor but do not rely on social media sources



# Key Takeaways

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## CDC Recommended Strategies:

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- Ensure sick leave policies are flexible, consistent with public health guidance, non-punitive, and that employees are aware (incl. contractors and temporary employees)
- Maintain confidentiality of confirmed infections
- Emphasize respiratory etiquette and hygiene
  - Provide tissues, soap and water, alcohol-based sanitizers
- Communicate early and often to avoid panic
- Balance the needs of the business and needs of employees

Questions!