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Safely Reopening Counties



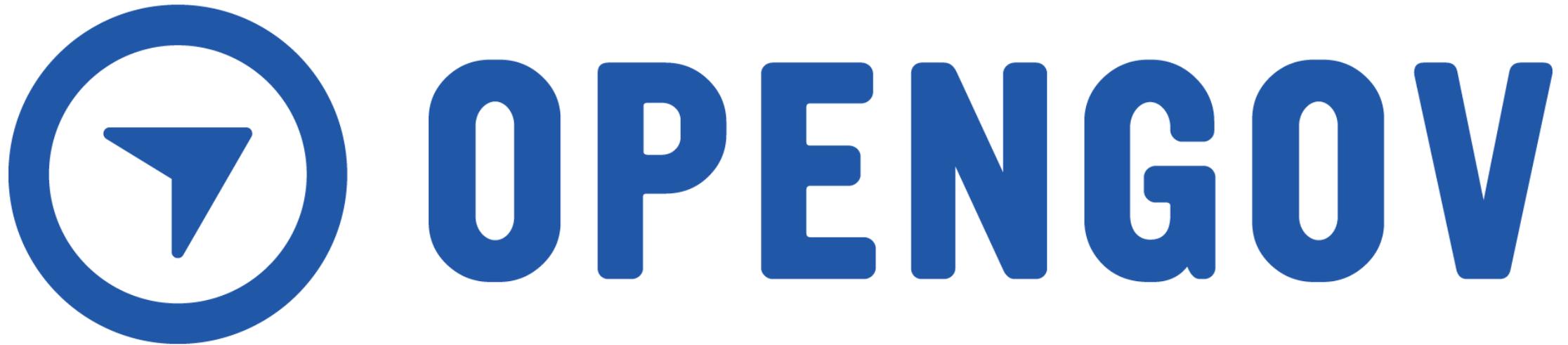
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Agenda

- Executive Orders
- Key Considerations Before Reopening
- Workplace Safety Precautions
- Protocols for Infected, Sick, and/or Exposed Employees, Including Return to Work After Infection or Exposure
- Practical Realities: Personnel and Union Issues

Executive Orders

- 202.4 has been the operative EO from the beginning of the closure to date.
- Yesterday EO 202.39 was published.

EO 202.4

- Originally effective on 3/17/20 through 4/15/20; a series of extensions occurred.
- Provides: “Any local government or political subdivision shall, effective March 17, 2020, allow non-essential personnel as determined by the local government, to be able to work from home or take leave without charging accruals, except for those personnel essential to the locality’s response to the COVID-19 emergency. Such non-essential personnel shall total no less than fifty-percent (50%) of the total number of employees across the entire workforce of such local government or political subdivision.”

EO 202.39 – Provides Clarity for Counties

- Issued on 6/7/20
- Provides: “The directive contained in Executive Order 202.4, as extended, that required local governments to allow non-essential personnel to be able to work from home or take leave without charging accruals, and required such number of non-essential personnel to total no less than 50% of the total number of employees across the entire workforce of such local government or political subdivision, is hereby modified to apply only to local governments that have not met the prescribed public health and safety metrics to be eligible for Phase Two reopening, provided such local governments in Phase Two regions may bring non-essential employees back to work beginning two weeks after such region meets the metrics to reopen Phase Two.”

NY Forward

- It is unclear whether municipalities will receive reopening guidance or requirements from the State—probably not.
- Other industries have received guidance at <https://forward.ny.gov/>
 - Each listed industry has received State-created summary reopening guidelines, detailed reopening guidelines, and fillable reopening plans.
- NY public sector unions may be confused about the State guidance.

Key Consideration before Reopening

- Pre-Opening Assessment of Operations
- Employee Return Plan
- Continuation of Remote Work
- Plan for Addressing Employees Who Do Not Want to Return
- Workplace Safety Measures
- Create or Modify Policies/Training/Communications Needed

Pre-Opening Assessment of Operations

- What County operations have been shut down? Open? Partial closure?
- What will be needed (other than personnel) to get operations up and running?
- What modifications has the County made to services and how has that worked/not worked?
- Anything that can be permanently modified?
- What services must be performed in person?
- Which employees have been working throughout?
- Could any services continue to be performed remotely? If so, how could that save money?
- Which operations involve public access to facilities? How has that been restricted? What lessening of restrictions should occur? Should any permanent or long-term modifications be made?
- Which operations involve employee access to the public? How has that been restricted? What lessening of restrictions should occur? Should any permanent or long-term modifications be made?
- Are there any services or programs that may be backlogged or immediately high traffic?
- Review operational restriction lessening with Department of Health officials, if possible.

Planning to Return Personnel

- Which employees to bring back and when?
- If less than the full complement of employees is recalled to work:
 - Will the recalls occur according to a plan/schedule?
 - What criteria will be used to select employees for return?
 - What is the business or safety rationale?
- Conduct an analysis to ensure decisions do not result in an adverse impact on protected classifications.
- How will return dates and protocols be communicated to employees? Unions? The public?

Remote Work

- Consider whether telework will continue, in whole or in part? For certain employees? For what purpose? For social distancing? Permanent restructure?
- Will you continue to allow remote work when possible based on employee preference?
- Where has telework worked? How could you improve it?
- Will you consider allowing those who can work effectively from home to be the last to return and/or delay their return to the campus?
- What are the ergonomic and technology needs for extended or long-term remote (equipment, who provides, cost)?
- Policy modification
- How will you respond to employee requests to continue to work remotely long-term?

Plan for addressing employees who do not want to return to work or have restrictions

- There may be numerous reasons why employees want to continue to telework after reopening.
- The County needs to establish its “policy”. What is the County’s stance?
- FMLA applicability can be tricky.
- Departmental leadership and managers must know the County position regarding employees in your workforce who are more “vulnerable” to the virus due to age, comorbidity, immunocompromise, or due to childcare issues.
- Department Heads must be knowledgeable about New York COVID-19 Leave, Emergency Paid Sick Leave (“EPSL”) and Emergency FMLA (“EFMLA”).

What to do if an employee is covered by an FFCRA category or NYS COVID Paid Leave?

- If an employee falls into any of the following categories he/she may be eligible for leave under the FFCRA (EPSL or EFMLA)
 - Employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19
 - Employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19
 - Employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis
 - Employee is **caring for** an individual (note, an individual is not just a family members) who is subject to a quarantine order or health care provider advice to self-quarantine
 - Employee is **caring for** his or her child if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable due to COVID-19 precautions
- Employees not covered by FFCRA may be covered by New York COVID-19 Leave
 - NYSDOH issued special rules for health care employees.

What if an employee is not covered by either federal or New York COVID-19 leave laws?

- Scenario: An employee does not fall into one of the FFCRA categories or qualify for New York COVID-19 leave but has a doctor's note indicating a medical condition that is potentially impacted by COVID-19, you must work with the employee to reasonably accommodate the disability situation identified.
 - FMLA: Ordinary FMLA likely does not apply in a case where an employee is concerned about avoiding COVID-19 contagion.
 - ADA: You must work with the employee to reasonably accommodate the disability situation identified. Be very careful not to modify the job functions such that a new job is being created for the employee, but do not fail to enter into an “interactive conversation” with the employee as required by law.

ADA Considerations

- Employers must provide employees who have a disability with reasonable accommodations to allow those employees to perform the essential functions of their jobs unless doing so would cause undue hardship.
 - PPE/Work Environment Changes as a Reasonable Accommodation
 - The EEOC has identified “low-cost” accommodations including reducing contact with other employees, designating one-way aisles or using Plexiglass, tables or other barriers to ensure minimum distances between coworkers.
 - Leave as a Reasonable Accommodation
 - Remote Working as an Accommodation
- Where employees are required to wear face coverings in the workplace, employers need to be prepared to address accommodation requests from employees with hearing difficulties who may communicate through lip reading. If employees are now required to wear gloves or protective coverings, employers need to be ready to accommodate employees who request non-latex gloves, or employees in wheelchairs who may need modified gowns or protected coverings.

Workplace Safety Measures

1. Social Distancing at Work/Physical Contact Protocols
2. Workspace Modifications
3. Personal Protective Equipment
4. Employee Personal Hygiene
5. Workspace Cleaning and Disinfection
6. Employee Health Screening
7. Visitor Health Screening/Waiver

Social Distancing

- Can workspaces be redesigned or rearranged to ensure 6 feet of distance between employees?
 - Try to ensure 6 ft. distance between personnel, unless safety or core function of the work activity requires a shorter distance, then use PPE.
- Any time personnel are less than 6 ft. apart from one another, personnel must wear acceptable face coverings.
- If physical distancing cannot be created, can the number of employees on-site at any given time be reduced by staggering hours, rotating shifts, rotating days on site or any other mechanism to ensure space?
- Small spaces should only be occupied by one individual at a time, unless all occupants are wearing face coverings.
- Post social distancing markers using tape or signs that denote 6 ft. of spacing in commonly used and other applicable areas.
- Plan for congregation areas: Clock in/out stations, health screening stations, front desks, break rooms, copy rooms, bathrooms.
- Reduce or limit access to common rooms and spaces.
- Limit in-person gatherings as much as possible and use tele- or video-conferencing as much as possible to avoid having more than 1 person in a room.
- Essential in-person meetings should be held in open, well-ventilated spaces with appropriate social distancing among participants (6ft. apart from side to side and across).
- Designate areas for pick-ups and deliveries, limiting contact to the extent possible.
- Can a one-way traffic pattern be developed in the building?
- Limit sharing of workspaces, equipment and supplies (e.g., phones, computers, time-entry systems, office supplies, tools, etc.)?

Social Distancing (Cont.)

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Workspace Modifications

- Place partitions or plastic barriers between receptionists and others that may directly interact with other employees or the public (or use plastic face shields if not feasible).
- Separate employees who work in adjacent cubicle spaces.
- Removing every other (or more) chair in break areas and lunchrooms.
- Arrange for food delivery services to serve employees outside, outdoor eating, or separate employees during meal periods.
- Develop a controlled traffic pattern in each County building. Require employees and visitors to walk in designated one-way lanes in hallways and corridors to avoid traffic.
- If possible, arrange for pick-up and drop-off delivery of packages to be completed outside.
- Limit bathroom access.
- Limit workplace entry points.

Workspace Modifications (Cont.)

- Plan for reduced shift change traffic.
- Post signage prohibiting the entry of individuals exhibiting symptoms of COVID-19.
- Will you maintain a log of individuals entering the County facilities?
- Assess air flow systems and determine feasibility to make modifications to limit the spread of COVID-19.
- Can touchless systems be installed (doors, sinks, hand dryers)?
- Close small spaces that could lead to employees in close quarters and eliminate groupings at entry and exit points.
- Bathroom, elevator, common area, lunchroom, conference room, stairwell, hallway, aisles, passageways, entrances, and exits should be posted for one person at a time only or plan for precautions for these high-risk areas.

PPE

- Create protocols regarding when employees must wear face coverings or other protective equipment. At a minimum, employees in direct contact with members of the public must wear face coverings.
- Departments must provide employees with an acceptable face covering at no-cost to the employee.
- Provide training to all staff to include when to use PPE, what PPE is necessary, how to properly don, use, and doff PPE, and how to properly dispose of PPE. This should be done on a department-by-department basis with County oversight.
 - Example: Face coverings must be cleaned or replaced after use or when damaged or soiled, may not be shared, and should be properly stored or discarded.
- Will the clients, residents, members of the public be required to wear face coverings?
- Does every department have an adequate supply of PPE? Who is responsible for PPE in each department?
- Use face shields and masking when protective barriers are not feasible.

Employee Personal Hygiene

- Promote healthy hygiene with employees and train employees regularly regarding health and infection control hygiene practices
- CDC has helpful employee resources.
 - <https://www.cdc.gov/handwashing/when-how-handwashing.html>
- Post signage regarding proper employee hygiene (CDC has signs and fact sheets)
 - https://www.cdc.gov/handwashing/campaign.html#anchor_1569614257
- Provide and maintain hand hygiene stations for personnel, including soap, water, and paper towels, or an alcohol-based hand sanitizer containing 60% or more alcohol for areas where handwashing is not feasible (e.g., remote work areas).

Workplace Cleaning and Disinfection

- Ensure that the entire worksite has been disinfected prior to employees returning to the workplace after the shutdown or partial shutdown.
- Prepare a disinfection plan that creates a procedure for how the physical workplace will be regularly disinfected.
- Develop a plan to clean shared workspaces and objects (desk, equipment, supplies, etc.)?
- Adhere to sanitation requirements from the Centers for Disease Control and Prevention (CDC) and NYS Department of Health (DOH).
- The CDC issued guidance for cleaning and disinfecting public spaces, workplaces, businesses, schools, and homes. Departments must review this guidance when implementing cleaning procedures.
 - <https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html>
 - https://www.cdc.gov/coronavirus/2019-ncov/community/pdf/Reopening_America_Guidance.pdf

Workplace Cleaning and Disinfection (Cont.)

- The CDC's guidance provides that for outdoor areas, you should maintain existing cleaning practices because viruses are killed more quickly by warmer temperatures and sunlight.
- For indoor areas, the CDC recommends normal, routine cleaning for areas that have been unoccupied within the last seven days. For indoor areas that have been occupied within the last seven days, the CDC recommends that frequently touched surfaces and objects made of hard and non-porous materials (glass, metal, or plastic) be cleaned and disinfected more frequently.
- Frequently touched surfaces and objects made of soft and porous materials, such as carpet, rugs, or material in seating areas, should be thoroughly cleaned or laundered. If possible, the CDC recommends considering removing soft and porous materials in high-traffic areas. Surfaces and objects that are not frequently touched should be cleaned on a routine basis.
- If surfaces are dirty, they should be cleaned using a detergent or soap and water prior to disinfection. Cleaning will remove some germs, but disinfection is also necessary.
- For disinfection, diluted bleach solutions, alcohol solutions with at least 70% alcohol, and most common EPA-registered disinfectants should be effective.

Workplace Cleaning and Disinfection (Cont.)

- Identify a list of common objects that are likely to be shared between employees. Maintain a disinfection plan for regular cleaning of these shared objects.
- Conduct regular cleaning of high transit areas, such as restrooms and common areas.
- Doors and copy machines must be continuously disinfected.
- Ensure that cleaning supplies are available for all employees to access as needed.
- Prepare an enhanced cleaning and disinfection plan for in the event an employee who has been in the workplace tests positive. Will it be done immediately, or can you close off the area before disinfection is performed? Who will perform this enhanced cleaning? Current staff or cleaning contractors? If by contractors, do you have contractual arrangements in place?
- Vehicles must be disinfected with every new driver/passenger.

Workplace Cleaning and Disinfection (Cont.)

- Cleaning staff should wear disposable gloves and gowns for all tasks in the cleaning process, including handling trash.
 - Gloves and gowns should be compatible with the disinfectant products being used.
 - Gloves and gowns should be removed carefully to avoid contamination of the wearer and the surrounding area.
 - Provide training to all cleaning staff prior to cleaning tasks begin. Training should include when to use PPE, what PPE is necessary, how to properly don, use, and doff PPE, and how to properly dispose of PPE.

Health Screening

- Will you screen both employees and the public/visitors?
- Type of screening
 - In-person
 - App
 - Paper Certification
 - Self-Screening
 - Payroll log-In
- Will your screening include temperature checks and health assessment questions?
- What training will you have in place for the screeners (if in-person)?

Screening Questions

- Fever or chills
- New or worsening cough
- Shortness of breath or difficulty breathing
- Sore throat
- Loss of taste and/or smell
- Fatigue
- Muscle or body ache
- Diarrhea and/or vomiting and/or nausea
- Headache
- Congestion or runny nose
- Current temperature
 - CDC recommends that employees with a temperature 100.4°F or higher not be permitted to work and self-isolate at home.
- Close contact with an individual diagnosed with COVID-19 in the past 14 days?
- Traveled internationally or domestically in the past 30 days?
- <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>

Visitor Checks and Waiver

- Will your visitor checks be conducted in the same manor as employees?
- Same area? What are the logistics?
- Will employees conduct screenings of members of the public in the field?
- What about residents? Inmates? Contractors? Vendors?
- Could you limit screening by putting in physical restrictions for third-parties, such as delivery people?
- Should you use a waiver form when dealing with the public or third parties?
- Should a waiver be included in vendor contracts?

EEOC Permits Temperature Checks

- On March 17, 2020, the U.S. Equal Employment Opportunity Commission (EEOC) issued **guidance** that expressly acknowledges that employers may implement temperature screening measures in response to the current COVID-19 pandemic.
- The EEOC noted that because the CDC and state/local health authorities have acknowledged community spread of COVID-19 and issued attendant precautions, employers may measure employees' body temperature.

Checking Temperatures

- Type of thermometer
- Training (if in-person checks are conducted)
- Guidelines for trainers or for self-administration
- Adhere to confidentiality protocols for health screenings in accordance with EEOC standards
- Plan communication with employees
- Consider union issues
- Make accommodations for non-exempt employees to report time spent waiting for screening. Limit wait times as much as possible.

Should we collect medical information from employees when taking their temperatures?

- No, unless required by local or state law.
- While taking temperatures or conducting other screening of employees prior to their shift, if you collect, distribute or maintain documents with any medical information about an employee, it increases the likelihood of a privacy-related claim concerning the storage of the information.
- Best practice: Use a real-time thermometer and immediately inform employees if their temperature is above 100.4 degrees Fahrenheit in a private setting.

Screening Safety

- Determine who will be responsible for performing screenings and develop training programs for those individuals.
- Adhere to County-wide PPE standards for screeners use. If screening onsite, how much PPE will be required for the responsible parties carrying out the screening practices? How will you supply this PPE?
- Departments must establish where screenings will occur (best practice is in an outside, tented area)
- Where will screening take place (outside is preferable or immediately upon entry in area that is shielded off with plastic or rope/tape markers).
- Create plan for social distancing for employees waiting for screening.
- Block employee entrance into buildings from areas other than screening checkpoints.
- Require departments to identify the third parties entering workplace or otherwise in contact with employees (vendors, clients, etc.) and develop a plan for screening these individuals.
- Will you maintain a log of every individual entering your facilities?

May a county administer a COVID-19 test before permitting employees to enter the workplace?

- Yes. According to the EEOC's Technical Assistance Questions and Answers, an employer may choose to administer COVID-19 testing to employees before they enter the workplace to determine if they have the virus.
- The Americans with Disabilities Act (ADA) requires that any mandatory medical test of employees be "job related and consistent with business necessity." Applying this standard to the current circumstances of the COVID-19 pandemic, employers may take steps to determine if employees entering the workplace have COVID-19. That's because an individual with the virus will pose a direct threat to the health of others.
- Keep in mind, also, that these are medical exams that must be conducted in a confidential way and the results need to be maintained in a separated medical file, if maintained.

Confidentiality

- **HIPAA applicability**—The Health Insurance Portability and Accountability Act (HIPAA) regulates the use and disclosure of health information of patients held by health care providers, health plans or insurers, and organizations that support these entities. It is not applicable for most employers as long as they are not actually providing medical treatment (e.g., a provider) or paying for the costs of medical treatment (e.g., insurers and plans), medical care, or providing services to companies that do these things. Because most employers will learn of a COVID-19 diagnosis from the employee or his or her family in the employer's role as an employer, HIPAA usually will not be implicated.
- **Disclosing COVID-19 diagnosis**—According to the CDC and the EEOC, employers should inform fellow employees of their potential workplace exposure, but only to the extent necessary to adequately inform them of their potential workplace exposure, while maintaining confidentiality under the ADA. This means, the employer should not reveal the infected individual's name unless otherwise directed by the CDC or applicable public health authority. Employers also may communicate to non-exposed employees that there has been a potential COVID-19 exposure, without sharing additional identifying information. Further, employers may be able to communicate to appropriate non-employees (e.g., customers, vendors, and others with whom the employee may have come in contact while working) that there was a potential COVID-19 exposure, again without sharing identifying information.
- **Never Share a Name**—EEOC guidance prohibits the sharing of a name of an employee who has tested positive. The ADA requires employers that collect medical information from employees to keep such information confidential. Guidance from the EEOC and the CDC indicate that, while it may be necessary to collect medical information from employees about their conditions, employee confidentiality must be maintained. Communications with employees exposed because of contact with an employee who tests positive or is displaying symptoms should be sufficient to indicate to the exposed employees the heightened risk, without violating confidentiality and without divulging the name of the person who tested positive.
- **Designated Staff Member(s)**—To ensure that the identity of infected or potentially infected employees is treated confidentially, the EEOC recommends that employers designate a representative so that managers and supervisors know to whom to report a COVID-19 diagnosis, exposure, or symptoms. The designated representative must be trained to maintain the confidentiality of the employee's name. The EEOC expressly acknowledges that the designated representative may interview the employee to obtain a list of people with whom the employee possibly had contact within the workplace and interview those individuals (without sharing names).

Create or Modify Policies/Training/Communications

- Infection Prevention: Hygiene, Social Distancing, Masks
- Accommodation Requests; FFCRA: NYS COVID-19 Leave
- Telecommuting
- Technology Use/Social Media
- Travel policy
- Paid-leave policies
- Attendance policies to encourage sick employees to stay home-use of banks flexible notice/approval/Flexible schedule options
- Time-off request procedures clarified
- Return to Work After Sickness or Exposure
- Health Screening – Policy, Procedure, and Training
- COVID Return-to-work handbook
- Signage
- Training on new workplace safety and disinfection protocols
- Exposure/sick employee communications

Exposure Prevention and Response Plan

Create Procedures for the Following Scenarios:

- Employee Tests Positive
- Symptomatic Employee (But No Test)
- Employee is asymptomatic, but has been exposed or in contact with someone who tested positive
- Return to work after exposure or sickness

Workplace Contact Tracing

- A workplace contact tracing team and protocols and procedures should be put in place as part of your Exposure Prevention and Response Plan
- Create a workplace contact tracing team (WCTT) and coordinate with HR (this is separate from DOH tracing); create a confidential WCTT email team for rapid communication and constant contact.
- Develop and implement policies and procedures for workforce contact tracing following a positive COVID-19 test in the workplace.
 - Have a plan for rapid WCTT response in the event of a positive case. Trace workplace contacts.
 - Implement plan to clean the applicable contaminated areas that have been detected through the workplace contact tracing (WCT).
 - The WCTT should investigate all individuals exposed to an infected employee to identify all individuals who worked in proximity (within six feet) for a prolonged period of time (10 minutes or more). Determine whether shared materials/tools/equipment used. Trace back to those in proximity during the 48-hour period before the onset of symptoms of infected employee.
 - Send home all employees who worked closely with the infected employee to ensure the infection does not spread.
- Consider maintaining a continuous electronic log of workplace activity such that there is a running record of every person, including workers and visitors, who have had contact with each other. This log can then be used to facilitate immediate contact tracing information. This may exclude contact that is with appropriate PPE.
 - Consider employee contact logs to be electronically uploaded throughout the day.
- WCTT must notify close contacts that they may have been exposed to COVID-19 by an infected employee
 - Develop (in advance) draft communications for exposure and possible exposure.
- Develop a checklist of questions to ask infected employee regarding date of possible infection and the infected employee's contacts and movements while at work in the 48 hours prior to symptoms.
- The WCTT and/or every department should have a liaison with government DOH investigators/contract tracers.

Practical Realities: Personnel Issues

- **Common Employee Questions**

- Do I have to come in?
- Why can't I stay home?
- How will you keep me safe?
- Does the county have the right to ask about my health and take my temperature?
- Will everyone wear a mask? Do I have to wear one?
- If I get sick, will I get paid for time off? What if someone in my family gets sick and I have to care for him or her?
- What do I do if my child's summer camp or babysitting is cancelled?
- What if a co-worker gets sick? How will I know? Will you do tracing? Will I be notified?
- What happens if I am exposed at work?
- Does workers' compensation apply?
- Will I be laid off?
- Can I go on unemployment?

Practical Realities: Union Issues

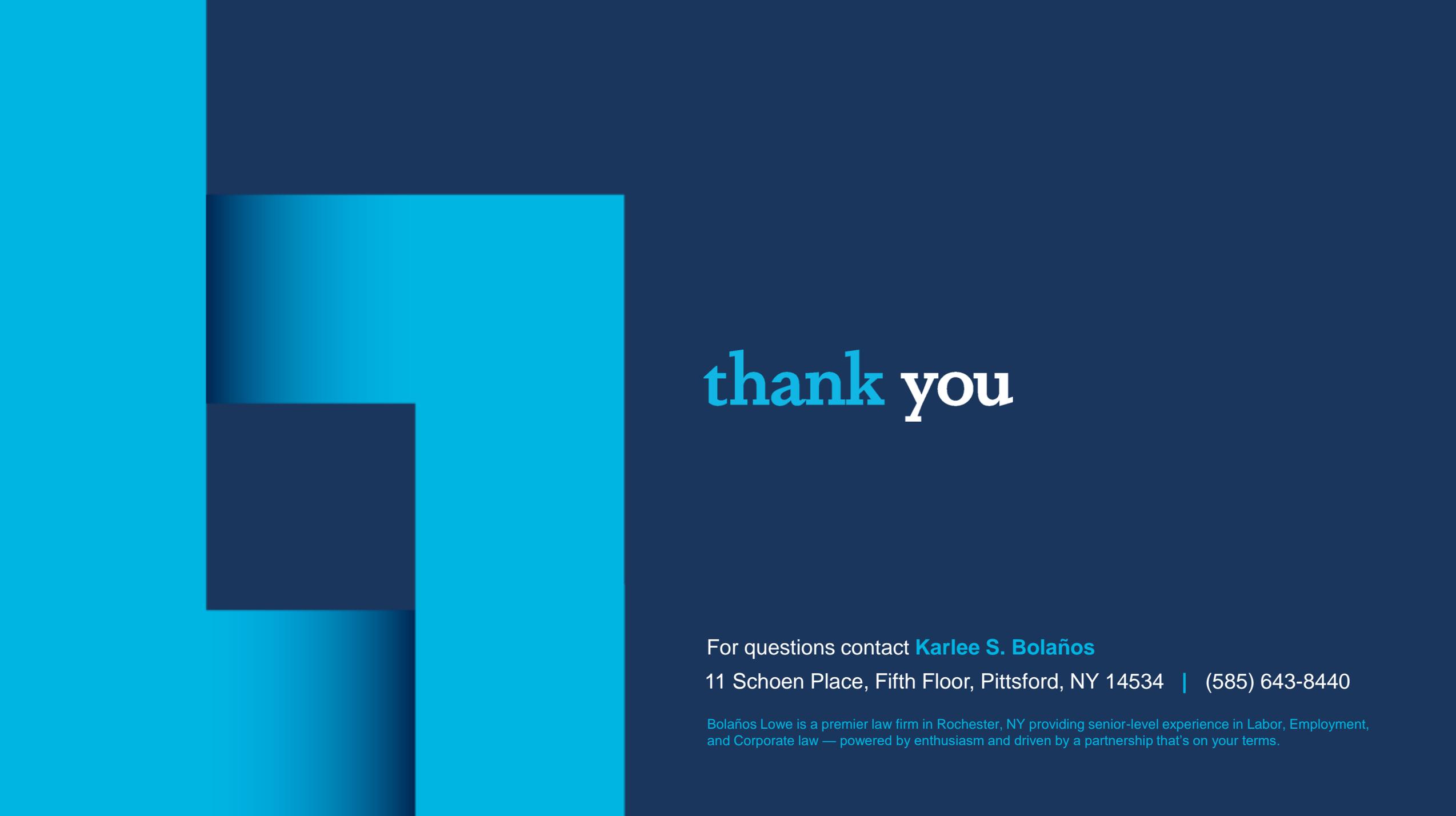
- Duty to Bargain With Unions Representing Employees
 - Employers should first check their collective bargaining agreements (CBAs) to see if the contract covers the issue. That includes checking if the CBA gives the employer the right to decide and/or proceed on the particular issue under consideration. If yes, then the employer likely has the right to make a decision and implement it without bargaining. Even in those situations, the employer may have a duty to bargain over the effects of the decision. For example, if a CBA gives an employer the right to shut down a particular division, the employer can do so in response to COVID-19 without bargaining, but may have to bargain upon request with the union over issues such as whether employees will be redeployed, laid off, provided with any leave options, etc.
 - If a CBA does not give the employer the right to proceed unilaterally, then the employer likely has a duty to bargain over changes to mandatory subjects of bargaining (i.e., wages, hours, terms and conditions of employment).
 - County employers experiencing shrinking revenue and huge increases in expenditures due to COVID-19 may need to reduce employees' hours or wages. In these circumstances, employers of union-represented employees must be aware that the Taylor Law may require bargaining with the union regarding any changes to employees' wages, benefits or other terms and conditions of employment.
 - Union's may become more forceful upon re-opening.
 - PERB has never laid out a clear doctrine on what can happen in an emergency—and has not addressed COVID-19 specifically.
 - PERB's "emergency doctrine" may apply.
 - Under the Taylor Law, management can't make unilateral changes (such as for scheduling or other staff changes) that conflict with union contracts; instead, they must first exhaust all available opportunities and efforts to negotiate until a genuine impasse is reached.
 - PERB's "emergency doctrine" has not been applied to circumstances where "mere monetary savings" are at stake.
- Employers should review "savings" language in CBAs, which may permit employers to make changes unilaterally in order to comply with changes in law. Arguably, depending on the specific language, compliance with governmental directives may be covered by such clauses.

Practical Realities: Union Issues (Cont.)

- Negotiations and Arbitrations
 - Various union-related proceedings also present unusual challenges for employers during the COVID-19 pandemic.
 - Employers and unions have had to agree to negotiate successor collective bargaining agreements via conference calls or videoconferencing, rather than via traditional face-to-face meetings, and employee ratification votes approving such agreements may now need to take place through alternate methods other than the traditional in-person group presentations and voting. Moreover, employers and unions have had to decide how to handle grievances, which may require in-person meetings within a set timeframe under the applicable collective bargaining agreement, and whether to postpone arbitrations, in some cases risking greater liability, or to proceed virtually with some logistical issues, including a potential for witness coaching.
 - Investigatory interviews/Other workplace assessments.

Practical Realities: Union Issues (Cont.)

- Hazard pay
- Health care employee COVID-19 testing compensation
- Contract re-opening
- Changes to bargaining positions due to economic change in circumstances
- Information Requests
- Union request information about COVID-19 positive employees.
- Requests for health and safety inspections.



thank you

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