



TAKING THE CHAOS OUT OF CORONAVIRUS

As you are aware, President Donald Trump declared a national state of emergency due to the COVID-19 outbreak. In light of the clients and community members who have reached out to MBE CPAs and its affiliates, we've compiled a coronavirus FAQ for employers.

Please note that the information contained in this document is preliminary, and we will be providing frequent updates as additional information becomes available.

Q: Which online resources are available to employers and employees?

A: The main resource that should be frequently reviewed is the CDC homepage, <https://www.cdc.gov/coronavirus/2019-ncov/cases-in-us.html>, which is continually updated, displays statistics about the virus spread, and provides guidance for preventive measures.

Another helpful resource is the EPA website, <https://www.safetyandhealthmagazine.com/articles/19536-epa-publishes-list-of-disinfectants-that-can-help-stop-spread-of-coronavirus>. This site provides a list of cleaning products that have been determined strong enough to eliminate the coronavirus.

Q: Can an employer require an employee who has been exposed to the coronavirus to stay at home?

A: Yes, if the employer has knowledge that the employee has been exposed, the employer can require the employee to stay at home. Employers can also require employees who exhibit signs of respiratory illness to leave the workplace and stay home until the symptoms are gone.

Q: Can an employer inform other employees when they become aware that an employee has tested positive for COVID-19?

A: No, this is a violation of the Americans with Disabilities Act. Instead, employers should inform their employees that a potential exposure has occurred in the workplace.

Q: Should employees returning from travel be required to stay away from the office for 14 days?

A: Yes, employees returning from countries that have a Level 3 Travel Health Notice from the CDC should stay at home for a period of 14 days.

Q: What steps should employers be taking now?

A: Employers will want to develop, implement, and communicate a contingency work plan. They will need to analyze business needs and assess if employees have the ability to work remotely or if other work alterations should be made. Modifications may include implementing various work shifts, splitting

shifts, reducing work hours, or partial business closings. Contingency plans will depend largely on the type of business. If it becomes necessary for the business to close for a certain period of time, business owners should review their business liability insurance as some policies include business interruption clauses.

For businesses that remain open and have public contact, employers will need to determine which types of personal protective equipment (PPE) should be supplied to employees. Note that employees have the right to request their own PPE that is not used by other employees.

Employers will also want to communicate frequently with employees and stay updated on the spread of the coronavirus and the proposed Families First Coronavirus Response Act. Employers should continue to encourage sick employees to stay at home.

Q: What is the Families First Coronavirus Response Act (FFCRA)?

A: The House approved the FFCRA (HR 6102) on March 13, and the Senate will be voting on this bill in the very near future. Provisions of this bill may be removed or modified. The FFCRA contains various new requirements that impact employers with fewer than 500 employees and government employers.

Q: What are the provisions of the Families First Coronavirus Response Act (FFCRA)?

A: The FFCRA ([H.R. 6201](#)) has several components:

- Free coronavirus testing (private health plans, Medicare, and Medicaid).
- Paid emergency leave and amended family leave (requiring employers to pay a certain number of hours to employees).
- Payroll credits for employers for required paid sick leave and family leave.
- Enhanced unemployment insurance.
- Additional funding for nutritional programs.
- Protections for health care workers and employees responsible for cleaning at-risk places.
- Additional federal funds for Medicaid.

Q: When will the FFCRA be passed?

A: It is anticipated that the Senate will pass this bill in the next 2-4 days. As soon as additional information becomes available, MBE CPAs and its affiliates will share this information.

If you are an employer in need of additional guidance and support, please contact one of the following Workforce Solutions HR Consultants:

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