Reopening Support Team

7/22/2020

How does the Framingham Board of Health respond to complaints?

Answered by Sam Wong, Health Director, City of Framingham

The board of health responds to every complaint. The role of the department is to advise and educate businesses on complying with the state's reopening guidance. Businesses are welcome to reach out to your local board of health for assistance with reopening, technical support, and questions that employees may have. The most common concerns are when employees are not properly using PPE or social distancing guidelines are not being followed. This includes employees who are interacting with customers as well as those interacting with co-workers in an office setting. The last resort of the board of health is to take enforcement action. The goal is to educate and support local businesses on following the state guidance. Mr. Wong encourages businesses to continue to reach out to your local health department for clarification on any guidance. Businesses are encouraged to contact law enforcement if the situation escalates to avoid anyone getting hurt.

National chain stores are starting to implement guidelines and enforcing their own mask requirements. The burden of compliance does ultimately fall on the business.

How should employers handle confrontational customers/employees or those who do not comply with regulations (wear masks)?

Answered by Brian Casaceli, Employment Attorney, Mirick O'Connell

 Employers should follow the directives set forth in Governor Baker's Reopening Advisory Plan which requires, in part, that masks be worn. If a customer/client refuses to follow the directive to wear a mask, and the refusal is not based on a medical condition, a business can exercise its right to refuse service or decline entry on that basis.

 If an employee refuses to wear a mask, the employer should first determine the reason why the employee is refusing. If an employee's refusal to wear a mask is driven by medical concerns and wearing the face mask poses a direct threat to the employee's health, the employer should be prepared to engage in an interactive dialogue to determine whether there is a reasonable accommodation that allows the employee to perform the essential functions of his/her job. Employers should consider involving counsel in this type of situation.

 If an employee's refusal to wear a mask is not based on a medical reason, the employer should issue a directive to the employee to wear the mask. If the employee does not follow the directive, the employee should receive discipline, up to and including termination of employment.

 Mr. Wong added that a request has been made to the Baker Administration to generate a list of potential health conditions that would not require face masks.

*Remarks are for information and training purposes only and do not constitute legal advice. You should contact counsel concerning any specific legal questions you may have.

What programs are available for people looking for financial assistance?

Answered by Kevin Shea, Planning & Development Director, City of Framingham

More residents are looking for financial assistance recently with regards to rent and utilities. Financial hardship due to COVID-19 must be provided. Applications for this assistance have increased in the City with more people not being called back to work and the $600 unemployment benefit ending soon. Business assistance has decreased slightly but applications are still be accepted. Also, the Governor has extended the moratorium on evictions which can help.

When should businesses apply for forgiveness?

Answered by Bruce Miccile, Senior Vice President, Commercial Lending

First question to ask is: Are you applying for the 8 or 24 week loan forgiveness program? If you apply for the eight week program, you have 10 months until the end of the covered period to apply for forgiveness. The same applies for the twenty-four week option. If you do not apply for forgiveness during that period, your loan will automatically roll into a principal interest loan.