

WAGGONER, IRWIN, SCHEELE & ASSOCIATES INC.

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SEPTEMBER 22, 2021

***NAVIGATING HUMAN
RESOURCES CHALLENGES
IN A COVID-19 ENVIRONMENT***





***HR CHECKLIST:
PERSONNEL POLICIES
JOB DESCRIPTIONS***

SCENARIO #1

Corrections Officer is exposed to COVID-19 while working at the Jail and is ordered to quarantine.

CHECKLIST OF QUESTIONS

- What are the County's quarantine protocols?
- Will the employee be paid during the required quarantine order?
- How will the employee be paid?
- What are the County's return-to-work protocols?
- Are the County's COVID-19 protocols documented?

SCENARIO #2

Employee tested positive for COVID-19 and requests to continue working.

POTENTIAL POLICY VIOLATIONS

- Failure to follow safety and health regulations.
- Knowingly exposing others to hazardous conditions, such as communicable diseases, which may endanger other employees or the public.

SCENARIO #3

COVID Leave Pay Policy that compensates vaccinated employees only.

SCENARIO #4

Employee requests to work remotely due to possible COVID-19 exposure.

CHECKLIST OF QUESTIONS

- Can working remotely be considered an accommodation under ADA?
- Does the County have a Remote Work Policy?
- Does the County have an updated and accurate job description?
- Which job functions can be performed remotely?
- Which job functions cannot be performed remotely?

ESTABLISH TERMS AND CONDITIONS OF REMOTE WORK

- Assigned job duties
- Work hours and work schedule
- Timekeeping
- Pay for actual hours worked
- Ghost Employment
- Approval for overtime hours
- Communication
- Performance standards
- County equipment
- Compliance with County policies (Confidentiality, Timekeeping, Harassment, etc.)

JOB DESCRIPTIONS

- Essential job duties
- Work hours and work schedule
- Minimum job requirements
- Work status (Full-time, Part-time, Seasonal, Temporary, etc.)
- FLSA status (Non-exempt, Exempt, Excluded)
- Reporting status
- Responsibility
- Personal work relationships
- Physical effort
- Employee Acknowledgement

SCENARIO #5

The entire Auditor's office has been quarantined due to an employee in the office testing positive for COVID-19 and the office has been closed.

CHECKLIST OF QUESTIONS

- Will employees be paid for not working?
- Does the County have a policy requiring vaccinated employees to work?
- Could this be considered an emergency closing?
- Does the County have an emergency closing policy?

HOT TOPICS

- Additional Compensation for Health Department “Exempt” employees
- Additional Compensation for employees working during pandemic
- Surcharge on Health Insurance
- Vaccine Incentives
- Vaccine Mandates
- COVID-19 Testing for Unvaccinated employees
- Compensable Time under FLSA

SURCHARGE ON HEALTH INSURANCE

- Higher health premiums for unvaccinated employees
- Must understand state and federal laws pertaining to this option
- Surcharges must be part of a HIPAA compliant wellness program
- Exemptions for medical and religious reasons
- Proceed with caution

VACCINE INCENTIVES

- Paid time off
- Monetary stipends
- Maintain confidentiality of medical documents
- Avoid coercive incentives
- Provide incentives to all employees meeting criteria

VACCINE MANDATES

- EEOC ruling
- Exceptions – disability or religious beliefs

*BIDEN WORKPLACE VACCINE
MANDATE*

COMPENSABLE TIME UNDER FLSA

- Pre-shift screenings and temperature checks
- Employer-required COVID-19 tests

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