

# Human Resources Weekly Digest

March 24, 2020

## **The Intersection of COVID-19 and Laws: An FAQ for U.S. Employers**

“COVID-19, declared a pandemic by the World Health Organization (WHO), has infected individuals in every state in the U.S. Not surprisingly, the impacts of COVID-19 permeate large facets of everyday life, and the workplace is no exception.

Most employers are familiar with the federal Family and Medical Leave Act (FMLA), Americans with Disabilities Act (ADA) and any relevant state or local paid sick leave laws applicable to their worksites. But there are other, lesser-known laws potentially implicated amid the COVID-19 crisis, including kin care laws, quarantine measures, and laws that apply when a state declares a public emergency.” [Full Article](#)

*Littler Mendelson P.C.*



## **Employer Checklist for Responding to a Positive COVID-19 Test**

“So long as COVID-19 remains a pandemic, every employer must face the new reality that there is a good chance an employee will test positive for COVID-19. Employers should consider the following checklist when handling an employee testing positive for COVID-19.” [Full Article](#)

*Haynes and Boone, LLP*

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## DHS Issues Advisory “Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response”

“On March 19, 2020, the U.S. Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency (CISA) published a memorandum regarding “essential critical infrastructure workers” (CISA Guidance). The CISA Guidance’s purpose is to assist both state and local officials when making decisions regarding essential workers in their own jurisdictions.” [Full Article](#)

*Vorys, Sater, Seymour and Pease LLP*



## PH COVID-19 Client Alert Series: The Cybersecurity of an Entire Organization Working from Home

“As organizations continue to monitor the Coronavirus (“COVID-19”), many have announced work-from-home (“telework”) policies to mitigate the spread of the outbreak. The scope and speed at which entire workforces have gone remote pose complex challenges for organizations that may not be prepared for, nor maintain the hardware or software to accommodate, a wholly remote operation. Most companies were not built for this, and need to ensure their surge migration to remote working is executed securely.” [Full Article](#)

*Paul Hastings LLP*

## EEOC Publishes Additional COVID-19 Guidance, Including Confirmation of Employer Ability to Temperature Test Under ADA (US)

“The U.S. Equal Employment Opportunity Commission (EEOC) has issued additional guidance for employers dealing with the issues presented by the COVID-19 pandemic. This information – available here – includes confirmation that employers may ask employees who report feeling ill or who call in sick whether they are experiencing any symptoms consistent with the coronavirus infection and may require employees to submit to non-invasive temperature testing to ensure employees are fever-free, each without violating the Americans with Disabilities Act (ADA).” [Full Article](#)

*Squire Patton Boggs*



## OSHA Offers Employers “Guidance on Preparing Workplaces for COVID-19”

“The Centers for Disease Control and Prevention (CDC) and the Occupational Safety and Health Administration (OSHA) have issued guidance to help employers monitor and respond to the spread of novel coronavirus (COVID-19).” [Full Article](#)

*Jackson Lewis P.C.*

## State & International Compliance

### CALIFORNIA



#### California Administrative Agencies Issue Guidance for Employers Regarding Coronavirus

“California administrative agencies recently published information to guide both employers and employees on employment-related issues raised by the 2019 novel coronavirus, also known as COVID-19. The Division of Labor Standards Enforcement (“DLSE”) has published Frequently Asked Questions, and the Employment Development Department (“EDD”) has set up a webpage with Frequently Asked Questions and other information.” [Full Article](#)

*Epstein Becker & Green, P.C.*

### NEW YORK



#### What Employers Should Know About COVID-19 Laws in New York

“COVID-19 has caused bars, bodegas, and other businesses to shutter in New York City and throughout the state. The New York Legislature and Governor Andrew Cuomo have responded with several new laws designed to reduce the impact of these closures on workers in New York by providing additional paid and unpaid leave and benefits. Governor Cuomo has also signed an executive order requiring employers to limit the number of people working in the office.” [Full Article](#)

*Constangy Brooks, Smith & Prophete LLP*

### CONNECTICUT



#### Connecticut Update: Governor Lamont Announces Additional Measures to Migrate the Spread of COVID-19

“As the world continues to battle the COVID-19 epidemic, Connecticut Governor Lamont recently signed two additional Executive Orders, 7E and 7F, which implement measures in Connecticut to further combat the fast-spreading virus. Earlier this week, Governor Lamont signed Executive Orders 7C and 7D, which, as reported in our prior alert, required that all public schools, bars, restaurants, dining establishments, gyms, fitness studios, off-site betting and theaters close.” [Full Article](#)

*Ford Harrison*

### NEW JERSEY



#### NJ COVID-19 – NJEDA Launching a Jobs and Hiring Portal for Employers Needing Employees

“Governor Phil Murphy and the New Jersey Economic Development Authority (NJEDA) will be launching a COVID-19 Jobs and Hiring Portal to help employers who have critical hiring needs amid the COVID-19 pandemic. However, the first step is to gather details on employers’ immediate hiring needs. NJEDA now has a live intake tool for employers with urgent COVID 19-related hiring needs to complete ASAP.” [Full Article](#)

*Duane Morris LLP*

### CALIFORNIA



#### California Suspends Mini-WARN Obligations, But Still Mandates Notice

“No doubt recognizing the unprecedented impact on business, Governor Gavin Newsom issued an Executive Order suspending the notice requirements under the California Worker Adjustment and Retraining Notification Act (WARN Act), Cal. Lab. Code §§ 1401(a), 1402, 1403. The Executive Order suspends existing law that could have otherwise required employers to provide 60 days’ notice before instituting mass layoffs, relocations, or terminations, and could potentially have imposed steep penalties on employers who failed to do so. Certain notice obligations remain, however, under the Executive Order.” [Full Article](#)

*Hunton Andrews Kurth LLP*