

# How to Help Your Clients Return to Work Post-COVID-19

*with Frank Pennachio & Joy Justus*

Brought to you by:





- We will be sending the slides and the recording
- Please participate in the in-webinar polls
- Use the Q&A box to ask questions
- Take the 2-min post-webinar survey to receive white paper

# POLL QUESTION #1

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Through COVID-19, your  
interaction with clients has  
been:

# POLL QUESTION #2

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How confident are you in your ability to support clients with COVID-19 related challenges?



# Today's Presenters



**Frank Pennachio**

Principal  
Oceanus Partners  
*a ReSource Pro Company*

- 
- Insurance industry trainer, coach, and consultant
  - Producer development specialist



**Joy Justus**

SVP, Customer Experience  
ThinkHR

- 
- 25 years experience in EB, P&C, and HR
  - 10 years experience with ThinkHR in sales, marketing, and corporate development

# Today's Topics

- Leadership
- Communications and Training Plans
- Leveraging Resources
- Q&A

For more compliance-centered content around return-to-work, register for tomorrow's webinar "**Compliance Matters: Layoffs, Furloughs, and Recalls (and COVID-19 Update)**".

Register at [www.thinkhr.com/upcoming-webinars](http://www.thinkhr.com/upcoming-webinars)







# It's Time for Leadership

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Insurance professionals are presented with an opportunity to take the lead and assist employers work through these unprecedented times and events.





# INFORMATION

Anything that can be printed, copied, or digitized.



# KNOWLEDGE

Ability to help people solve complex problems.





# People Need to Work

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**1 in 10** U.S. adults already struggles to pay monthly bills.

*Data from 2018–2019 compiled by the U.S. Federal Reserve*



# People Need to Work

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The research also reported that if faced with an unexpected bill of just \$400, **27 percent of Americans would need to borrow or sell something to pay for the expense** (not including use of credit cards) and 12 percent would not be able to cover the expense at all.







## People Need to Work

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Unlike the Great Recession in which almost everyone was affected, it is highly likely that due to the nature of these measures, **job losses will disproportionately fall on lower-paid jobs** where teleworking is not possible.

# People Need to Work

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**9.2 percent of jobs with earnings equal or below the 25th percentile could be done through telework.**

*Data from the U.S. Bureau of Labor Statistics (2017–2018)*







## People Need to Work

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The risk of heart disease, the leading cause of death in the U.S. at almost 650,000 deaths per year, has been shown to **increase by 15–30 percent** in men unemployed for more than 90 days.



**Health and Safety is  
the First Priority**





**More than 73% of  
companies have  
not yet created a  
return-to-work  
strategy.**

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*Survey from Philadelphia-based law  
firm Blank Rome LP released April 30*

**54% of employees  
say they are  
worried about  
exposure to COVID-  
19 at their job.**

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*National poll released Tuesday by  
Eagle Hill Consulting LLC.*







**58% also said the availability of protective protections like masks, gloves and hand sanitizer would make them feel safer.**

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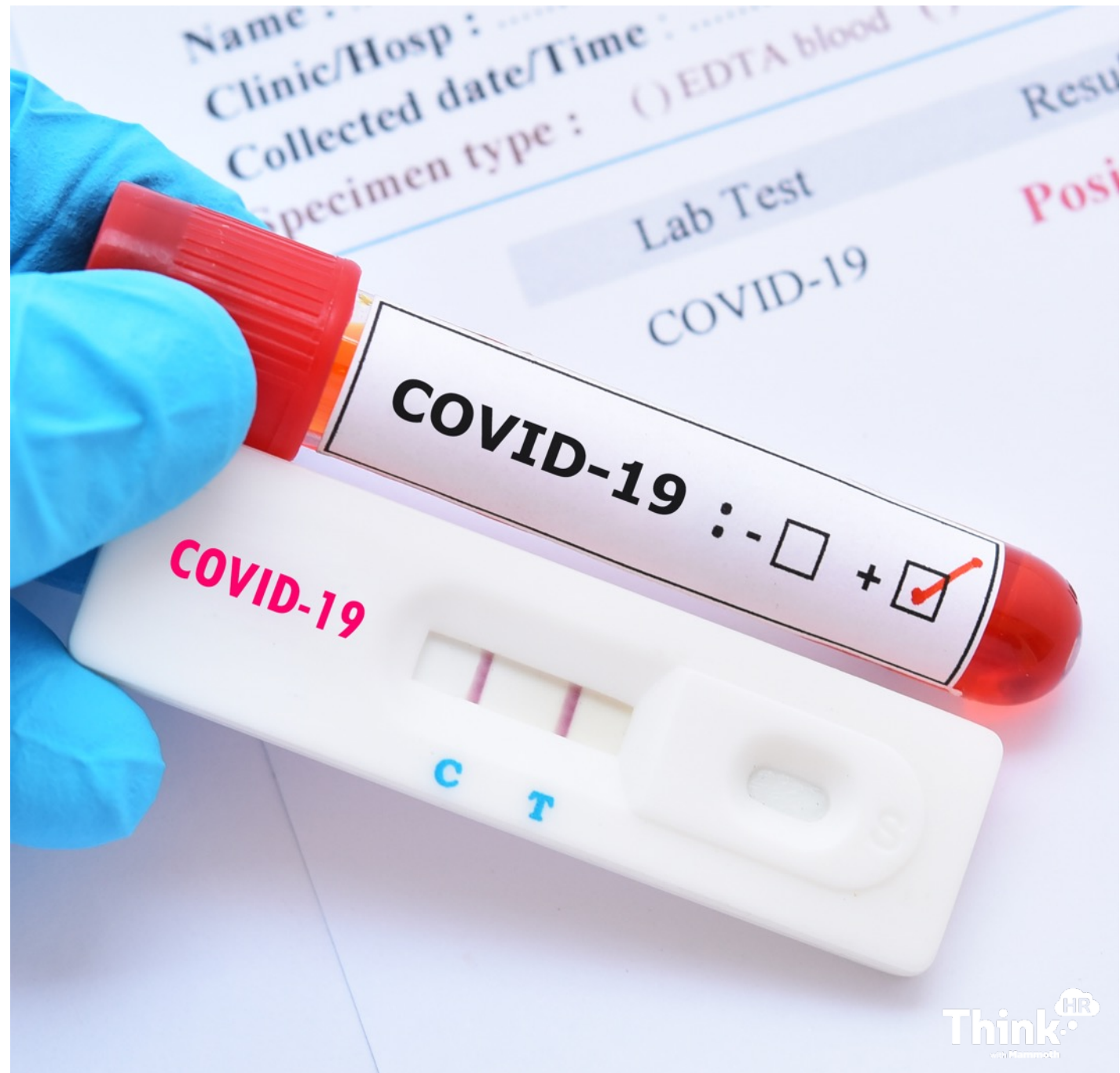
*National poll released Tuesday by Eagle Hill Consulting LLC.*

**55% percent say mandating employees with symptoms stay home would lessen concerns.**

**53% said making COVID-19 tests available would also lessen concerns.**

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*National poll released Tuesday by Eagle Hill Consulting LLC.*







**56% say that employers have the right to know if workers have tested positive for COVID-19.**

**43% support employers testing for symptoms.**

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*National poll released Tuesday by Eagle Hill Consulting LLC.*





## Return to Work Checklist



### Posting and Policies

- Post the Families First Coronavirus Response Act (FFCRA) poster in a visible place. Where employees will remain working from home, send by email or post to Company intranet or employee website.
- Review and revise hiring practices and policies:
  - Have staffing needs changed?
  - Do you need to change benefits or pay to become more competitive?
  - Use remote interviewing techniques as much as possible.
  - Update onboarding practices.
  - If you are recalling only some workers that were laid-off or furloughed, ensure your practices for determining who to recall do not discriminate against any group of employees.
- Review and revise leave policies:
  - Know how the FFCRA affects your previous policies and practices.
  - Consider implementing PTO/vacation rollovers, grace periods, and revise guidelines for usage if vacation is forfeited if not used by year end.
  - Consider implementing or revising bereavement leave policies.
  - Ensure that all employees have access to and an understanding of all leave policies that may apply to them.
- Review and revise work from home and child care policies.
- Update work travel policies in light of any new orders in your state and any new practices being implemented in the workplace to keep employees/customers safe.
- Review rehire/reinstate provisions for your benefit policies (eligibility/waiting periods).
- Distribute all new or revised policies to all employees.

### Health and Safety

- Explain company policies and procedures related to illness, cleaning and disinfecting, and work meetings and travel.
- Educate employees on how to reduce the spread of COVID-19 at home and at work (follow Centers for Disease Control and Prevention recommendations).
- For employees returning to a worksite, make sure they understand what's expected of them in the workplace. For example, must they wear masks? Will masks, gloves, hand sanitizer and other items be provided? Are workplace hours different? Will you be taking employees' temperatures each day when they arrive? Is teleworking or staggered shift work allowed/encouraged?

- Ensure that all employees who are currently ill or have contact with an ill family member stay home (follow CDC recommendations for length of time):
  - Do not return to work with symptoms.
  - Quarantine for 14 days.
- If an employee becomes sick at work, send them home.
- Promote safe social distancing in the workplace by encouraging employees to:
  - Remain at least 6 feet away from each other.
  - Email, message, call, or video call rather than meeting face to face.
  - Clean computer equipment, desktops, phones, and workstations often.
- Provide hand sanitizer, cleaning supplies, and masks (where appropriate/necessary) and no-touch disposal receptacles.
- Discourage handshaking.
- Place posters throughout the business to encourage social distancing and hand hygiene.

### Best Practices

- Ensure your workplace cleaning company is up to date on current methods of safely removing COVID-19 hazards.
- Communicate frequently and as transparently as possible with employees:
  - Provide expected timelines for recalling/rehiring employees.
  - Provide returning employees with recall or offer letters.
- Train managers on dealing with employees that may face increased personal challenges during this time, such as bereavement and loss, childcare and school-cancellation challenges, financial stress, and other dependent care and support needs.
- Offer flexibility wherever possible and adjust workloads to be reasonable.
- Be prepared to quickly investigate and stop discriminatory speech or acts in the workplace.
- Consider contracting with an employee assistance program (EAP) if you do not currently have one.
- Designate a workplace coordinator who will be responsible for COVID-19 issues and their impact at the workplace.
- Develop a plan to operate if absenteeism spikes or if another lockdown occurs in the future:
  - Implement a plan to continue essential business functions.
  - Implement flexible work schedules and leave policies.
  - Cross-train employees on performing essential business functions.
- Develop emergency communications plans, including a way to answer workers' concerns.
- Communicate your appreciation and welcome employees back to work.

Return to Work Checklist



## Assist with an Employee Communications Plan

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Employees need to understand this isn't a return to the workplace as it looked and operated prior to the pandemic, there will be changes.

Assist developing messaging about how the return-to-work process is going to go, as well as expectations for employees.



# Employee Expectations

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Must employees wear  
masks?

Will masks, gloves, hand  
sanitizer and other items be  
provided?

Will temperatures be taken?



# Employee Expectations

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Are workplace hours  
different?

Is teleworking or staggered  
shift work allowed and/or  
encouraged?







## Communicating Safe Practices

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Safe social distancing will be practiced in the workplace, as employees will stay at least 6 feet away from other employees.





# Communicating Safe Practices

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Significant reduction or elimination of as many face to face meetings as possible





## Communicating Safe Practices

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Cleaning processes for computer equipment, desktops, phones, workstations, and offices.

# We Can't Ignore Compliance Risks

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Establish and communicate  
updated employment policies.





# What about testing?





## What if employees don't want to return to work?

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An employee generally does not have the right to refuse work merely because of a potentially unsafe condition in the workplace.





## What if employees don't want to return to work?

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But, According to the Occupational Safety and Health Administration (OSHA), this dichotomy means that an employee may only refuse to come to work if:

- He/she asked the employer to eliminate a hazard in the workplace, but the employer has failed or refused to do so
- He/she has a “good faith” belief that an imminent danger exists
- A “reasonable” person would agree there is a “real danger” of death or serious injury; AND
- There is no time to get the hazard corrected through appropriate channels (i.e., OSHA inspections, etc.)

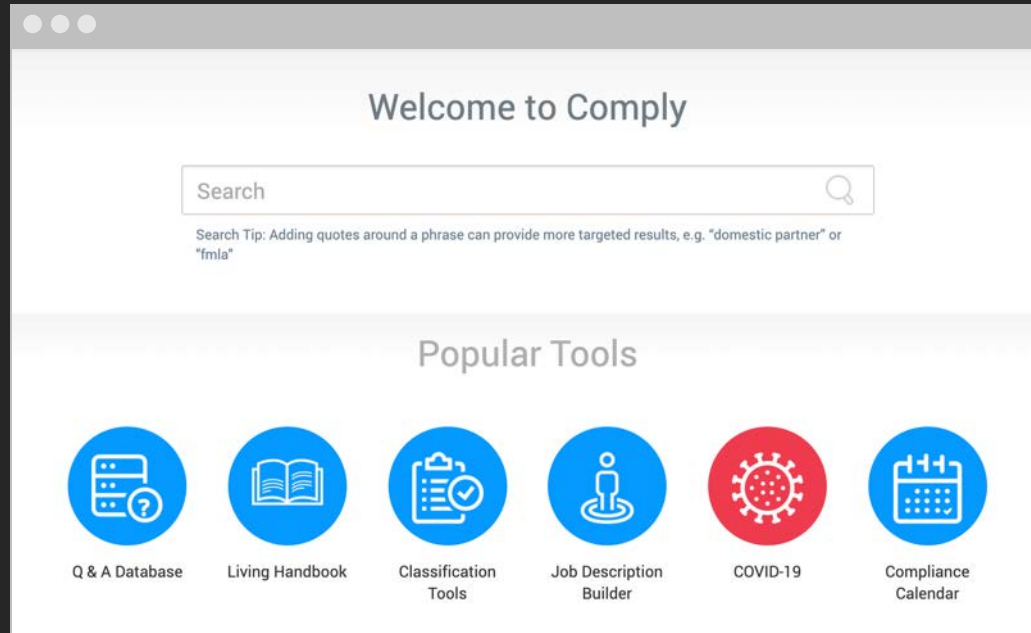
# Too much to go it alone

(leveraging your resources)

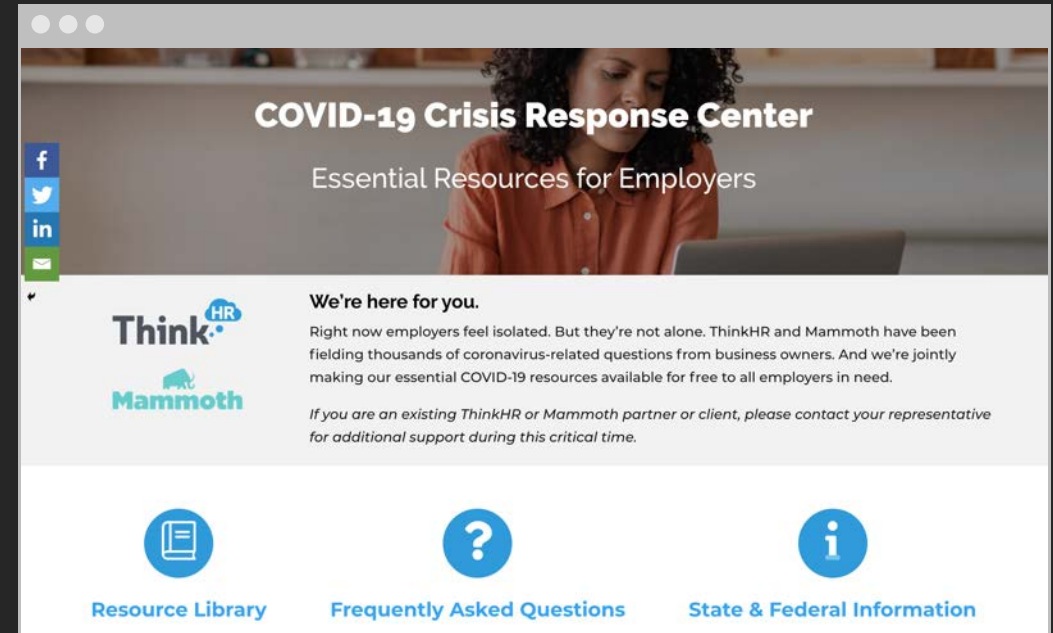




# Essential Resources for Employers



**COVID-19 Section in Comply**



**COVID-19 Crisis Response Center**

# Resource Library

## All Resources


Health and Safety in the Workplace

Making Working from Home Work

The FFCRA and Other Applicable Leaves

Furloughs and Layoffs

New: May 4, 2020



White Paper

Quick Start Guide: Deciding Who to Recall from Furlough or Layoff

New: May 4, 2020



2 min HR Video

COVID-19: Return to Work Considerations: Postings and Policies

New: May 4, 2020



2 min HR Video

COVID-19: Recall Letter for Furloughed Employees


New: May 1, 2020



2 min HR Video


COVID-19: The Small Business Exemption to FFCRA Childcare Leave

File



Return to Work Checklist

File




Welcome Back Letter (COVID-19 Return to Work)

File



FFCRA Request Form

File



Employee Notice - Face Coverings

COVID-19  
Crisis  
Response  
Center



## Employee Notices and Policies

### EMPLOYEE NOTICE — FACE COVERINGS

**Note to employers:** State and local laws and orders may provide different or additional requirements for employers regarding masks or face coverings, including guidance on whether employers must provide and pay for them, who must maintain and clean them, and more. Review applicable mandates to ensure compliance.

Dear employees:

We continue to monitor our workplace and add safety measures based on guidance from the Centers for Disease Control and Prevention (CDC) and other government organizations. In line with those safety measures, we are providing this guidance regarding the use of face coverings to prevent the spread of COVID-19.

Unless otherwise notified by your direct supervisor, you are required to wear a face covering at work. A **face covering** is generally a cloth, bandana, or other type of material that covers an employee's mouth and nose. The CDC recommends that individuals wear cloth face coverings in public places or when it is impossible to practice social distancing.

Remember that wearing a face covering can help prevent the spread of the disease, but only in addition to other measures that you should be taking in the workplace and at home, such as frequent hand washing, cleaning and sanitizing frequently-touched surfaces, and practicing social distancing.

If you feel sick or if you are experiencing any symptoms of COVID-19 (fever, cough, difficulty breathing, chills, headache, muscle pain, sore throat, or new loss of taste or smell), let your supervisor know, go home immediately, and contact your healthcare provider for additional guidance.

To get the most benefits from a face covering:

- Make sure it completely covers your nose and mouth.
- Read the directions for use (if provided).
- Wash your hands before and after removing it.
- Try not to touch your face when you adjust it throughout the day.
- Keep cloth coverings clean by washing daily, or more often if contamination occurs.
- Don't let others wear your face covering.
- Keep it away from machinery that it could get caught in.
- If using disposable face coverings, do not reuse them, and throw them away in appropriate trash receptacles.
- Don't lay your face covering on any surface that may contaminate either the covering or the surface.
- Don't use it if it's damaged or has holes, unless it is the only face covering you have access to.

If you have any questions about the use of masks or face coverings in the workplace, contact Human Resources or a designated safety officer.

Red text denotes a field that needs to be changed by the user.

### LETTER OF TEMPORARY LAYOFF

[Date]  
[Employee Name]  
[Street Address]  
[City, State ZIP]

Dear [Employee Name]

We regret to inform you that due to business conditions and financial constraints, we have made the difficult decision to temporarily lay-off some of our staff, and your position specifically. We are hopeful that we will be able to restore you to your prior position with our company on [Insert Date].

During this period:

- If you currently are enrolled in our medical, dental, and/or insurance plans, the company will pay the premiums for your plan(s) during this time.
- Your current accrued vacation balance will remain unchanged during this time. (You will not accrue more vacation hours and you will not lose any previously accrued vacation hours.) You may request to use a portion or the entire balance of your accrued vacation hours during this time.
- You may be eligible for unemployment benefits during this time. In order to pursue this option, we recommend that you contact the [state unemployment department].

We very much apologize for the burden that this temporary layoff places on you and your family. We are hopeful to be able to restore you to employment soon. Please keep us posted as to how we may best assist you during this time.

Best regards,  
[Signature]

[Name and Position Title]

**Legal Disclaimer:** This document is intended for informational purposes only, and does not constitute legal information or advice. This information and all HR Support Center materials are provided in consultation with federal and state statutes and do not encompass other regulations that may exist, such as local ordinances. Transmission of documents or information through the HR Support Center does not create an attorney-client relationship. If you are seeking legal advice, you are encouraged to consult an attorney.

## COVID-19 Related Template Letters

# Quick Start Guide: Deciding Who to Recall From Furlough or Layoff

## Quick Start Guide

### DECIDING WHO TO RECALL FROM FURLOUGH OR LAYOFF

Deciding which employees to return to the workplace following a furlough or temporary layoff, and in what order you'll call them back, will require an individualized analysis for each organization. For those who aren't sure where to start, we provide this as a starting point.

#### Company Needs

First, think about overall operations in the future. How busy do you expect to be? It's best to slightly underestimate need; if employees stop their unemployment insurance (UI) claims only to be sent home again after a few days, their continuity of income may suffer. It's also easier administratively if you only need to furlough and then recall an employee once. And, you can always recall more employees once you're certain the need exists.

Think about whether there are parts of the products and services you offer that will be more or less important in the future. For instance, a bakery might have very little event catering in the next few months, but may need more delivery drivers. If your company went through the Great Recession, how were you impacted by the economic downturn at that time? Which departments and types of jobs were most essential as business resumed? Which were least essential?

Forecasting future staffing needs will likely require a lengthy discussion amongst the organization's leaders as well as a willingness to change course as business — and the economy itself — fluctuates.

#### Individual Employee Selection

Once you've settled on a general staffing plan, you'll need to decide which employees you want to return first. Establish one or more criteria for return. You don't have to adhere perfectly to the criteria you choose, but the more closely you follow your system the easier it will be to explain decisions to employees (or government agencies or lawyers) who may be unhappy with your approach. If you deviate from your system, be sure to take good notes on why you did so. Some potential criteria for employee selection include:

- **Unique or difficult-to-replace skill sets.** Business needs will likely dictate when you bring back individuals with special skills, but you may also want to make a point to reach out to these people sooner than later to ensure that they will be available when you need them.
- **Overall performance.** Preferably, performance-based decisions will be based on written documentation you already have, such as performance reviews, production metrics, disciplinary actions, or a history of attendance/tardiness issues. If performance — whether good or bad — has not been previously documented but will still be the basis of your decision, you should take the time to create that documentation now.



# Real Time COVID-19 Resources from ThinkHR

COVID-19  
Section in  
Comply

Welcome to Comply

Search

Search Tip: Adding quotes around a phrase can provide more targeted results, e.g. "domestic partner" or "fmla"

Popular Tools

- Q & A Database
- Living Handbook
- Classification Tools
- Job Description Builder
- COVID-19
- Compliance Calendar

COVID-19  
Email  
Alerts

Federal Law Alert

COVID-19 Law Update

Families First Coronavirus Response Act (FFCRA)

Since the enactment of the Families First Coronavirus Response Act on March 18, new information and guidance has been released every few days, though still much slower than employers would like. We have summarized what we believe to be the most relevant new information below. We will continue to update Comply multiple times per day to keep you informed, and we encourage you to visit the site regularly for updates.

Required FFCRA Poster

The Department of Labor (DOL) has released a [mandatory employee rights poster](#) for the FFCRA. It should be posted or distributed to employees electronically (via email or online portal) by April 1. More information on the requirements can be found [here](#).

Enforcement of FFCRA

The DOL will not bring enforcement actions against employers for violations of the FFCRA prior to April 17, 2020, provided that the employer has made reasonable, good faith efforts to comply with the Act. You can read more about the brief non-enforcement period [here](#).

New Guidance from the DOL on Administering FFCRA Leaves

Crisis  
Response  
Center

COVID-19 Crisis Response Center

Essential Resources for Employers

We're here for you.

Right now employers feel isolated. But they're not alone. ThinkHR and Mammoth have been fielding thousands of coronavirus-related questions from business owners. And we're jointly making our essential COVID-19 resources available for free to all employers in need.

If you are an existing ThinkHR or Mammoth partner or client, please contact your representative for additional support during this critical time.

Resource Library

Frequently Asked Questions

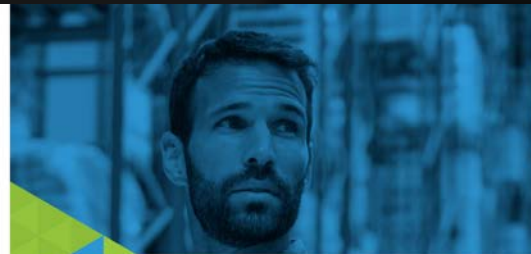
State & Federal Information

COVID-19  
Update  
Webinars

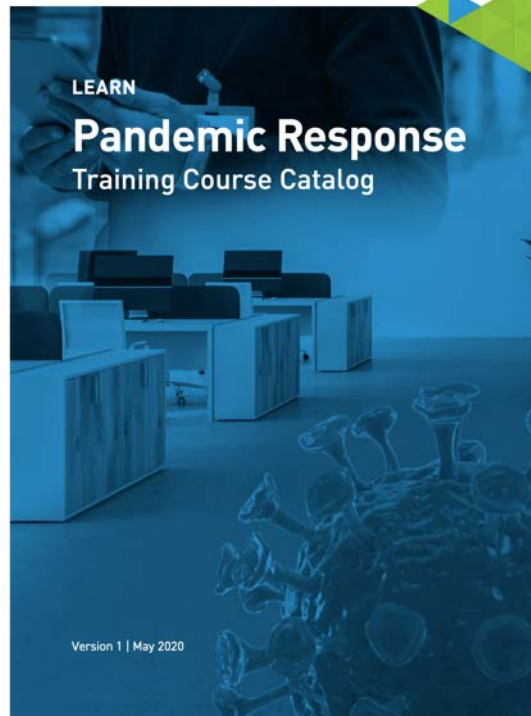
COVID-19 Updates and Employer FAQ

Presented by  
Kara Govro, JD, SPHR

# Pandemic Response Training Course Catalog



**Think** HR  
with Mammoth



LEARN  
**Pandemic Response**  
Training Course Catalog

Version 1 | May 2020

Catalog includes 9 courses designed for

... and crisis can set you,  
for success.

### Managing in a Crisis

**Duration:** 20 minutes | **Target Audience:** HR, Managers

Effective leadership is needed during the difficult times of a company crisis. Discover ways of managing in a crisis, including how to manage difficult conversations and crisis communications.

### Becoming a Successful Collaborator

**Duration:** 30 minutes | **Target Audience:** All Employees

Collaboration is a necessary skill in today's labor market. Learn about the meaning of collaboration, teamwork, and best practices for being a successful collaborator. You will also examine conflict management styles that work for you and your team.

### Forging Ahead with Perseverance and Resilience

**Duration:** 30 minutes | **Target Audience:** All Employees

Distractions, information overload, demanding pace, and accompanying stresses can often pull us off task. Developing personal resilience, adaptability, and perseverance can help. Discover how to build a work-life balance, sharpen your focus, and face and overcome setbacks.

May 2020 | 2

### Contributing as a Virtual Team Member

**Duration:** 20 minutes | **Target Audience:** All Employees

Learn how to develop the skills you need to show leadership and be an effective member of a virtual team. Explore useful personal traits, strategies to stay connected, ways to manage your time, and how to overcome common challenges.



May 2020 | 3



# 2020 Annual HR Technology & Benefits Report

Version 1.2 | Updated April 2020

## Survey Results & COVID-19 Insights

people and organizations that  
uses and benefits practices. The

is your primary job function?



The demographic data of the March 2020 survey group is believed to be substantially similar, as the same audiences were engaged with the webinar, and the majority of webinar attendees were small- to medium-sized businesses.

most important factors when  
selecting training solutions?



which includes training, their number one priority. Concerns related to COVID-19. However, as employers move from an organizational focus to an employee

with training and offered it in order to conduct compliance and skills- is largely put that plan on hold

# 2020 Annual HR Technology & Benefits Report

# Upcoming Webinars

Wednesday, May 6<sup>th</sup> at 9:00 AM PT / 12:00 PM ET

**Compliance Matters: Layoffs, Furloughs, and  
Recalls (and COVID-19 Update)**

Thursday, May 21<sup>st</sup> at 9:00 AM PT / 12:00 PM ET

**Workplace Health & Safety Post COVID-19**

Thursday, June 4<sup>th</sup> at 10:00 AM PT / 1:00 PM ET

**The FFCRA – What Employers Need to Know**

To register, go to [www.thinkhr.com/upcoming-webinars/](http://www.thinkhr.com/upcoming-webinars/)



# People Risk Management from ThinkHR



## Comply

An extensive resource library to navigate HR, compliance, safety, and people risk management issues.



## Live

Access to senior, certified advisors for your HR and compliance questions.



## Learn

A learning management system to deliver training on a variety of topics.



## Insight

Webinars and communications providing compliance news, expert analysis, and legislative updates.

# How to Help Your Clients Return to Work Post-COVID-19?

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**1**

**Leadership**

**2**

**Communication &  
Training Plans**

**3**

**Leveraging Resources**



# POLL QUESTION #3

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Can we help you access  
more COVID-19 resources?

Please participate in the short post-webinar survey to get your copy of the “Broker/Client Relationship during COVID-19” White Paper.

*(it will pop up once you exit the webinar)*

Thank you.

