GEORGIA MUNICIPAL ASSOCIATION

GMA WEBINAR

Back to Business

May 20, 2020

Agenda

- **Welcome & Introductions**
  - Joel Wiggins, GMA, Governmental Relations
- **Back to Business Guidelines**
  - Artiffany Stanley, GMA, Member Services Consultant
- **Moderator**
  - Matt Seale, Mayor, Ocilla
- **Panelists:**
  - Lance Jones, City Manager, Dublin
  - Marcia Hampton, City Manager, Douglasville
  - Pam Allen, Director of Court Administration, Marietta
- **Q&A**

COVID-19 RETURN-TO-WORKPLACE CHECKLIST

➢ Engaging employees & the public

➢ Not business as usual

➢ Each city's plan will look different

➢ Checklist is guidance and not legal advice

City officials are strongly encouraged to review the referenced guidance and this Checklist with the city attorney, involve the city attorney when developing and communicating plans, and obtain city attorney review of any official actions related to such plans.
Cities that participate in GIRMA are encouraged to contact the GIRMA Helpline for free employment law guidance. Helpline: 1-800-721-1998. The information contained in this Checklist should not be considered or construed as legal advice.

As many cities prepare to reopen city offices and prepare to engage the public during and after the COVID-19 pandemic, we understand that operations will look a little different and it will not be business as usual. Each employer's plan to return to temporarily closed workspaces and resume suspended business operations will be different. This checklist identifies helpful "return to workplace" guidance for employers to consider as they develop a plan.

☐ **Review Current Version of CDC's Specific Guidance for Critical Infrastructure**

Always visit the CDC website for the most up to date version of its Interim Guidance for Businesses and Employers to Prepare and Respond to Coronavirus Disease 2019. This easy-to-read guidance addresses how to prepare workplaces, reduce transmission among employees, maintain healthy business operations, and maintain a healthy work environment. Additionally, the CDC has specific guidance for critical infrastructure employees, such as law enforcement, custodial staff, and others, who must continue to work even after potential exposure.

☐ **Review Governor Kemp's Executive Orders – Basic Public Health Safety Orders and Guidelines and Prepare to Comply with Mandates**

Governor Kemp has issued mandates and guidance in various Executive Orders on measures which may and shall be taken by municipal governments to reduce risk in workplace environments from COVID-19. The Executive Orders contain many specific mandates but include no direct implementation guidance. Important requirements include, but are not limited to, screening employees for symptoms, social distancing in the workplace, providing necessary personal protective equipment (PPE) in appropriate situations, adjusting breaks and interactions, and allowing for virtual workplace activities. Executive Order 04.23.20.02 These measures are taken from CDC guidance. Below are some examples.

☐ **Provide PPE as available and appropriate to the function & location of workers:**
   o Masks, gloves, face shields, etc.
   o Personal hand sanitizer

   Links to PPE vendors
   GA Dept of Economic Development Georgia Suppliers of Critical Items to Fight COVID-19
   GEMA/HS https://www.gacities.com/GeorgiaCitiesSite/media/PDF/Vendors-for-PPE.pdf
   GA Dept of Administrative Services State-purchasing-covid-19 Vendor List

☐ **Establish physical distancing measures within the workplace:**
   o Staggered shifts and lunch/rest breaks.
   o Rotating weeks in the office and working remotely.
   o Moving workstations to increase separation distance.
   o Implementing one-way traffic patterns throughout workplace.
   CDC prevent-getting-sick/social-distancing.html

☐ **Define personal contact protocols such as:**
   o Directing employee traffic through workplace.
   o Limiting the number of employees in any area at one time.
   o Prohibiting handshake greetings.
   o Requiring social distancing in the workplace (remaining 6 ft. apart.)

COVID-19-Back-to-Work-Checklist

Resources

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o   Using video or telephone conferencing instead of in-person client meetings.
o   Providing contactless pickup and delivery of products.
     CDC community/guidance-business-response.html

☐ **Review EEOC Guidance on Screening Employees, Handling Reports of Employee Illness, and CDC Guidance on Symptoms**

Employers may lawfully screen employees (by asking questions, testing temperature, for example) for symptoms of Covid19, and exclude any employees who refuse to be screened. The EEOC has provided guidance for employers, including municipal employers, on the ADA, the Rehabilitation Act, and other EEO laws on such practices, and advises employers to base such screenings on current symptoms identified by the CDC. CDC - Recognize the Symptoms of COVID-19.   The EEOC has posted a webinar about screenings here: www.eeoc.gov/coronavirus. The EEOC recommends developing a plan for handling reports of employee illness and complying with confidentiality obligations.

☐ **Consider Reviewing and Revising Contracts with Vendors that Enter the Workplace**

Contracts with cleaning services, security guards, and staffing agencies should be updated to clarify expectations regarding screening before entry into the workplace, obligations to stay away if symptomatic or exposed to individuals with symptoms, and any alterations to services.

☐ **Review Employment Law Resources and Prepare for Compliance with Families First Coronavirus Response Act (FFCRA) and CARES Act**

Employers should assume that some employees will become sick with the coronavirus or request leave due to circumstances involving the virus. Therefore, it is important to review these new laws and develop a plan for complying with them. Elarbee, Thompson, Sapp & Wilson, LLP has prepared an Employment Law Resources document for municipalities to review with their city attorneys.

☐ **Review Eligibility Requirements for Employee Benefits and Properly Handle any Changes Arising from Reduced Work Schedules, Layoffs**

Many insurance and employee benefits plans have "actively at work" requirements. It is advisable to communicate with insurers and administrators, as well as with an experienced employee benefits attorney to determine how work changes may impact employee benefits.

☐ **Review Guidelines on Proper Cleaning of the Workplace and Ensure the Workplace is properly Cleaned and Disinfected.** CDC Cleaning & Disinfecting your facility

☐ **Develop Return to Workplace Procedures after an Employee has been Exposed to or Diagnosed with COVID19**.

Additional resources:

Georgia Department of Labor https://dol.georgia.gov/covid-19-employer-faqs
OSHA Guidance on Preparing Workplaces for COVID-19 Publications OSHA 3990.pdf
U.S. Department of Homeland Security Guidance on the Essential Critical Infrastructure

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COVID-19 Back to Work Checklist

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COVID-19
RETURN-TO-WORKPLACE CHECKLIST

❑ Review Current Version of CDC's Specific Guidance for Critical Infrastructure

❑ Review Governor Kemp's Executive Orders – Basic Public Health Safety Orders and Guidelines

❑ Provide PPE as Available and Appropriate to the Function & Location of Workers

❑ Establish Physical Distancing Measures within the Workplace

COVID-19 RETURN-TO-WORKPLACE CHECKLIST

❑ Define Personal Contact Protocols

❑ Review EEOC Guidance on Screening Employees, Handling Reports of Employee Illness, and CDC Guidance on Symptoms

❑ Consider Reviewing and Revising Contracts with Vendors that Enter the Workplace

❑ Review Employment Law Resources and Prepare for Compliance with Families First Coronavirus Response Act (FFCRA) and CARES Act

EMPLOYEE RIGHTS
PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

▸ PAID LEAVE ENTITLEMENTS
Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to $511 daily and $5,110 total;
- ⅔ for qualifying reasons #4 and 6 below, up to $200 daily and $2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at ⅔ for qualifying reason #5 below for up to $200 daily and $12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

▸ ELIGIBLE EMPLOYEES
In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days* prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

▸ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19
An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

▸ ENFORCEMENT
The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd

WH1422 REV 03/20

Employers Required to Post Employee Rights Notice Under Families First Coronavirus Response Act

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COVID-19 RETURN-TO-WORKPLACE CHECKLIST

❑ Review Eligibility Requirements for Employee Benefits and Properly Handle any Changes Arising from Reduced Work Schedules/Layoffs

❑ Review Guidelines on Proper Cleaning of the Workplace and Ensure the Workplace is Properly Cleaned and Disinfected

❑ Develop Return to Workplace Procedures after an Employee has been Exposed to or Diagnosed with COVID19

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WORKPLACES DURING THE COVID-19 PANDEMIC

The purpose of this tool is to assist employers in making (re)opening decisions during the COVID-19 pandemic, especially to protect vulnerable workers. It is important to check with state and local health officials and other partners to determine the most appropriate actions while adjusting to meet the unique needs and circumstances of the local community.

Should you consider opening?

✓ Will reopening be consistent with applicable state and local orders?

✓ Are you ready to protect employees at higher risk for severe illness?

ALL YES →

ANY NO ↓

DO NOT OPEN

Are recommended health and safety actions in place?

✓ Promote healthy hygiene practices such as hand washing and employees wearing a cloth face covering, as feasible

✓ Intensify cleaning, disinfection, and ventilation

✓ Encourage social distancing and enhance spacing between employees, including through physical barriers, changing layout of workspaces, encouraging telework, closing or limiting access to communal spaces, staggering shifts and breaks, and limiting large events, when and where feasible

✓ Consider modifying travel and commuting practices. Promote telework for employees who do not live in the local area, if feasible.

✓ Train all employees on health and safety protocols

ALL YES →

ANY NO ↓

MEET SAFEGUARDS FIRST

Is ongoing monitoring in place?

✓ Develop and implement procedures to check for signs and symptoms of employees daily upon arrival, as feasible

✓ Encourage anyone who is sick to stay home

✓ Plan for if an employee gets sick

✓ Regularly communicate and monitor developments with local authorities and employees

✓ Monitor employee absences and have flexible leave policies and practices

✓ Be ready to consult with the local health authorities if there are cases in the facility or an increase in cases in the local area

ALL YES →

ANY NO ↓

MEET SAFEGUARDS FIRST

OPEN AND MONITOR

CDC

cdc.gov/coronavirus

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ONLINE RESOURCES

- ❑ CDC Coronavirus print-resources & Videos
- ❑ Georgia Department of Labor COVID-19 Employer FAQs
- ❑ OSHA Guidance on Preparing Workplaces for COVID-19
- ❑ U.S. Department of Homeland Security Guidance on Essential Critical Infrastructure
- ❑ ICMA Free Webinars & Resources
- ❑ ICMA-Reopening Our Communities: Establishing a Recovery Team
- ❑ International Public Management Association for Human Resources (IPMA) HR Guidelines, Articles, & Sample Policies
- ❑ American Industrial Hygiene Association(AIHA) Back to Work Guidelines

Georgia Cities United

Frequently Updated: Coronavirus Resources for Municipal Leaders

View City-Focused COVID-19 Resources →

This new section of the Georgia Cities website provides city leaders with numerous resources relating to the COVID-19 threat as well as information designed to help safeguard their communities.

Key Resources

Governor Kemp's Executive Orders

Exective orders issued by Governor Kemp.

Plans to Reopen

Information and resources designed to help local officials reopen their cities.

State & Federal Resources

State and federal funding and other resources related to COVID-19

Municipal Operations

Information and resources for water systems and public safety professionals

Funding Resources

Information about emergency funding resources.

GMA Alerts

An archive of the latest GMA Alerts

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GA CITIES REOPENING PLANS - 2020 GLGPA POLL

Response from	Taking Temperatures	Masks	Telework/Staggered Shifts	Policies/Restrictions	Notes
City of Richmond Hill	Only for Fire Dept staff (due to close proximity for extended time)	Still considering whether to require	Yes, allowing both as much as possible; if shared spaces employees must rotate and clean up after themselves	Conference calls for larger meetings; social distancing for smaller groups at all times	Closed to public until mid-June
City of Hinesville	Policy says "may measure "	Employees wear at all times when engaging with each other or the public; using gloves when exchanging money or documents	Yes - Staggered shifts & breaks; rotating weeks in office; working remotely	No more than 10 people in same area at one time; handshakes/hugs/touching prohibited; employees & customers at least 6 feet apart	Moving workstations to increase separation; one-way traffic patterns in workplace; documented procedures for cleaning/disinfecting (routine and if someone is sick)
City of Tybee	Yes, will take employee temps and will screen citizens at entry	Yes (and will supply for visitors)	Allowing telework for those who can work from home; employees will work alternating days	Phase 1 - Limited hours (10 - 2) and public contact by appointment only; Phase 2 - open 8 to 5, but with same rules	Will begin these protocols when reopening to the public on May 13th
City of Thomaston	No (except Police recruiter asking applicants to voluntarily submit)	Recommended but not required	All who were on staggered schedules have returned to normal	Working to limit number of customers in higher-traffic areas	
City of Brunswick	Police and Fire - yes; have ordered additional thermometers to allow temperature-taking in other buildings also	Required for anyone (visitors) who enters buildings; provided for employees but not mandatory	Reopened; some employees uncomfortable and have requested to continue telework/staggered hours	Only one entrance open to public; counting visitors	Using Zoom and Microsoft Teams; limiting in-person meetings
City of South Fulton	Planning to implement	Planning to implement	Planning to implement		
City of Grovetown	No	Required for visitors (sign on door); required for employees who aren't otherwise shielded from public; Public Works use gloves and masks	Staggered arrivals/lunches for Public Works to limit number of employees in building at same time	Hand sanitizer at each customer area; floor marks/signs/sandwich boards for social distancing; all customer-facing employees behind plexiglass/screen	Planning to reopen May 14th (tentative); social distancing for all employees; use Zoom for staff meetings and updates

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COMMUNICATION IS KEY

Thank You!
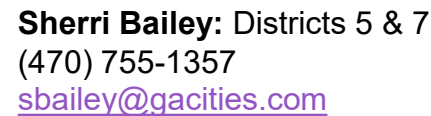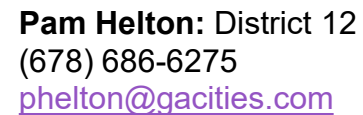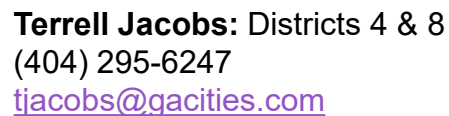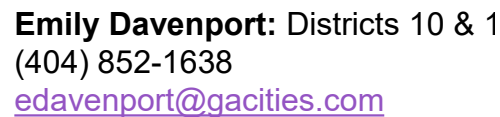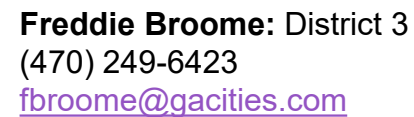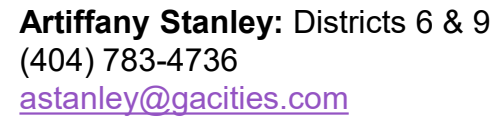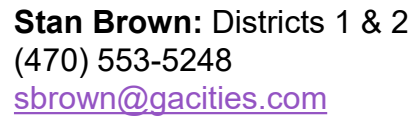
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