

**GUIDANCE FOR EMPLOYMENT ISSUES DURING THE COVID-19 PANDEMIC**

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As businesses adjust to the new normal that is Covid-19 and social distancing, a host of legal issues have arisen regarding labor and employment. Business as usual is interrupted. Some companies may be forced to shut down temporarily, while others may never reopen. Issues naturally arise regarding how employees should be compensated.

As an employer during this pandemic, be prepared to change your business practices if needed to maintain the functionality of your business. Please consider taking advantage of the following tips during this trying time:

- Cross-train employees to perform essential functions so the workplace can operate even if key employees are absent.
- Be mindful that wage and hour laws are not suspended during times of a natural disaster despite the massive disruption that ensues.
- Be mindful of employees' need to take legally protected leave. Under the Families First Coronavirus Response Act, some employees have been granted up to twelve weeks leave if they become ill, they must care for others who are ill, if a physician or other medical professional advises the employee to self-quarantine, or to care for young children due to school cancellations.
- Provide hand sanitizer, soap and water, disposable wipes, tissues, and no touch receptacles to avoid spreading the illness.
- Disinfect commonly used surfaces such as doorknobs, keyboards, desks and other work tools and equipment.
- Discourage handshaking or the use of another employee's belongings, such as cell phones.
- In addition to the duty to protect employees from Covid-19, employers must also protect their workers from exposure to hazardous chemicals commonly contained in sanitizers and sterilizers. All employers must comply with OSHA's Hazard Communication standard regarding these materials.
- Consider encouraging employees to do a self-assessment each day to check if they have any COVID-19 symptoms (fever, cough, shortness of breath).

Employers should also be mindful that Employee morale issues might result from the current pandemic. The trauma and stress of the pandemic may trigger anxiety, depression, or even mental illness. As an employer, you can alleviate some of this stress by communicating with your employees on a regular basis, fielding their questions, reassuring them, and encouraging them to focus on the various tasks at hand.

The foregoing is not intended to take the place of legal advice. If you as an employer have any questions or concerns regarding your legal obligations during this outbreak, please contact Rhiannon Jajoo at 832-399-3332 or [rjajoo@hanszenlaporte.com](mailto:rjajoo@hanszenlaporte.com).