



## **Brooks Financial Group's (BFG's) COVID-19 General Information & Best Practices**

### ***Preparation and Prevention***

Organizations should reiterate to their teams and have them regularly check for symptoms—fever, cough, shortness of breath—against those of COVID-19 and consider if they have been in an affected area or exposed to someone who is infected. Illness could occur from 2 to 14 days after exposure.

The CDC [recommends that people who are experiencing respiratory illness stay home](#) until they are free of fever and other symptoms, such as frequent and severe coughing, for at least 24 hours without the use of medicines (e.g., aspirin and cough suppressants).

*"Do not require a health care provider's note for employees who are sick with acute respiratory illness to validate their illness or to return to work, as health care provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely way," the CDC advised.*

Employers need to be cautious about providing medical advice to sick employees. Instead, the better course of action is to guide employees to speak with their physician, their local health department, and to use telemedicine/virtual visit benefits offered under their health care plans.

### ***Caution vs. Panic***

It's important to be cautious, to be up to date and to stay informed. It's equally important to deploy common sense and to encourage employees to do the same.

Employers should continually communicate and inform employees about accessing and reviewing what's covered in their benefit plans should they or a family member get sick. To prevent frustration and fear, employees should know where to go to get the best care; what primary care doctors exist in their network; when they should use a retail clinic or urgent care center; what services their benefits cover; and how to use telehealth and counseling options.

By communicating and directing their employees in the right direction, employers can help their employees feel prepared, informed and with the necessary resources. *Rather than panicked.*

## ***Be Lenient with Sick Leave***

The CDC advises employers to "ensure that your sick leave policies are flexible and consistent with public health guidance and that employees are aware of these policies."

Employers can require employees who exhibit coronavirus symptoms to stay home until they are symptom free. The same is true if an employee is returning from a country designated by the CDC and [the World Health Organization](#) (WHO) as having high risk for COVID-19 transmission, or has been exposed to someone ill with the virus. [Employers can require that these workers wait the maximum incubation period of the virus](#)—thought to be approximately 14 days—before returning to the workplace.

Be cautious, though, and think about modifying (flexing) your attendance policies. Requiring these quarantines could encourage hourly workers who have no remaining paid sick days or other paid time off (PTO) to not reveal that they may pose a risk to others. For example, if employers force someone to stay home for two weeks without pay or make them use precious PTO, they may push people to hide where they have been or what symptoms they are experiencing, which will defeat the necessary steps to prevent the illness from spreading through the workplace.

There's another sick leave complication employers may face: If public health officials order employees or their family members quarantined for up to two weeks because they have been exposed to someone with COVID-19 or visited a high-risk area, those being quarantined—if they show no symptoms—may not be covered by their employer's sick or disability leave policy.

For quarantined employees who can't telework or otherwise perform their jobs remotely, employers should consider their response and may choose to extend paid leave benefits to cover this situation.

The nation's private largest employer, Walmart, announced on March 10 that it will provide up to two weeks' pay for workers who are quarantined or if one of its locations falls under a mandatory quarantine. If a Walmart worker is diagnosed with coronavirus, the company will offer two weeks' pay and additional pay replacement for up to 26 weeks.

## ***Encourage Team Members to Use Telehealth/Virtual Visit Benefits***

It is important for employers and their HR/Benefits Teams to keep employees advised as to the benefits that they have available that can assist them with making informed health decisions.

Telehealth or virtual visit programs, which are covered services in most health plans, can assist by providing clarity to the situation and aid the employee with determining their next steps.

The doctor will be able to assess whether the employee needs to come in for testing or can be treated at home. This minimizes the risk of infecting others in the office waiting room or getting infected themselves.

Don't overlook telehealth or your Employee Assistance Program (EAP), if applicable, for treating emotional health issues as well. For people who are quarantined for weeks on end, a pandemic like this can increase anxiety and depression, resulting in a greater need for these services.

## ***Health Insurance Covers the Coronavirus Tests and Treatment***

Lab tests for COVID-19 will be covered by private insurance, as well as, by Medicare and Medicaid, Vice President Mike Pence said on March 4. The Department of Health and Human Services "has already denominated a test for the coronavirus to be an essential health benefit," Pence said. Under the Affordable Care Act, health insurance plans must cover essential health benefits, although enrollees may still be required to share the costs by paying deductibles and co-payments.

Several states have now directed insurance carriers to *waive* all health plan cost-sharing associated with COVID-19 testing—including California, New York, Georgia, Oregon, Maryland and Washington. For fully insured health plans in these states, employees and family members will have *COVID-19 testing covered in full by the plan without being subject to any deductibles, co-pays or co-insurance.*

Generally, Health Savings Account (HSA) holders can only make or receive contributions to an HSA that is linked to qualified high-deductible health plans (HDHP) with no disqualifying, pre-deductible coverage. On March 11, the IRS issued Notice 2020-159, stating that health plans that otherwise qualify as HDHPs **will not** lose that status merely because they cover the cost of testing for or treatment of COVID-19 before plan deductibles have been met, and that individuals covered by the HDHP **will not** lose their eligibility to make tax-favored contributions to an HSA.

## ***Disability Benefits: Short-Term and/or Long-Term***

Per the CDC, reported illnesses associated with COVID-19 range from mild symptoms to severe illness. Therefore, each employee will need to be evaluated on a case-by-case basis, depending on the individual's condition and the definition of disability under the terms of the specific plan contract. For example, someone who is asymptomatic but asked to stay home may not be eligible for disability benefits while someone who is hospitalized would be eligible. As always, please reach out to us for claim submission and review.

## ***Health and Wellness Practice and Programs***

Communicate with employees on how to use good hygiene and take responsible precautions through videos, lunch 'n learn sessions, posters, e-mail campaigns and other channels. Make it fun and creative if possible. Essentially take care of yourself by getting enough sleep, exercise and eating healthy. Advise employees to wash their hands vigorously throughout the day, for at least 20 seconds using warm water and soap, to use hand sanitizers and disinfect hard surfaces, and—especially—*to stay home if they are sick.*

Make sure that employees understand the various wellness resources available to them, communicate where that information is located and frequently distribute that location and/or path. (I.e. intranet, website portal, shared drive, links to carrier websites and member specific portals, etc).

These should include an Employee Assistance Program (EAP) for those experiencing severe stress or mental health issues triggered by fear.

## **Wellbeing**

Companies are also assessing risks to their employees' physical and financial wellbeing. Some of the mitigation efforts include:

- instituting mandatory work-from-home or remote work policies where possible
- closing on-site facilities such as gyms, cafeterias and common areas
- making revisions to employee compensation and benefits policies
- granting paid time off for symptomatic employees, employees who must care for family members who are diagnosed with COVID-19, and/or employees with diagnosed cases of COVID-19
- using standing sick leave, extended sick leave, vacation time, paid time off or flex-time policies
- increasing sick leave or paid time off for all or on a case-by-case basis
- utilizing short-term disability, family leave (FMLA) or other existing benefits
- recommending available Employee Assistance Programs (EAPs)
- reminding employees about mental health services for stress management
- using back-up care programs, childcare subsidies or other dependent care benefits
- refraining from penalizing time off of any kind
- permitting unlimited unpaid time off without penalty
- providing travel/international SOS (medical and travel security) services
- paying for time spent under quarantine
- offering work-from-home options or adjusting schedules due to school closures
- communicating employer-sponsored insurance and other relevant benefits
- advising employees to avoid public transportation
- staggering shifts to help employees avoid busy commutes
- advising employees to avoid visiting high-traffic events or locations on personal time
- reconfiguring meeting rooms, break rooms and other common areas to promote social distancing

## **Communication**

Employers and organizational leaders should provide frequent and positive communications. Addressing their organization's COVID-19 response, advice, actions, policies and protocols. These messages should include a genuinely personal element, i.e., safety and health of their employees and families is the priority, reminding workers to get information from credible organizations, assuring them that none of their fellow employees have tested positive for the virus (where applicable) and urging employees not to panic or spread rumors. These communications should also encourage employees to obtain enough food, water, medicines and other essentials for their families in case of quarantine or scarcity.

Communications paths may be tailored to your team, client relationships, etc. and include the following:

- social media for public messages
- email, mail, text messages, hotlines and internal systems (i.e., intranet) to propagate pertinent information
- signage to reinforce hygiene, screening and other organizational policies

## **Technology**

Companies are testing and deploying technological (e.g. remote work) capabilities, emergency notification systems and updating employee contact information. They're advising employees to take their laptops or other portable equipment home each night, and they are devoting IT staff to help employees set up remote connections at home, sometimes on employees' personal computers.

Many companies have required and/or are encouraging video or audio-conferencing meetings (e.g., Webcasting, Zoom, Microsoft Teams) or phone calls in lieu of face-to-face meetings. They also recommend conducting collaborative projects by video or audio-conferencing through Google Docs, emails or other online channels.

## **When to Use FMLA**

For long-term absence, most employees dealing with their own or a family member's serious illness can take up to 12 weeks of unpaid leave under the federal Family Medical Leave Act. Note, federal FMLA requirements are specific to employers with 50 or more employees.

An eligible employee of a covered employer could request FMLA leave in order to recuperate from coronavirus or care for a sick family member if the illness was a defined 'serious health condition'.

While generally a doctor's certification is needed for FMLA leave, if an employer understands the employee has a serious health condition within the meaning of the FMLA, the employer is free to waive the requirement to provide documentation.

However, since the FMLA rules regarding notices and documentation have not been lifted. We advise employers to continue to follow their regular and ordinary FMLA process including the notice of eligibility and rights and responsibilities, certifications, designation notice, and most important, the fitness for duty.

**Update:** *The House passed the Families First Coronavirus Response Act that would temporarily amend the current federal FMLA and provides both Family Medical Leave (FML) and Emergency Paid Sick Leave to all employers with less than 500 employees. The Senate is expected to vote on this as early as today. We will update accordingly as details are received.*

## **Crisis Management**

In recent years and stemming mostly from attacks on 9/11, many organizations created crisis management teams, task forces or committees to respond to many situations such as the COVID-19 pandemic and for purposes of business continuity. These teams develop policies and provide information to leaders, managers and front-line employees regarding awareness, preparation, prevention, management and specific information, such as, hygiene practices necessary for COVID-19.

In general, their protocols and plans may include:

- developing succession contingencies for all major executives
- conducting business using virtual, video or audio capabilities
- restricting travel
- reducing to business-critical operations only

- moving critical operations to unaffected regions
- cross-training team members to perform critical functions in the event of an unexpected absence or quarantine of another team member
- documenting business-critical functions, processes or procedures in the event of an unexpected absence or quarantine of a team member
- distributing call center scripts and general communications

If an employee is diagnosed with COVID-19, many companies have established protocols like these:

- Require employees to report confirmed cases -- either of self or family member -- of COVID-19 to HR or management. The affected are typically required to stay home for 14 days and/or until cleared by a doctor to return to work with confirmation that there is no diagnosis of COVID-19.
- Isolate employees diagnosed at work; immediately disinfect objects they've touched; trace their contact with other employees, customers, and clients; and notify those who may have been exposed without releasing the diagnosed employee's name.
- Ask employees to log all contact with other employees or visitors in case they become symptomatic so that others can be informed of potential exposure.

### ***Travel Requirements***

Most companies have recommended limiting personal and professional travel, and some have assured workers they could decline professional invitations without penalty. Generally called soft bans, these partial travel restrictions have been issued with requests to inform HR of travel and avoid air travel, public transportation and large gatherings, as well as 14-day self-quarantines following travel to affected areas.

However, hard bans are in effect in many companies, and travel to China, Italy, South Korea, Iran, Japan, Hong Kong and Taiwan has been prohibited. Indeed, most intercontinental travel -- and, more recently, even travel in general -- has stopped for the time being, unless it's mission-critical.

### ***Business Impact***

Leaders are holding additional meetings to monitor business impact in efforts to protect or sustain business functions. Many companies with facilities in affected areas have closed them and are canceling their own -- or their employees' presence at -- conferences, events and face-to-face meetings. Some have been able to move operations to unaffected locations.

The Small Business Administration (SBA) will Provide Disaster Assistance Loans for Small Businesses Impacted by Coronavirus (COVID-19)

SBA's Economic Injury Disaster Loans offer up to \$2 million in assistance for a small business. These loans can provide vital economic support to small businesses to help overcome the temporary loss of revenue they are experiencing.

#### **Process for Accessing SBA's Coronavirus (COVID-19) Disaster Relief Lending**

- The U.S. Small Business Administration is offering designated states and territories low-interest federal disaster loans for working capital to small businesses suffering substantial economic injury as a result of the Coronavirus (COVID-19)

- Upon a request received from a state's or territory's Governor, SBA will issue under its own authority, as provided by the Coronavirus Preparedness and Response Supplemental Appropriations Act that was recently signed by the President, an Economic Injury Disaster Loan declaration.
- Any such Economic Injury Disaster Loan assistance declaration issued by the SBA makes loans available to small businesses and private, non-profit organizations in designated areas of a state or territory to help alleviate economic injury caused by the Coronavirus (COVID-19).
- SBA's Office of Disaster Assistance will coordinate with the state's or territory's Governor to submit the request for Economic Injury Disaster Loan assistance.
- Once a declaration is made for designated areas within a state, the information on the application process for Economic Injury Disaster Loan assistance will be made available to all affected communities.
- These loans may be used to pay fixed debts, payroll, accounts payable and other bills that can't be paid because of the disaster's impact. The interest rate is 3.75% for small businesses without credit available elsewhere; businesses with credit available elsewhere are not eligible. The interest rate for non-profits is 2.75%.
- SBA offers loans with long-term repayments in order to keep payments affordable, up to a maximum of 30 years. Terms are determined on a case-by-case basis, based upon each borrower's ability to repay.
- SBA's Economic Injury Disaster Loans are just one piece of the expanded focus of the federal government's coordinated response, and the SBA is strongly committed to providing the most effective and customer-focused response possible.

For additional information, please contact the SBA disaster assistance customer service center. Call 1-800-659-2955 (TTY: 1-800-877-8339) or e-mail [disastercustomerservice@sba.gov](mailto:disastercustomerservice@sba.gov)(link sends e-mail).

Please feel free to reach out to anyone on our Brooks Financial Group (BFG) Corporate Benefits team concerning any of these items or others that may be presented as this pandemic continues.

Please stay safe and be healthy and know that we will continually update and share this document as new items are presented and deemed necessary for inclusion.

Thank you for your relationship and we are here and will continue to serve and lead you and your organizations during these crazy and trying times.

***Brooks Financial Group Team***