

HR Considerations During a Pandemic

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Virtual South Carolina
Local Government Attorneys' Institute



**SOUTH CAROLINA
ASSOCIATION OF COUNTIES**

Friday, November 20, 2020

Slide 1



Joanie Winters



OPEN FOR BUSINESS!
S.C. ASSOCIATION OF COUNTIES
LOCAL GOVERNMENT ATTORNEYS INSTITUTE
NOVEMBER 2020

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Slide 2

DISCLAIMER: This session is for training purposes only and does not constitute legal advice. For more specific guidance, contact Winters Law Firm at 803-581-8190.

The information provided here today is fluid and subject to change almost immediately after posting this. Please check back for updates periodically.

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- ▶ Recalling furloughed employees
- ▶ “Hazard” pay
- ▶ Employers have a RIGHT to recall workers
- ▶ Recalling reduced hours employees
- ▶ What do we do with the reluctant employee?
- ▶ I’m scared to come back to work
- ▶ I don’t want to come back to work...



- ## MANAGING RETURNING EMPLOYEES

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- ▶ **Make sure everyone knows what the plan is**
- ▶ **Signage**
- ▶ **Self certification for ADA requests**
- ▶ **Modified business hours**
- ▶ **Mark hallways/stairways as one-way**
- ▶ **Hand Sanitizer**
- ▶ **Workspace layouts for social distancing**
- ▶ **Zoom meetings are a wonderful thing**





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- ▶ If an employee is confirmed to have Covid-19, employers should inform fellow employees of possible exposure but maintain ADA confidentiality
 - ▶ Employees may need 14-day quarantine—need to speak with DHEC to determine the risk
 - ▶ Work station where employee was should be isolated for 24 hours then disinfected
- ▶ CDC guidelines: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>



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Unconfirmed COVID-19 with illness

Confirmed COVID-19 with no illness

Confirmed COVID-19 with illness but no hospitalization

Confirmed COVID-19 with illness and hospitalization

SO WHEN IS IT SAFE TO RETURN?

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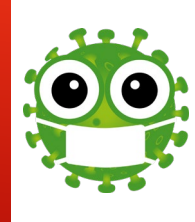




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- 
- A cartoon illustration of a man with brown hair and a green shirt, drinking red wine from a glass. The background is a light blue cloud-like shape.



100

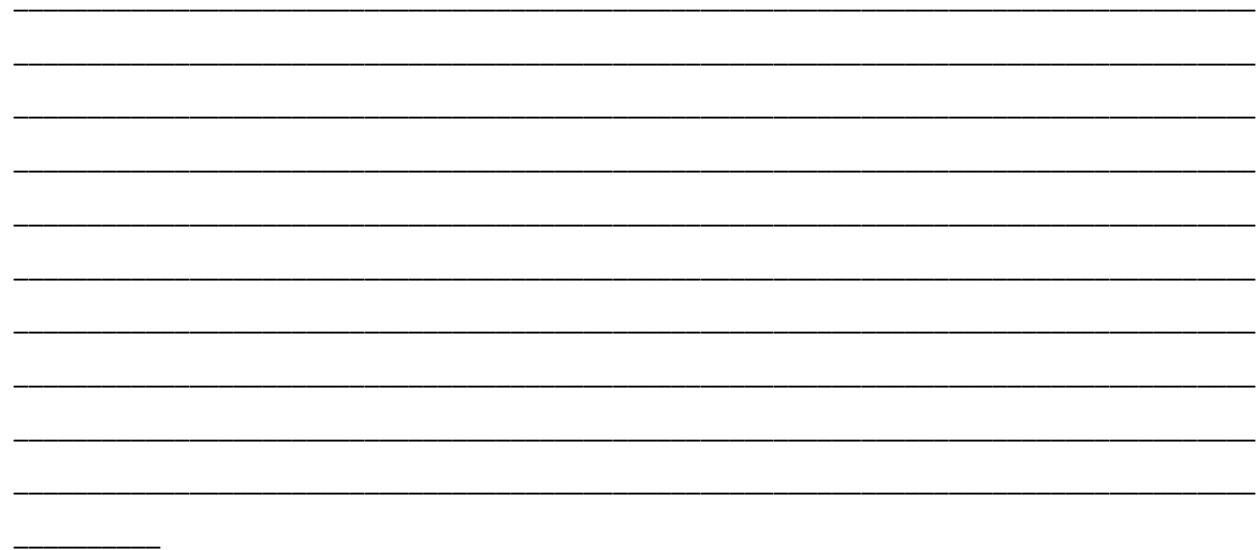


- ## WHAT DOES THE COUNTY NEED TO DO IF AN EMPLOYEE GETS SICK?



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- ▶ **Mandatory Quarantine – Non-exempt – paid for work performed; Exempt – paid weekly salary unless NO work performed in that week**
- ▶ **Remote Work – require your employees to maintain time records.**

FAIR LABOR STANDARDS ACT






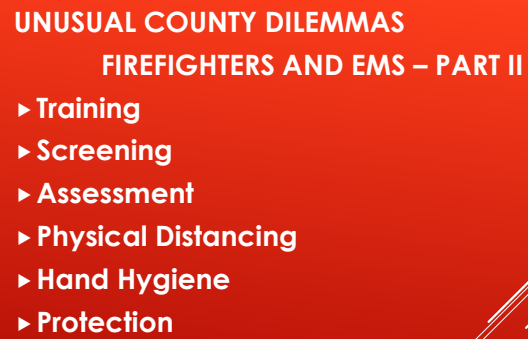
UNUSUAL COUNTY DILEMMAS

FIREFIGHTERS AND EMS

- ▶ N95 respirators offer a higher level of protection
- ▶ Must be fit tested and trained
- ▶ Cloth face coverings are not considered PPE
- ▶ Use NIOSH Training for reducing risks to exposure
- ▶ PPE should be prioritized for these employees
- ▶ Governor's Order on 911 calls

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Cleaning EMS Transport Vehicles






UNUSUAL COUNTY DILEMMAS LAW ENFORCEMENT

- ▶ **Minimum PPE**
- ▶ **Clean and disinfect duty belt and gear prior to reuse using a household bleach cleaning spray or wipe**
- ▶ **Proper disposal of used PPE**
- ▶ **Avoid shaking work clothes when preparing for laundry**
- ▶ **Custody/Death Investigations**

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UNUSUAL COUNTY DILEMMAS ELECTIONS

- ▶ Typical safety precautions for poll workers
- ▶ Hand Hygiene
- ▶ Safety precautions for voters
- ▶ Disinfect surfaces frequently...WHAT???
- ▶ Qtips...WHAT???

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WHAT DO WE DO?

- ▶ **DOCUMENT**
- ▶ **DOCUMENT**
- ▶ **DOCUMENT**

► QUESTIONS?

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