

# **DOL Exemptions, Cybersecurity, and an Introduction to Mindfulness**

**4.10.20**



# DOL Issues FFCRA Regulations

- On April 1st, 2020, the Department of Labor (DOL) issued temporary regulations for the public health emergency leave under the Family and Medical Leave Act (FMLA) and emergency paid sick leave as detailed in the Families First Coronavirus Response Act (FFCRA).
- The regulations provided guidance for employers and some key points.



# Small Business Exemption

- The FFCRA provides a small business exemption to the expanded FMLA leave (EFMLEA) requirements for employers with less than 50 employees. **Note** that this exemption does not apply to the emergency paid sick leave (EPSL) provision unless the employee's request for EPSL is due to childcare issues.
- The employer may request an exemption to the paid EFMLEA leave requirements when granting leave would "jeopardize the viability of the business as a growing concern." There are three circumstances in which a small business employer is potentially exempt:



# Small Business Exemption

1. If leave would raise expenses above revenue such that the employer would “cease operating at a minimal capacity”;
2. The absence would “pose a substantial risk” to the employer’s financial health or operations because of the requesting worker’s skills, knowledge, or duties; or
3. The employer cannot find enough workers to perform the work of the employee requesting the absence.



# Intermittent Leave

Unless there is an agreement between the employer and employee, no leave under the FFCRA may be taken intermittently. Though the agreement does not have to be written, there must be a “clear and mutual understanding” between the parties that the employee may take intermittent paid sick or expanded FMLA leave. The parties must also agree on the increments of time that may be taken.





# Documentation Of Need For Leave

Employees must provide documentation in support of paid sick leave or paid FMLA leave requests. The required documentation includes:

1. A signed statement from the employee with the following information:
  - The employee's name;
  - Dates for which leave is requested;
  - The COVID-19 qualifying reason for leave; and
  - A statement that the employee is unable to work or telework because of the COVID-19 qualifying reason.

# Documentation Of Need For Leave

1. Supporting documentation which is dependent on the reason for the requested leave:
  - If the paid sick leave request is due to a quarantine or isolation order, then the employee must provide either the name of the government entity that issued the quarantine or isolation order or the name of the health care provider who advised the employee to self-quarantine.
  - If the request for paid leave is to take care of his or her child, then the employee must provide the following information:
    - The name of the child;
    - The name of the school, place of care, or childcare provider that is closed or unavailable for COVID-19 related reasons; and
    - A statement that no other suitable person is available to care for the child during the requested leave.

# Documentation Of Need For Leave

- For leave taken under the FMLA for an employee's own serious health condition related to COVID-19, or to care for the employee's spouse, son, daughter, or parent with a serious condition related to COVID-19, the standard FMLA certification requirements apply.
- Employers are required to retain all leave documentation for four years, regardless of whether the leave was granted or denied.



# Length Of Unpaid Expanded FMLA

- The DOL has revised the unpaid FFCRA FMLA period from 10 days to two weeks. This is because the 10-day period would potentially disadvantage part-time employees and those who do not work standard five-day workweek schedules.
- For example, an employee who works three 12-hour shifts in a week would still be short of the initial 10-day period by four days.

# Covered Employers

The FFCRA states that private employers that employ less than 500 employees must provide both sick leave and the paid FMLA leave.

Whether an employer has less than 500 employees is determined by the number of employees at the time an employee requests leave. So, the applicability of the paid leave provisions of the FFCRA can change depending on when an employee requests leave if the employer has increased or reduced the number of employees.

# Covered Employers

The number of employees includes full-time and part-time employees, employees on leave, temporary employees who are jointly employed by the employer and another employer, and day laborers supplied by a temporary placement agency.

Independent contractors and employees who have been laid off or furloughed do not count towards the 500-employee threshold. Only employees employed in the US count toward the threshold.

# COVID-19 Pandemic

## PRESENT DAY Cybersecurity Challenges



Presented  
by  
Carl Benevento  
Channel  
Manager

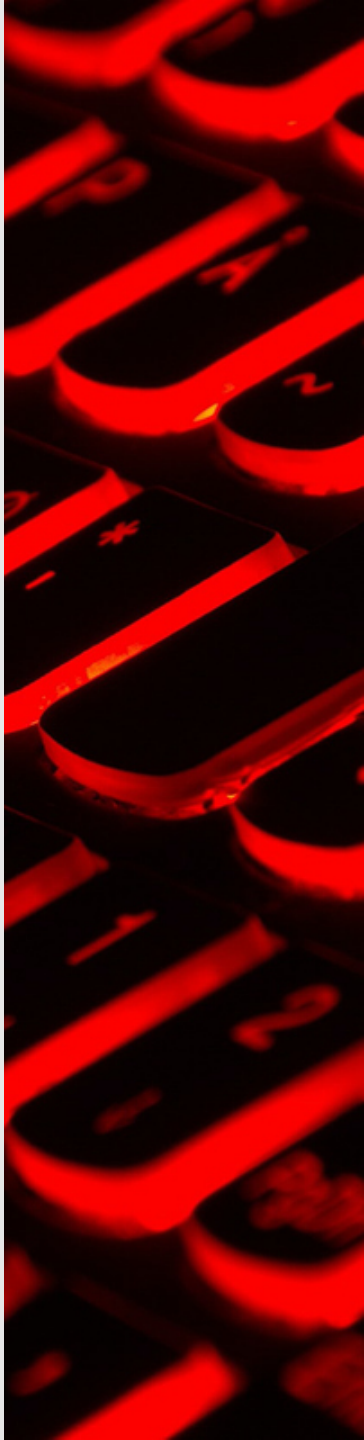
# Coronavirus themed phishing attacks & hacking campaigns are on the rise

- Cybercriminals are now creating and putting out thousands of corona-virus related websites on a daily basis
- Intelligence firm RiskIQ saw more than 13,500 suspicious domains on Sunday March 15th
- More than 35,000 domains found the following day
- Mobile devices are susceptible as well



# What to watch out for

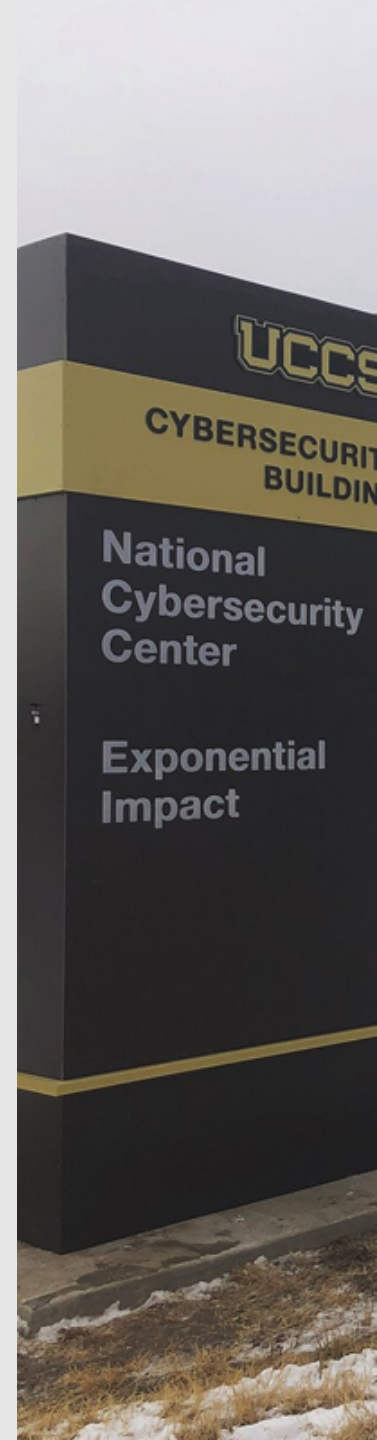
- Phishing emails claiming to contain advice on how to prevent infection, asking you to click a link or open an attachment. For example:
- Message in the body of the email states it is from the World Health Organization (WHO)
- Actuality it is the Trickbot banking trojan used to steal confidential information
- Once installed on your machine it can be used as a method to install other forms of Malware on your machine





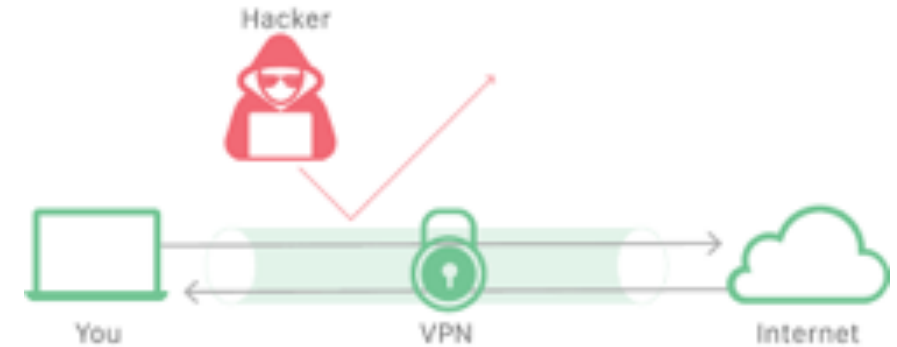
# National Cyber Security Center Tips

- Many phishing emails have poor grammar, punctuation and spelling
- Is the design and overall quality what you would expect from the organization the email is supposed to come from ?
- Is it addressed to you by name, or does it refer to 'valued customer', or 'friend', or 'colleague'? This can be a sign the sender does not actually know you, and that is part of the phishing scam
- Does the email contain a veiled threat that asks you to act urgently ?
- Your bank, or any other official source, should never ask you to supply personal information from an email.



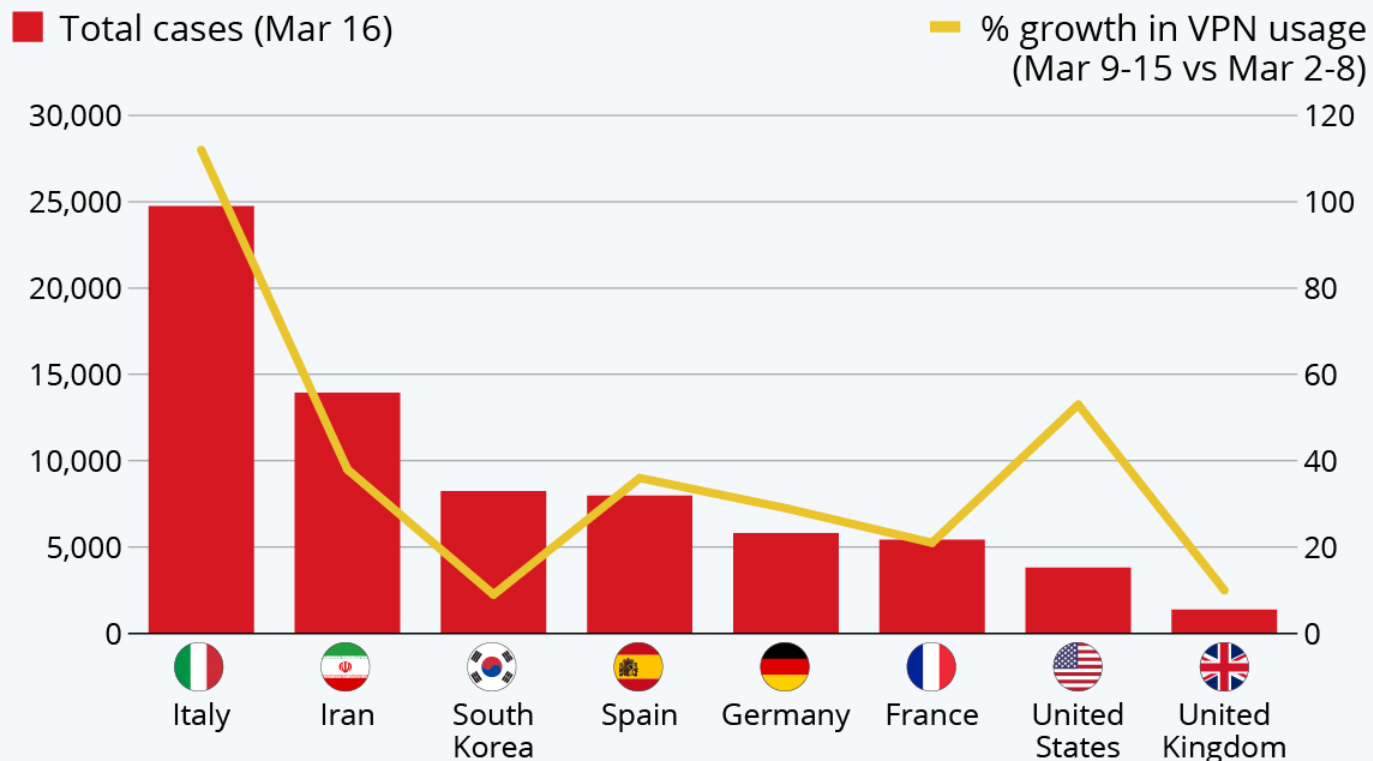
# Teleworker Tips

- VPN: What is a VPN ?
- VPN stands for a Virtual Private Network. The purpose of a VPN is to provide you a secure network back to your office applications over the public internet
- A VPN creates a private connection or tunnel over the open internet. The idea is that everything you send is encapsulated in this private communications channel and encrypted so even if your packets are intercepted, they can't be deciphered
- Your managed service provider can help set this up for you

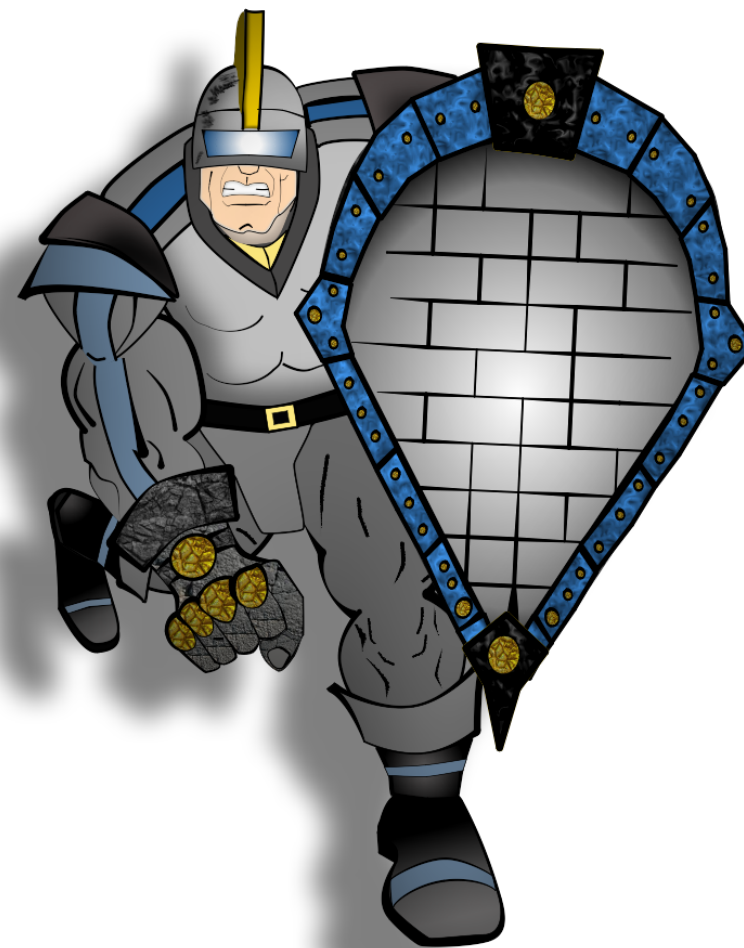


# VPN Usage Surges During COVID-19 Crisis

Growth in VPN usage in countries with large COVID-19 outbreaks\*



\* Data derived from 50,000 Atlas VPN users.  
Source: Atlas VPN



# Teleworker Tips

- MFA: What is MFA?
- MFA stands for Multi-Factor Authentication. MFA is an authentication method in which a computer user is granted access only after successfully presenting two or more pieces of evidence (or factors) to an authenticating mechanism
- **Two-factor authentication or 2FA** is a method of confirming users claimed identities by using a combination of two different factors
- 1) Something they know, 2) Something they have or 3) something they are



# Teleworker Tips

- **Two-step verification or two step authentication** is a method of confirming users claimed identity by utilizing something they know (password) and a second factor other than something they have or something they are
- An example of a second step is the user repeating back something that was sent to them through an out-of-band mechanism
- For example the 6-digit code that you receive from your bank when you logon to your banks mobile or online banking site



# Teleworker Tips

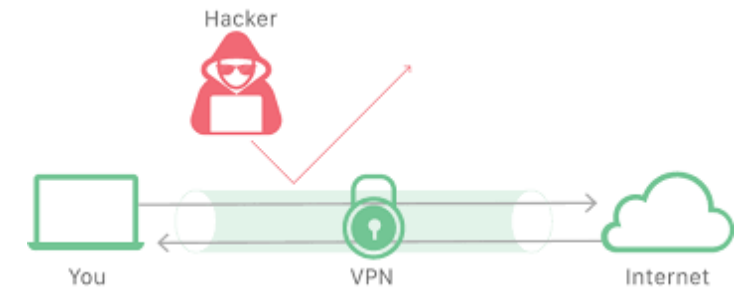
- **Two-factor authentication** may also be accomplished via a hardware token or device. The credentials are stored on a USB device that is plugged into your laptop or desktop PC
- DUO – YubiKey & FortiToken are some examples of hardware tokens on the market today
- Your managed services provider can guide you on the best form of MFA you should implement





# Teleworker Tips

- **Home Computer Use:** Using your home PC for teleworking provides a whole new set of challenges when it comes to security
- Make sure your device is on a current anti-virus platform
- Make sure your device has a current operating system and is up to date from a software revision perspective
- When not in use by the person teleworking from home, make sure the user's session is logged off preventing anyone else in the home from accessing business applications





NIST Special Publication 800-46  
Revision 2

## Guide to Enterprise Telework, Remote Access, and Bring Your Own Device (BYOD) Security

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This publication is available free of charge from:  
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U.S. Department of Commerce  
*Penny Pritzker, Secretary*

National Institute of Standards and Technology  
*Willie May, Under Secretary of Commerce for Standards and Technology and Director*

- **Plan telework-related security policies and controls based on the assumption that external environments contain hostile threats.**
- **Develop a telework security policy that defines telework, remote access, and BYOD requirements.**
- **Ensure that remote access servers are secured effectively and are configured to enforce telework security policies.**
- **Secure organization-controlled telework client devices against common threats and maintain their security regularly.**
- **If external device use (e.g., BYOD, third-party controlled) is permitted within the organization's facilities, strongly consider establishing a separate, external, dedicated network for this use.**



**NIST**  
National Institute of  
Standards and Technology

If you would like more information on how to stay cyber safe during this pandemic, please feel free to reach Johna at:

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**NIST**  
National Institute of  
Standards and Technology



# Intro to Mindfulness Meditation



Presented by  
**Kelly**  
**Ravenscroft**

# What is Mindfulness?

“Paying attention in a particular way, on purpose, in the present moment, to what is actually happening, nonjudgmentally.”

- Jon Kabat Zinn Founder of MBSR





# **Mindfulness is not:**

- **Getting rid of thoughts**
- **Quieting the mind/emotions**
- **A Cure all**
- **But it is about Awareness**



# Types of Mindfulness

## Formal Practices

- Sitting
- Standing
- Lying down
- Walking
- Mindful movement: tai chi, yoga, chi gong, etc.

## Informal Practices

- Washing dishes
- Brushing your teeth
- Eating
- Cooking
- Driving
- Showering
- Cleaning, tidying up
- Gardening
- Etc.

# Benefits of Mindfulness

- Reduces depression, anxiety and stress
- Reduces symptoms of chronic medical conditions: headaches, IBS, fibromyalgia, etc.
- Reduces rumination
- Boosts working memory
- Increases focus/attention
- Less emotional reactivity
- Improves emotional intelligence
- Improves relationship satisfaction
- Improved immunity
- Increased well-being
- Increase information processing speed

**And Now...**  
**Some Mindfulness**  
**Meditation Practice**

# Resources

## Guided Meditations:

- Guided Meditations and Breathing Exercises - [www.coastlineeap.com](http://www.coastlineeap.com)
- Self-Compassion Meditations - <https://selfcompassion.org/category/exercises/#guided-meditations>
- Mindfulness Meditations – <http://marc.ucla.edu/body.cfm?id=22>

## Free Meditation Apps:

- U of Wisconsin – center for healthy minds <https://tryhealthyminds.org/>
- <https://insighttimer.com/>
- <https://www.aurahealth.io/>
- <https://www.stopbreathethink.com/>

## Mindfulness Based Stress Reduction (MBSR) 8-week course:

- <https://palousemindfulness.com/> - Free, self-paced course
- Mindfulness Center at Brown University – for upcoming courses: <https://www.brown.edu/public-health/mindfulness/>
- Lifespan offers 8 week, MBSR course in Providence. Call Gwen for pricing and dates: 401-793-7817.



**Thank You**

From everyday stress

To life's biggest challenges...

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[www.coastlineeap.com](http://www.coastlineeap.com)

# Helpful COVID-19 Links

World Health Organization

<https://www.who.int/news-room/q-a-detail/q-a-coronaviruses>

CDC Travel Restrictions and Information

<https://www.cdc.gov/quarantine/travel-restrictions.html>

US Department of Labor Guidance re FLSA

<https://www.dol.gov/agencies/whd/flsa>

EEOC Guidance for Pandemics and the ADA

[https://www.eeoc.gov/facts/pandemic\\_flu.html](https://www.eeoc.gov/facts/pandemic_flu.html)

Federal OSHA Guidance

Cal/OSHA Guidance

<https://www.osha.gov/SLTC/covid-19/>



# Thank You



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