



QUESTCO

COVID-19 News & Updates

Our webinar will begin promptly at 2 PM CST

- Please keep video off and remain muted to preserve bandwidth and connectivity for all.
- Call quality is best using telephone audio rather than computer audio.
- To ask a question, you'll need to locate and use the Chat feature at the bottom right of the Zoom window.
- Please continue to reach out to your Client Success Manager (CSM) with additional questions.

Thank you for joining us!

COVID-19: Reopening Considerations

Speakers:

- *Jason Randall, CEO Questco*
- *Wendy Katz, CFO Questco*

Agenda:

- Reopening Plan
 - Employee Safety Concerns
 - Workplace Safety Considerations
 - Employer Liabilities / Responsibilities
- Paycheck Protection Program Update
- Q & A

CEO WELCOME

QUESTCO IS HERE TO SUPPORT OUR CLIENTS

Accelerated, amplified communication flow to ensure you are aware of
and compliant with all regulations....even those that are just hours old.

Guidance, information and enhanced reporting to help you keep your
doors open and your people paid.

May 29, 2020

What We Know / Don't Know about COVID-19

Finding clarity in a period of uncertainty...

- ➔ Worldwide pandemic; highly contagious with broad range of symptoms
- ➔ Asymptomatic spread possible
- ➔ Health impact varies widely and unpredictably
- ➔ No confirmed timeline for widely accessible vaccine
- ➔ Constantly evolving legal requirements regarding workplace safety that vary by location / state and by industry
- ➔ Risk to employers unprecedented and unclear

Developing a Roadmap to Reopening

Future guidance / legislation could impact this information.
Please continue to monitor updates from Questco.

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What Should Employers Care About

As businesses begin to reopen / ramp up operations during the pandemic, there are several key considerations critical to developing a comprehensive roadmap

- 1 **Genuine Concern for the Safety of Your Employees**
- 2 **Desire to Provide Quality Service and/or Products for Your Customers**
 - Minimize disruption in the delivery of those services and products
- 3 **Increased Responsibility and Risk Exposure for Employers**
 - OSHA oversight
 - Workers Compensation liability - shift in compensability presumption
 - EEOC / HIPPA considerations
 - COVID-19 related workplace litigation

Employer Responsibilities

Future guidance / legislation could impact this information.
Please continue to monitor updates from Questco.

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Steps to Take to Ensure Employee Safety

Understand how laws impact your business based on your industry and location

- Review applicable federal, state and local laws and orders

Consider implementing a screening process before employees/contractors enter the workplace

- Consistently monitor employees/contractors for symptoms
- Send employees/contractors home who display symptoms associated with COVID-19

Emphasize and enforce vigilant infection prevention measures as published by the CDC and WHO

- Ensure employees are properly trained on hygiene/cleaning
- Make hand sanitizer, disinfecting wipes, soap and water, or similar disinfectant readily available to employees, contractors and customers
- Post hygiene requirements at entrances, restrooms, and throughout the workplace
- Regularly and thoroughly clean and sanitize workplace...assign this responsibility
- **Provide appropriate personal protective equipment (PPE)**
 - Meet minimum industry standards as required by OSHA
 - Consider having employees wear masks / face coverings whenever social distancing is not possible
- **For environments with 10+ employees present at one time, assign an individual to ensure that the health protocols adopted are being successfully implemented and followed**

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Follow Applicable Laws and Guidance for Employee Absences

COVID-19 possible symptoms

Cough	Shortness of breath	Chills	Muscle Pain	Headache
Sore throat	Loss of taste		Diarrhea	Feverish / Temperature > 100°

Remind employees to stay home if they feel sick

- Contact and follow the advice of their medical provider

Employees / contractors with known close contact to a person who is lab-confirmed to have COVID-19

- Employees should seek COVID-19 testing at earliest opportunity and report COVID-19 test results to employer
- Employee must self-quarantine for 14 days from the last date of exposure (exception granted for healthcare workers and critical infrastructure workers)

Employees / contractors that develop signs/symptoms of COVID-19

- If employee / contractor was tested and diagnosed with COVID-19, cannot return to work until:
 - At least 3 days (72) hours have passed since recovery (elimination of symptoms / fever free without the use of fever-reducing medications)
 - At least 10 days have passed since symptoms first appeared
- If the employee / contractor has symptoms that could be COVID-19 and does not get evaluated by a medical professional or tested for COVID-19:
 - Must complete the same steps as above or if the individual wants to return to work before completing the self-isolation, must obtain a medical professional's note clearing the individual to return to work

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Ensuring Social Distancing within the Workplace Could Include:

- ➔ Allowing flexible worksites (such as teleworking)
- ➔ Allowing flexible work hours (such as staggered shifts)
- ➔ Increasing physical space between employees at the worksite (provide for 6-feet of distance where possible)
- ➔ Increasing physical space between employees and customers (such as drive-through and partitions)
- ➔ Implementing flexible meeting and travel options (i.e., postponing non-essential meetings or events)
- ➔ Downsizing operations to reduce number of employees working at one time
- ➔ Delivering services remotely (i.e., phone, video or web)
- ➔ Delivering products through curbside pick-up or delivery
- ➔ Closing common areas where personnel are likely to congregate or modifying set-up to minimize contact

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Restaurants

- Monitor occupancy limitations indoors (Ex: Texas capped at 50%, dependent on alcohol sales)
- Spatial limitations for ensuring 6-foot social distancing for parties at all times
- Implement single use menus, dinnerware and condiments
- Define clear process for who/when/how required sanitization of dining areas occurs

Home Services

- Train and require rigorous adherence to handwashing/hygiene protocols for employees working off site
- Consider use of disposable gloves and shoe protectors, changed for each customer
- Require employee or service to launder work uniforms or clothes after each use
- Communicate hygiene protocols to customers for your employee's safety: your expectations that they will maintain social distancing or wear a mask, and will cancel services should customer display symptoms

Manufacturing

- Adhere to any applicable occupancy requirements, if required and based on status as CISA essential
- Ensure social distancing and if not possible, require face covering, hand hygiene, cough etiquette
- Cleanliness, and sanitation should be rigorously practiced
- Stagger schedules to minimize close contact, both start/end times and breaks

Retail

- Adhere to any occupancy limitations, as required by location
- Consider dedicating period of open hours to high-risk population
- Consider operations through pickup, delivery by mail, doorstep delivery
- Monitor what items customers touch so it can be cleaned when the customer leaves
- Install plexiglass sneeze guards at cash registers wherever possible
- Arrange for contactless payment and receipt options
- Offer face coverings and gloves to customers
- Utilize signs, stanchions and / or floor decals to support social distancing

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For establishments that continue to stay open or that are reopening, OSHA continues to issue new guidance

OSHA is increasing the number of “in person” inspections in all types of workplaces related to COVID-19

OSHA expects employers to develop an Exposure Control Plan

- Extensiveness is based on level of risk in the work environment
- Should address at a minimum:
 - How you will facilitate social distancing in workplace
 - Controls in place when employees/customers cannot remain 6 feet apart
 - Steps you will take to ensure employees comply with social distancing
 - Steps you will take to ensure employees comply with hygiene practices

OSHA has revised enforcement policy for recording coronavirus cases

- All employers must conduct an individualized work-relatedness analysis of COVID-19 cases
 - Ask employee how he/she contracted the COVID-19 illness
 - Discuss with employee his/her work and out-of-work activities that might have led to the COVID-19 illness
 - Review the employee’s work environment for potential exposure (including other instances of workers contracting the virus)
- Effective May 26, 2020

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Shielding Yourself Against COVID-19 Claims

To guard against lawsuits based on allegations centered on COVID-19 employer actions, consider the following best practices:

- 1 **Follow OSHA and CDC Guidelines**
 - Establish policies that adhere to state and local health departments, OSHA and CDC guidelines
 - Train all employees to follow guidelines
 - Train management level employees on how to respond to safety concerns raised by employees
- 2 **Timing and Documentation are Important**
 - Consider the risk and benefits associated with personnel changes
 - Ensure appropriate paperwork documentation exists leading up to and through the date the action is taken to demonstrate personnel action is unrelated to any complaint of employer's failure to comply with OSHA / CDC guidelines
- 3 **Be Aware of New Litigation Landscape**
 - Consider the implications of reversal of employment decisions made in response to Coronavirus outbreak (i.e., recalling furloughed employees, changing pay practices)
 - Consult with employment counsel or Questco service representative

Helpful Links – Workplace Safety

Future guidance / legislation could impact this information.
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CDC COVID-19 Response Action Plan

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/php/CDC-Activities-Initiatives-for-COVID-19-Response.pdf>

CDC Guidance to Stop the Spread of Germs:

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/stop-the-spread-of-germs.pdf>

CDC Business and Workplace Guidance:

<https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/business-employers.html>

Who is High-Risk:

<https://www.cdc.gov/coronavirus/2019-ncov/ndedc-extra-precautions/people-at-higher-risk.html>

OSHA

<https://www.osha.gov/Publications/OSHA3990.pdf>

Texas Reopening Checklist:

<https://gov.Texas.gov/organization/opentexas>

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Increased Opportunities for Greater Loan Forgiveness on the Horizon

Bills to liberalize the Paycheck Protection Program terms are currently moving through Congress.

1 Senate

- Still under review
- Differences from House bill will need to be reconciled

2 House of Representatives passed H.R. 7010 on May 28 (PPP Flexibility Act of 2020)

- Allow forgiveness for expenses incurred over 24 weeks after loan is issued or through December 31
- Extends loan forgiveness period to December 31, 2020 (vs. June 30, 2020) for purposes of staff and wage retention
- Change current 75% / 25% requirement of payroll to non-payroll costs to 60% / 40%
- Eliminate restrictions that limit loan terms to 2 years
- Ensure full access to Social Security tax deferral for businesses that take PPP loans
- Extend rehiring deadline to offset effect of enhanced Unemployment Insurance
- Allows borrowers to defer principal and interest payments on PPP loans until the SBA compensates lenders for any forgiven amounts vs current 6 month period
- Establishes a minimum loan maturity period of 5 years following an application for loan forgiveness
- Senate could consider this bill as early as next week

Helpful Links – Economic Relief

Future guidance / legislation could impact this information.
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Paycheck Protection Program Loans:

<https://home.treasury.gov/system/files/136/Paycheck-Protection-Program-Frequently-Asked-Questions.pdf>

Paycheck Protection Program Loan Forgiveness Application (effective May 15, 2020)

<https://home.treasury.gov/system/files/136/3245-0407-SBA-Form-3508-PPP-Forgiveness-Application.pdf>

Paycheck Protection Program Forgiveness Rules IFR (effective May 22, 2020)

<https://home.treasury.gov/system/files/136/PPP-IFR-Loan-Forgiveness.pdf>

Employee Retention Program:

<https://www.irs.gov/newsroom/faqs-employee-retention-credit-under-the-cares-act>

Social Security Tax Deferral:

<https://home.treasury.gov/system/files/136/Paycheck-Protection-Program-Frequently-Asked-Questions.pdf>

Questions


***Please remain muted and use the Chat feature.**




CONTACT US

Thank you!

As always, please reach out to your Client Success Manager with any additional questions.

 **By Phone:** +1-800-256-7823

 **Our Resource Page:** <https://info.questco.net/covid-19-resource-page>

 **Location:** The Woodlands, TX 77380