

How to prepare the workplace for a coronavirus pandemic

It's too soon to tell if the coronavirus outbreak that started in China will become a worldwide pandemic, but public health officials are bracing for the worst. Prudence says employers should start planning now in case the virus starts spreading in the U.S.

It could sicken many of your employees. According to the federal Centers for Disease Control and Prevention, coronavirus infection resembles the flu, including mild to severe respiratory illness with fever. So far, the infection seems to be fatal only among older patients and those with weakened immune systems.

The first case was reported in China on Dec. 31. By Feb. 2, more than 17,000 cases had been confirmed there, killing 362. The virus soon jumped the Pacific Ocean. The first U.S. case was confirmed on Jan. 21.

Health officials so fear a widespread outbreak that travel bans and quarantines have been implemented for people who have recently visited the central China region where the virus first emerged.

It's usually difficult to plan for a crisis and respond to it thoughtfully while it's occurring. That's why planning now for a coronavirus outbreak is so important. You'll be able to act quickly should the need arise.

What your pandemic plan should include

- **A communicable disease policy.** Emphasize that staff with coronavirus symptoms must not come to work.
- **Employee education on how to prevent spreading infection.** Good hygiene is the key. Remind employees to cover their mouths when they cough and their noses when they sneeze. Tell them to immediately throw out used tissues, wash their hands frequently and avoid touching their eyes, noses and mouths.
- **Plans to reduce the potential for exposure.** Be prepared to implement remote or other work arrangements to reduce personal contact. Employers can cut the risk of workplace infection by providing air ventilation and purifying systems. Consider limiting work travel.

Finally, if employees become sick after visiting areas where coronavirus infections have been reported, tell them to stay at home. Have them contact their physicians and local public health officials right away.

Possible workplace problems

Employers will have to address several practical issues if coronavirus becomes widespread:

- **Attendance could nosedive.** Some employees may be unable to work because they are sick or sick family members need their assistance at home. Others may stay away from work because they fear infection.
- **The workplace might become contagious.** Ill employees may insist on coming to work even if they should stay home. Some employees may not seek health care for financial reasons or out of fear of

exposure at the doctor's office.

- **Employees may refuse to perform** some of their regular duties because they fear being exposed to the flu. Those who travel frequently or attend large meetings may balk.
- **Employees may need personal assistance.** It might involve finding care for a sick relative. They may need help obtaining food, water or cash during a potential quarantine.

5 steps to limit the impact of the coronavirus on your business operations

- 1. Plan for the coronavirus's impact** on staffing, including estimating employee absences and identifying positions essential to the business.
- 2. Cross-train employees** or develop ways to function in the absence of employees holding these positions.
- 3. Institute flexible work arrangements**, including the use of telecommuting, flexible work hours and staggered shifts. Plan to increase use of email and teleconferencing to minimize face-to-face contact. These measures can minimize employee and customer exposure to the virus, as well as prevent spreading it at work.
- 4. Review sick leave policies** with an eye toward an outbreak. Revise your policies to use in the event of an outbreak. Providing for liberal leave and nonpunitive repercussions will encourage sick employees to remain home during a coronavirus outbreak.
- 5. Communicate regularly** with employees about your coronavirus preparations. Arrange to have the company's website provide up-to-date information regarding the virus. Distribute materials explaining how to reduce the spread of the virus through good hygiene.

Key FLSA rules for paid leave, working from home and sick time

Your sick leave policy can allow employees to work from home, if they're up to it. This should be indicated on your sick leave request form. In any event, remember that the Fair Labor Standards Act sets the rules for paying (and not paying) employees.

For nonexempt employees:

1. Nonexempts who call in sick and who don't work from home may use their accrued time for the time they're out. If they don't have any accrued time, and they can't borrow time, you need not pay them.
2. Nonexempts who work from home must be paid for their working time. Ask them to keep track of their working time so they can be paid properly.
3. If nonexempts work overtime during a week they're out and use their accrued time, don't include the accrued time in their regular rates when calculating their overtime rates.

Reason: The payment is for idle time, which isn't included in the regular rate calculation.

For exempt employees:

4. Exempts who are out sick don't need to be paid their full salaries for the week, if your *bona fide* sick pay plan pays them for the lost salary.

Even better: Exempts need not be paid their full salaries for the week if they haven't yet qualified under your sick pay plan, they have already used up their benefits for the year or they haven't yet actually received any benefits. They may use other accrued time, if they have any.

5. Exempts who are working from home must be paid their full salaries for the week.

Flip side: Exempts don't need to be paid their full salaries for the week if they take full days off for personal reasons, such as caring for a sick child.

Key: Exempts who stay home and who aren't working can use accrued time; if they've run out of accrued time and can't borrow from the next allotment they can take an unpaid day off.

FMLA considerations

Employees out with a severe case of the flu can certainly qualify for FMLA leave. The FMLA allows employees to substitute paid leave for unpaid FMLA leave. But the Department of Labor issued an [opinion letter](#) to an inquiring employer in which it concluded that when an employer determines that leave is for an FMLA-qualifying reason, the leave is FMLA-protected and counts against the employee's leave entitlement.

Bottom line: Even if employees substitute paid leave for a portion of their FMLA leave, the paid leave still counts against their 12 weeks of protected FMLA leave.

Online resource Keep up with the latest coronavirus developments on the CDC's website:
www.cdc.gov/coronavirus/index.html.