Innovation in the Time of Illness: Tips to Address Employees’ Pay Fears Due to COVID-19 – Deb Best Practices

As you have, I’ve spent the better part of the last week (including this weekend) speaking to employer clients and colleagues about their business continuity plans to address how COVID-19 will impact both employees’ ability to complete their work as well as their pay. Especially in light of Governor Cuomo’s request on Sunday for employers to strongly consider voluntarily letting employees work from home if at all feasible, with the goal of reducing employee density and consequently potential COVID-19 exposure at work.

What’s clear is that the primary anxiety experienced by employees currently (aside from the fear of they or their family members contracting COVID-19 and obtaining food and other supplies to prepare for potential self-imposed or actual quarantines), is how they’ll be paid while managing COVID-19 – either in the ability to work from home while in quarantine, for example – or if they will have enough paid time off to cover potentially protracted absences from work due to COVID-19-related issues.

For that reason, I’d writing to you to recommend that you communicate your employment business continuity plan to your employees proactively at your earliest convenience, both voice-to-voice (in person or via a videoconference meeting like Zoom, etc.) and in writing.

Those employer clients who have already spoken to employees proactively continue to confirm that employees’ greatest current anxiety is how they can continue to be paid if they are forced to, for one or more of the multiple reasons above, remain in their respective homes due to COVID-19.

As the gift in our collective experiences and efforts to maintain business and employment continuity, I wanted to share a few of these client innovations and best practices with you:

- In thinking through how work can get done from home when only a few employees have laptops, an employer client thinking out of the box plans to let employees take home their desktop computers. Thanks to the nature of business’s work, the entire workforce will be able to work from home.
- Other clients who have never considered remote work to conduct business are discovering for the first time that they and their employees are continuing to keep their respective businesses up and running through remote work at home, rather than exhausting their PTO accruals.
• Employer clients have also budgeted as part of their business continuity plans not only work from home (WFH) contingency plans, but also additional paid time off for absences due to COVID-19 if employees are unable to work due to the illness, from anywhere to 2 additional weeks of PTO reserved for COVID-19 absences, to up to 2 months of COVID-19 PTO.

2 additional weeks of PTO appears to be the average budget for COVID-19 leave among my clients at this writing – this includes smaller nonprofits.

Congress, the Senate and the President are considering legislation to fund 14 days of COVID-19 paid leave for illness and childcare – the Senate will consider the legislation early this week.

- Tom Nardacci, owner of Aurelius Coworks and Gramercy (Tom has been a client, and I’m a member of the Troy Innovation Garage, in the spirit of full disclosure) posted his COVID-19 PTO policy on LinkedIn this past week, and how he communicated it to his employees:

  Yesterday I informed my employees at my companies @GramercyComm and @AureliusCoworks (@TroyInnovation and @bullmooseALBANY) that should they fall ill, need to self-quarantine, care for children home from school, or sick family member, that they will be entitled to two months paid leave.

  At a moment like this, employees shouldn’t feel extra stress about the what ifs. We are taking all the precautions and preparing as best we can as a workplace prior to widespread outbreak in the region. We have had meaningful conversations as a team about various scenarios. It’s definitely time to talk about potential impact on normal life.

  Follow guidelines of the international, national and regional public health agencies. Don’t wait to have discussions internally or add particular expertise to the dialogue.

  Care for employees and helping them to work through worst-case scenarios is one thing business leaders can work on.

If remote work or paid time off is not available, exhausted, not in the budget or just not feasible (particularly in the hospitality and retail industries, among others), following the example of news reporters to sit at least 6 feet apart with minimal staff is the minimum action to take in social distancing. Otherwise, the following resources are available to support you and your employees:
- NYS Paid Family Leave is available for employees who must care for family members impacted by COVID-19. *(This benefit only covers family members, not the employee).*

<table>
<thead>
<tr>
<th>Worker’s Average Weekly Wage</th>
<th>Weekly PFL Benefit (2020)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>$600</td>
<td>$360</td>
</tr>
<tr>
<td>$1,000</td>
<td>$600</td>
</tr>
<tr>
<td>$2,000</td>
<td>$840.70</td>
</tr>
</tbody>
</table>

*The weekly PFL benefit is capped at 60% of the New York State average weekly wage, which is **$840.70**. Employees may supplement PFL with their PTO accruals, however the total cannot exceed what the employee would have received in PTO only.*

- If employees are exposed to COVID-19 at work, they may be eligible for Workers’ Compensation – if this occurs, please work with your Workers’ Comp insurance carrier.

- If an employee becomes ill with COVID-19 outside of work, the maximum NYS Short-Term Disability benefit is $170 a week after a 7-day waiting period (this waiting period has not yet been waived – and as a reminder, **employees cannot collect NYS PFL benefits and disability benefits at the same time; nor can employees collect unemployment benefits concurrently**) (at this writing):
  - [http://www.wcb.ny.gov/content/main/offthejob/db-overview.jsp](http://www.wcb.ny.gov/content/main/offthejob/db-overview.jsp)
  - If you also offer supplementary short-term disability benefits to your employees, even better.

- If you’re not able to pay employees their full salary due to COVID-19, the NYS Department of Labor’s Shared Work Program is an option:
  - [https://www.labor.ny.gov/ui/employerinfo/shared-work-program.shtm](https://www.labor.ny.gov/ui/employerinfo/shared-work-program.shtm)
  - The NYS Department of Labor has eliminated the 7-day waiting period to receive unemployment insurance benefits for employees who experience lack of work and/or layoff due to COVID-19. As of October 2019, the maximum weekly benefit is $504.00 (prorated based on
earnings – the benefit is 50% of the employee’s weekly pay). [https://applications.labor.ny.gov/IndividualReg/]

As I often mention, quick questions are always on the house – and now is no exception. Please feel free to reach out if you need assistance navigating these unchartered workplace waters.

Take care,

Deb.

_Debra J. M. Best, SPHR, SHRM-SCP_

**Deb Best Practices**

**HR 911**

- Human Resources, Operations and Organization Effectiveness
- Corporate / Internal Recruitment: Recruiting Your Talent for Retention
- NYS Harassment Prevention Training • Third-Party Investigations
- Change Management • Workplace Conflict Resolution & Mediation
- Team / Leadership Coaching
- Strategic Planning Facilitation

(518) 527-9261 (Confidential Text & Voice) • Deb@DebBest.com or deb.mbest@gmail.com

https://debbest.com/

http://www.linkedin.com/in/debrabest

Pronouns: She / Her / Hers

_NYS WBE Certification #56566_