

Client Alert

Employer Responses to COVID-19 in Real Time

March 13, 2020

Each day brings new developments regarding the coronavirus pandemic. Over half of the states in the U.S., as well as many cities of all sizes, have declared states of emergency. Schools have been closed state-wide in Maryland, Ohio and Michigan. A containment area has been established in New Rochelle, New York. Further governmental actions may well be forthcoming. To say the least, employers are faced with crucial challenges on multiple fronts. In view of these extraordinary developments, we recommend that one top priority, for companies that have not done so already, is to develop and maintain strong and effective communications with employees regarding the impact of these issues. A notice to employees, adapted to address the specific facts and circumstances of your workplace, will go a long way to maximize efficient operation, minimize potential liability and address the concerns of your employees. For example, such a communication can address, among other subjects, the following:

- Risk/impact of virus based on current information
- Precautions and hygiene suggestions
- Policies affecting those exposed to infection or risk of disease
- Visitor, internal meeting and conference policies
- Telework/remote work options
- Travel restrictions/guidelines
- PTO/leave availability and company guidelines
- Assurance against retaliation
- Confidentiality regarding reporting exposure and infection
- Non-discrimination and anti-harassment policies

Employers should consider separate communications at different sites dependent on level of risk of exposure and/or location of employees. Employers should further consider developing emergency communication protocols and implementing hotlines, dedicated webpages, email addresses and/or text messaging systems. Other useful measures for employers to implement include compiling a short list of helpful resources and contacts for distribution among employees and ensuring that employee contact information and emergency contacts are up to date.

If you require any advice regarding such a communication, or any other aspect of your company's response to the COVID-19 crisis, do not hesitate to contact us.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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