



Water Environment Federation®

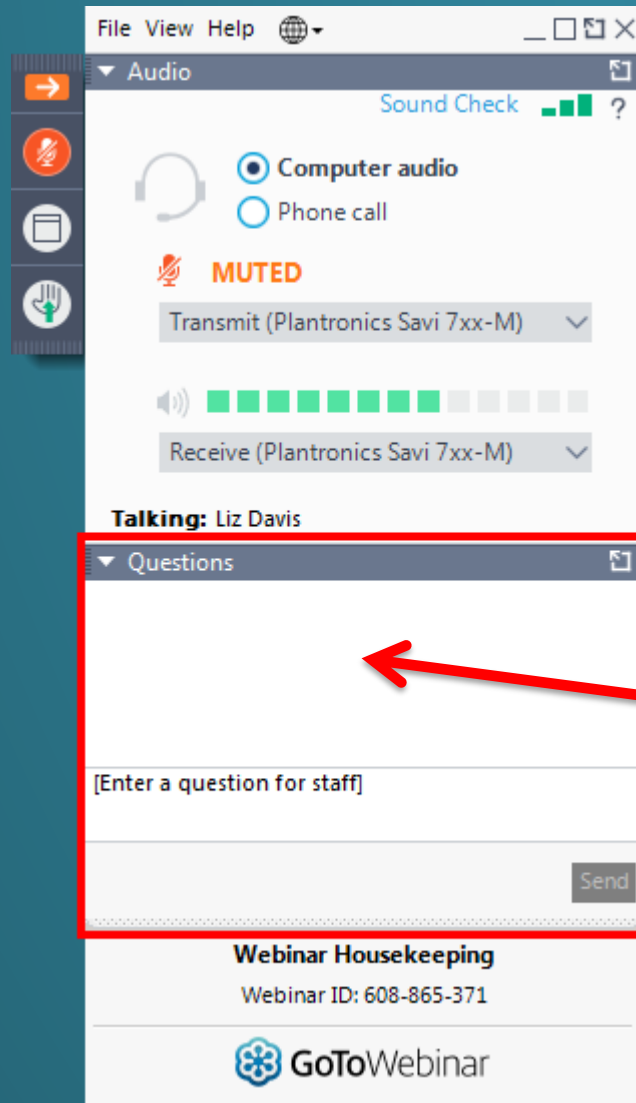
the water quality people®

Pandemic Continuity of Operations (COOP) Essential Personnel

Thursday, March 19, 2020

2:00 – 3:00 PM ET

How to Participate Today



- **Audio Modes**
 - Listen using Mic & Speakers
 - Or, select “Use Telephone” and dial the conference (please remember long distance phone charges apply).
- **Submit your questions using the Questions pane.**
- **A recording will be available for replay shortly after this webcast.**

Today's Moderator



Sue Schneider
Chief Executive Officer

Spartanburg Water

Today's Speakers

- **John Bennett & Taylor Huynh**, *Trinity River Authority, TX*
- **Joseph Lockler**, *Charlotte Water, NC*
- **Dusti Lowndes**, *DC Water*
- **Cathy Davis**, *US Environmental Protection Agency*
- **Teresa L. Jakubowski**, *Barnes & Thornburg LLP*
- **Steve Frank**, *SDF Communications, Inc.*



John Bennett
*Deputy Executive Manager,
Northern Region*



Taylor Huynh
*Executive Manager,
Administrative Services*

Trinity Water Authority



John Lockler
Interim Operations Chief

Charlotte Water



Dusti Lowndes

*Director,
Emergency Management*

DC Water

Cathy Davis

*Acting Manager, Protection Branch,
Office of Ground Water and Drinking Water*

US Environmental Protection Agency



Teresa Jakubowski
Partner

Barnes & Thornburg LLP



COVID-19 and Employment Considerations

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Legal Compliance Issues

- ADA issues – Medical Inquiries, Medical Exams, Confidentiality Concerns
- FMLA leave issues
- FLSA issues
- Nondiscrimination/Nonretaliation statutes
- OSHA considerations (state and local employees in states with OSHA-approved state plans)

Preparation and Other Key Issues

- Employee Communication/Education
- International travel issues
- Leave policies
- Attendance policies
- Working remotely
- Social distancing
- Customer/visitor policies at the facility
- Implementing CDC recommendations in the workplace

Communication/Education

Sample message

As a precautionary measure, we are recommending that our employees reduce the risk of exposure to the virus, as well as the seasonal flu virus, through increased hand and respiratory hygiene and by staying home if sick or with a fever. The CDC recommends the following routine preventative actions:

- Please stay at home if you are sick with a respiratory illness (coughing, sneezing, sore throat, shortness of breath or fever of 100.4 degrees or greater). Do not return to work until you have been fever free for at least 24 hours without the use of fever-reducing medication.
- Wash your hands often with soap and water for at least 20 seconds. This is especially important while at work.
- If soap and water are not readily available, use an alcohol-based hand sanitizer with at least 60% alcohol.
- Avoid close contact with people who are sick.
- Avoid touching your eyes, nose, and mouth.
- Cover your cough or sneeze with a flexed elbow or a tissue, then throw the tissue in the trash and wash hands.
- Clean and disinfect frequently touched objects and surfaces using a regular household cleaning spray or wipe.
- If you have fever, cough and difficulty breathing seek medical care early and share previous travel and exposure history with your health care provider.

Social Distancing

- Purpose: delay the spread of COVID-19 so that local health care resources are not overwhelmed- “flattening out the curve”
- Examples:
 - Staggering work shifts
 - Remote work options
 - Limit group meetings- use video or teleconference if feasible (distancing for such meetings)
 - Distancing at work as feasible
 - Postpone any nonessential travel or meetings

Inquiries and Examinations

- Can ask why employee not at work
- Can ask about recent travel
- In light of public health advisories regarding pandemic, employers can:
 - ask if employee experiencing symptoms (e.g., fever, chills, cough, shortness of breath, and sore throat)
 - Measure employees' temperature (although not all those with COVID-19 may have a temperature)
- Cannot ask non-symptomatic employees if they have medical conditions that the CDC indicates could make them vulnerable to complications
- All medical information must be kept confidential

Leave

- Employees may be entitled to leave as a reasonable accommodation under the ADA for their own illness
- Employees may be entitled to leave under the FMLA for either their own serious health condition or to care for a family member with a serious health condition
- Employer can require that employees with symptoms of COVID-19 stay at home
- Employer can require a doctor's note of fitness to return to work (but must be cognizant of potential delays in obtaining one)

If an employee tests positive for COVID-19 ...

- You may not disclose the identity of that employee to other employees
- You may inform your other employees that there has been a reported case in the work place
- You should inform your employees of the steps being taken as a result
- You should retrain/remind employees of steps to take to reduce likelihood of transmission in the workplace

Resource List

- www.cdc.gov (updates and links to Interim Guidance for Businesses and Employers)
- www.who.int (World Health Organization)
- www.osha.gov (links to Guidance on Preparing Workplaces for COVID-19)
- www.cdc.gov/niosh (National Institute for Occupational Safety and Health)
- https://www.eeoc.gov/facts/pandemic_flu.html (EEOC Pandemic Preparedness in the Workplace and the ADA)
- https://www.eeoc.gov/eeoc/newsroom/wysk/wysk_ada_rehabilitaion_act_coronavirus.cfm (EEOC “What You Should Know About the ADA, the Rehabilitation Act, and COVID-19”)
- Most state health organizations have active websites with additional resources.



Steve Frank

Executive Vice President

SDF Communications, Inc.

Thank you!