

THE CORONAVIRUS COVID-19 IRONROAD RESOURCE GUIDE



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Following are tips and resources to assist IronRoad clients while navigating the challenges with Coronavirus – COVID-19. If you have any questions, please contact us at hr@ironroad.us or 513.605.3522 Monday – Friday, 8:00 a.m. – 5:00 p.m.

IF YOU ARE GOING TO LAYOFF OR FURLOUGH EMPLOYEES, PLEASE BE SURE TO NOTIFY US AT TERMINATION@IRONROAD.US. PROVIDE THE NAME(S) OF EMPLOYEES IMPACTED AND THE LAST DAY THEY ACTUALLY WORKED. THIS WILL ENSURE EXPEDIENT REVIEW AND APPROVAL OF UNEMPLOYMENT CLAIMS THAT WE HANDLE AND RESPOND TO ON YOUR BEHALF.

Centers for Disease Control and Other Prevention Organizations:

The Centers for Disease Control and Prevention (CDC) is a go-to resource for information related to prevention and illness. <https://www.cdc.gov/> *Please see attached posters on how to protect yourself and prevent illness.*

World Health Organization: <https://www.who.int/>

Ohio Department of Health also provides resources more specific to the health care industry: <https://odh.ohio.gov/wps/portal/gov/odh/home>

Compensating Employees:

U. S. Department of Labor Wage and hours resource for COVID-19: <https://www.dol.gov/agencies/whd/pandemic>

Exempt level employees: if an exempt employee works at least one day, they are entitled to their regular salary. An employer may not make deductions for “absences occasioned by the employer or by the operating requirements of the business.” If the employer closes operations due to a disaster for less than a full workweek, then the employer must pay an exempt employee “the full salary for any week in which the employee performs any work without regard to the number of days or hours worked,” because “deductions may not be made for time when work is not available.”

In the case of layoff, the exempt employee becomes inactive and therefore ineligible for compensation by the employer, unless covered under the SharedWork program.

Avoid lay-offs and furloughs with SharedWork Ohio:

What is SharedWork Ohio? SharedWork Ohio is a voluntary layoff aversion program. It allows workers to remain employed and employers to retain trained staff during times of reduced business activity. Under a SharedWork Ohio plan, the participating employer reduces affected employees’ hours in a uniform manner. The participating employee works the reduced

hours each week, and the Ohio Department of Job and Family Services (ODJFS) provides eligible individuals an unemployment benefit proportionate to their reduced hours.

Who may apply for SharedWork Ohio? Ohio employers may apply if they meet the following criteria:

- Have at least two affected employees who do not work on a seasonal, temporary or intermittent basis
- Are current on all Ohio unemployment insurance reporting and taxes
- Agree to the program requirements.
- For more information about employer requirements, please see [SharedWork Ohio Guide for Participating Employers and Employees](#)

After ODJFS notifies an employer that it approves the submitted SharedWork Ohio plan, the affected employees may apply for SharedWork Ohio benefits.

How may a participating employer reduce employees' hours under a plan? Interested employers provide ODJFS with a list of participating employees and specify their normal weekly hours of work, not to exceed 40 hours and not including overtime. Part-time employees may be eligible, but all employees in an affected unit must have their hours reduced by the same reduction percentage. Reduction percentages must be at least 10 percent but no more than 50 percent of the normal weekly hours of work.

How long do participating employees receive SharedWork Ohio benefits? It varies. However, SharedWork Ohio plans typically remain in effect for 52 weeks unless the plan is terminated, or the participating employee is no longer eligible.

Can a SharedWork Ohio plan be terminated? Yes. An employer may terminate a plan by providing written notice to ODJFS. ODJFS also may terminate a SharedWork Ohio plan for good cause. ODJFS will send written notice to all participating employees whenever a plan is terminated.

Can a participating employee work for another employer during the time his or her hours are reduced? Yes. However, that could affect the amount of SharedWork Ohio benefits a participating employee may receive.

Unemployment – Federal:

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The federal government is allowing new options for states to amend their laws to provide unemployment insurance benefits related to COVID-19. For example, federal law allows states to pay benefits where:

- An employer temporarily ceases operations due to COVID-19, preventing employees from coming to work;
- An individual is quarantined with the expectation of returning to work after the quarantine is over; and
- An individual leaves employment due to a risk of exposure or infection or to care for a family member.

In addition, federal law does not require an employee to quit in order to receive benefits due to the impact of COVID-19.

For more information, please visit [CareerOneStop](#) and select the appropriate state using the drop down box on the website.

Unemployment – Ohio Department of Jobs and Family Services:

IF YOU ARE GOING TO LAYOFF OR FURLOUGH EMPLOYEES, PLEASE BE SURE TO NOTIFY US AT TERMINATION@IRONROAD.US. PROVIDE THE NAME(S) OF EMPLOYEES IMPACTED AND THE LAST DAY THEY ACTUALLY WORKED. THIS WILL ENSURE EXPEDIENT REVIEW AND APPROVAL OF UNEMPLOYMENT CLAIMS THAT WE HANDLE AND RESPOND TO ON YOUR BEHALF.

Frequently asked questions and instructions on how to file a claim for unemployment for employees impacted (the claims process also takes into account the normal eligibility process and financial support is not guaranteed) by the loss of work due to the financial impact of Coronavirus – (COVID-19) <http://jfs.ohio.gov/ouio/CoronavirusAndUI.stm>

Updated March 18, 2018

All Ohio employers planning a mass layoff or shutdown due to the coronavirus (COVID-19) pandemic should provide the following mass-layoff number – 2000180 – and the second link below to an instructional sheet to their employees to speed the processing of unemployment benefits.

COVID-19-affected claimants with otherwise valid applications for unemployment will be awarded benefits. While claimants must still meet the weekly requirements that they be able and available for work, the requirement that they actively search for work while receiving benefits has been waived.

COVID-19-affected contributory employers will receive regular monthly charge statements, but these charges will be charged to the mutual account and not the employer's account. Reimbursing employers will follow existing charging requirements under Ohio Revised Code Chapter 4141.

Updated March 25, 2020

How do I apply for unemployment insurance? File online at <https://unemployment.ohio.gov/>

Will workers qualify for unemployment benefits if the coronavirus (COVID-19) causes an employer to shut down operations? An executive order issued by Governor DeWine expands flexibility for Ohioans to receive unemployment benefits during Ohio's emergency declaration period. Unemployment benefits will be available for eligible individuals who are requested by a medical professional, local health authority, or employer to be isolated or quarantined because of COVID-19, even if they are not actually diagnosed with COVID-19. In addition, the waiting period for eligible Ohioans to receive unemployment benefits will be waived.

If an employer lays off employees due to the loss of production caused by the coronavirus, will the employees be eligible for unemployment insurance benefits? Yes, if the employees are otherwise eligible. An executive order issued by Governor DeWine expands flexibility for Ohioans to receive unemployment benefits during Ohio's emergency declaration period.

If an employee receives unemployment benefits as a result of a coronavirus-related business shutdown, will the employer's unemployment tax increase? For contributory employers, charges during Ohio's emergency declaration period will be mutualized.

If an employee receives unemployment benefits as a result of a coronavirus-related business shutdown, can the benefits be charged to the mutual account? Yes, an executive order issued by Governor DeWine allows unemployment benefit charges to be mutualized for contributory employers. In addition, the Ohio Department of Job and Family Services will waive penalties for late reporting and payments during Ohio's emergency declaration period.

If an asymptomatic employee imposes a self-quarantine because of the coronavirus, will they be eligible for unemployment benefits? In most cases, no. Unemployment benefits are available to individuals who are totally or partially unemployed due to no fault of their own. In this example, the individual-not the employer-is choosing not to work and, therefore, would be ineligible. However, the facts of each circumstance are important. If the employer allowed this individual to telework, they would not qualify for benefits because they would not be unemployed. If the employer required the individual to stay home but did not offer telework, the individual might be eligible for benefits if they met the monetary and weekly eligibility criteria.

If an employee is in mandatory quarantine because of suspicion of having the coronavirus, will they be eligible for unemployment benefits? Yes, an executive order issued by Governor DeWine states that employees who are quarantined are unemployed.

If the coronavirus creates a situation that causes an employer to submit quarterly reports and/or payments late, will the filing deadline be extended? Yes, an executive order issued by Governor DeWine waives penalties for late reporting and payments during Ohio's emergency declaration period.

What is unemployment insurance impact on tipped workers? That depends how the employer reported the employee's wages. If the employer reported tips as part of the employees' wage, it would be reflected on their tax reporting and therefore the UI benefit would be based on wage with tips. If the employer did not include tips in the wage, the employee will need to file an affidavit with their tipped wages for ODJFS to review.

Are self-employed individuals who have experienced a downturn in their businesses due to COVID-19 eligible for unemployment benefits? It depends. Self-employed individuals who have been solely self-employed for the last year or more may not meet the monetary requirements to establish a claim because the wages they earned from self-employment are not considered "covered" under unemployment law.

Is an employee required to have been working for the past 20 weeks to apply? No. Individuals must have at least 20 weeks of employment and an average weekly wage of \$269 during the base period of the claim. The base period is the first four of the last five completed calendar quarters at the time the claim is filed. (Claims filed in March would be calculated on the four quarters beginning October 1, 2018, through September 30, 2019. For a detailed explanation of the base period, see pages 14-16 of the Worker's Guide to Unemployment Insurance.

How should tipped workers calculate their weekly wages? Tips should be included in reported earnings. Employers report quarterly earnings, which include the tips that employees report for each pay period. Those reports are used to determine the claimant's average weekly wage.

Will child-care workers be compensated if those close? Individuals who are laid off because of a COVID-19-related businesses closure may be eligible for benefits. Some child-care facilities may be affiliated with churches or other organizations that are not required by law to pay unemployment insurance taxes. In those cases, the individual may not be in "covered employment" and may not be able to establish a valid claim.

If you are working carryout/fewer hours, can you apply? Answer: Individuals who are partially unemployed due to lack of work may be eligible for benefits. Any earnings from employment during the week claimed may reduce the amount of benefits paid. Earnings equal to or less than 20% of the claimant's weekly benefit amount will not reduce the amount of benefits paid. Earnings over 20% of the weekly benefit amount will reduce the benefit payment dollar for dollar. Earnings equal to or over the benefit amount will result in no benefits for that week.

How long can a person receive benefits? Currently, claimants may receive up to 26 weeks of benefits a year.

Can you receive unemployment benefits if you are taking care of a sick relative or loved one?

Currently, no. If asymptomatic individuals remove themselves from employment – as opposed to an employer or medical professional removing them from employment – they are not be eligible for benefits.

Is it possible to apply for unemployment benefits in person? Ohio does not currently have walk-in unemployment offices. Applications can be filed online at unemployment.ohio.gov or by phone at (877) OHIO-JOB (1-877-644-6562) or TTY at (888) 642-8203, Monday through Friday 7 a.m. - 7 p.m., and Saturdays 9 a.m. - 1 p.m.

How much can I expect to receive in benefits? The minimum weekly benefit amount an individual can qualify for in 2020 is \$134, based on an average weekly base-period wage of \$269. The maximum benefit in 2020 is \$480, although that could be higher if someone has dependents.

If any claimants were approaching the maximum 26 weeks of benefits when this crisis hit, are they eligible for an extension? Currently, we have no extension of benefits in place.

If you have two jobs and you've lost one of them, are you eligible for unemployment? Unemployment compensation is designed to be a partial replacement of earnings rather than a total compensation for lost wages. An individual may be considered partially unemployed due to the loss of one job, but eligibility for payments will be dependent on earnings for each week of benefits claimed. If earnings for the week are 20% or less of the claimant's weekly benefit amount, then the full weekly amount may be payable. Earnings over 20% of the weekly benefit amount will reduce the payment dollar for dollar. If the weekly earnings are equal to or greater than the weekly benefit amount, then no benefit will be payable.

For more information, please see the press release at the following link:

Press Release: <http://jfs.ohio.gov/RELEASES/pdf/031620-ODJFS-Provides-COVID-Number.stm>

ODJFS Instructions for employees: <https://www.odjfs.state.oh.us/forms/num/JFS00671>

Family First Paid Sick Leave Acts:

Updated March 19, 2020

TAX CREDITS FOR PAID SICK LEAVE AND PAID FMLA

A tax credit is created for each calendar quarter for an amount equal to 100 percent of the qualified sick leave wages and qualified family leave wages paid by an employer during the calendar quarter, including some costs associated with providing and maintaining a group health plan during such paid leaves.

Updated March 25, 2020

Emergency Family and medical Leave Expansion Act (EFMLEA)

On the evening of March 18, 2020, President Trump signed into law the Families First Coronavirus Response Act. This law requires all public employers and private employers with less than 500 employees to provide emergency paid sick leave and extended paid caregiver leave to employees who are absent from work for reasons related to the coronavirus. **The law will expire on December 31, 2020.**

The only circumstance under which an employee is entitled to paid FMLA leave is if the employee is unable to work (or telework) due to the need for leave to care for a son or daughter under 18 years of age because of a school closure, a day care closure, or because a child care provider is unavailable due to a reason related to COVID-19. Thus, an employee quarantined for more than two weeks, for example, is not entitled to additional paid leave under this law.

- An employee must have also worked at least 30 days with the employer in order to be entitled to FMLA caregiver paid leave.
- The FMLA caregiver paid leave is designed to be coordinated with emergency paid sick leave.
- The employee has the option to take the first ten days as unpaid leave (so that the employee can use emergency paid leave for that time).
- After the first ten days, an employee is entitled to FMLA caregiver paid leave at two-thirds of the employee's regular rate of pay for up to 10 additional weeks of leave.

This benefit is also subject to a cap. The benefit cannot exceed \$200 per day or \$10,000 in the aggregate.

Be advised that employers with employees working in Arizona, California, Connecticut, District of Columbia, Maine, Maryland, Massachusetts, Michigan, Nevada, New Jersey, Oregon, Rhode Island, Vermont, Washington observe paid sick leave policies. This policy is in addition, not in replacement of these already existing state policies. Keep in mind that some cities and counties have different policies and requirements. For more information visit: [PAID SICK DAYS AND STATUTES](#)

Emergency Paid Sick Leave Act (EPSLA)

All current employees, including part-time employees, are eligible for emergency paid sick leave, up to the limits of capped daily or aggregate, allowed by this law. An employee is entitled to this leave **if the employee is unable to work (or telework)** for any of the following reasons:

1. The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19.

2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to a quarantine order or has been advised by a health care provider to self-quarantine.
5. The employee is caring for a son or daughter whose school or daycare has been closed or if the son or daughter's childcare provider is unavailable due to COVID-19.
6. The employee is experiencing any other substantially similar condition as specified by the Secretary of Health and Human Services in consultation with Secretary of the Treasury and Secretary of the Department of Labor.

Paid Leave for the Employee's Quarantine/Symptoms (Reasons 1 through 3 above)

- Full-time employees are entitled to **up to 80 hours of paid leave** at their regular rate of pay for leave taken for reasons 1 through 3 above.
- Part-time employees are entitled to **paid leave equal to the hours that they would ordinarily work in a two-week period** (for example, if a part-time employee works 20 hours a week, the employee would be entitled to a total of 40 hours of paid leave).

The paid leave entitlement is capped at \$511 per day and \$5110 in the aggregate for leave taken for reasons 1 through 3 above.

Paid Leave for Caregiver Leave/Substantially Similar Condition (Reasons 4 through 6 above).

- Employees are entitled to two-thirds of their regular rate of pay for leave taken to provide care for others or leave for any other substantially similar condition (reasons 4 through 6 above).

This paid leave entitlement is capped at \$200 per day and \$2,000 in the aggregate.

Be advised that employers with employees working in Arizona, California, Connecticut, District of Columbia, Maine, Maryland, Massachusetts, Michigan, Nevada, New Jersey, Oregon, Rhode Island, Vermont, Washington observe paid sick leave policies. This policy is in addition, not in replacement of these already existing state policies. Keep in mind that some cities and counties have different policies and requirements. For more information visit: [PAID SICK DAYS AND STATUTES](#)

Families First Coronavirus Response Act: Questions & Answers

As provided under the legislation, the U.S. Department of Labor will be issuing implementing regulations. Additionally, as warranted, the Department will continue to provide compliance assistance to employers and employees on their responsibilities and rights under the FFCRA.

DEFINITIONS

“Paid sick leave” – means paid leave under the Emergency Paid Sick Leave Act.

“Expanded family and medical leave” – means paid leave under the Emergency Family and Medical Leave Expansion Act.

QUESTIONS & ANSWERS

1. **What is the effective date of the Families First Coronavirus Response Act (FFCRA), which includes the Emergency Paid Sick Leave Act and the Emergency Family and Medical Leave Expansion Act?**

The FFCRA’s paid leave provisions are effective on April 1, 2020, and apply to leave taken between April 1, 2020, and December 31, 2020.

2. **As an employer, how do I know if my business is under the 500-employee threshold and therefore must provide paid sick leave or expanded family and medical leave?**

You have fewer than 500 employees if, at the time your employee’s leave is to be taken, you employ fewer than 500 full-time and part-time employees within the United States, which includes any State of the United States, the District of Columbia, or any Territory or possession of the United States. In making this determination, you should include employees on leave; temporary employees who are jointly employed by you and another employer (regardless of whether the jointly-employed employees are maintained on only your or another employer’s payroll); and day laborers supplied by a temporary agency (regardless of whether you are the temporary agency or the client firm if there is a continuing employment relationship). Workers who are independent contractors under the Fair Labor Standards Act (FLSA), rather than employees, are not considered employees for purposes of the 500-employee threshold.

Typically, a corporation (including its separate establishments or divisions) is considered to be a single employer and its employees must each be counted towards the 500-employee threshold. Where a corporation has an ownership interest in another corporation, the two corporations are separate employers unless they are joint employers under the FLSA with respect to certain employees. If two entities are found to be joint employers, all of their common employees must be counted in determining whether paid sick leave must be provided under the Emergency Paid Sick Leave Act and expanded family and medical leave must be provided under the Emergency Family and Medical Leave Expansion Act.

In general, two or more entities are separate employers unless they meet the integrated employer test under the Family and Medical Leave Act of 1993 (FMLA). If two entities are an integrated employer under the FMLA, then employees of all entities making up the

integrated employer will be counted in determining employer coverage for purposes of expanded family and medical leave under the Emergency Family and Medical Leave Expansion Act.

3. If I am a private sector employer and have 500 or more employees, do the Acts apply to me?

No. Private sector employers are only required to comply with the Acts if they have fewer than 500 employees.[1]

4. If providing child-care-related paid sick leave and expanded family and medical leave at my business with fewer than 50 employees would jeopardize the viability of my business as a going concern, how do I take advantage of the small business exemption?

To elect this small business exemption, you should document why your business with fewer than 50 employees meets the criteria set forth by the Department, which will be addressed in more detail in forthcoming regulations.

You should not send any materials to the Department of Labor when seeking a small business exemption for paid sick leave and expanded family and medical leave.

How do I count hours worked by a part-time employee for purposes of paid sick leave or expanded family and medical leave? A part-time employee is entitled to leave for his or her average number of work hours in a two-week period. Therefore, you calculate hours of leave based on the number of hours the employee is normally scheduled to work. If the normal hours scheduled are unknown, or if the part-time employee's schedule varies, you may use a six-month average to calculate the average daily hours. Such a part-time employee may take paid sick leave for this number of hours per day for up to a two-week period and may take expanded family and medical leave for the same number of hours per day up to ten weeks after that.

If this calculation cannot be made because the employee has not been employed for at least six months, use the number of hours that you and your employee agreed that the employee would work upon hiring. And if there is no such agreement, you may calculate the appropriate number of hours of leave based on the average hours per day the employee was scheduled to work over the entire term of his or her employment.

5. When calculating pay due to employees, must overtime hours be included?

Yes. The Emergency Family and Medical Leave Expansion Act requires you to pay an employee for hours the employee would have been normally scheduled to work even if that is more than 40 hours in a week.

However, the Emergency Paid Sick Leave Act requires that paid sick leave be paid only up to 80 hours over a two-week period. For example, an employee who is scheduled to work 50 hours a week may take 50 hours of paid sick leave in the first week and 30 hours of paid

sick leave in the second week. In any event, the total number of hours paid under the Emergency Paid Sick Leave Act is capped at 80.

If the employee's schedule varies from week to week, please see the answer to Question 5, because the calculation of hours for a full-time employee with a varying schedule is the same as that for a part-time employee.

Please keep in mind the daily and aggregate caps placed on any pay for paid sick leave and expanded family and medical leave as described in the answer to Question 7.

Please note that pay does not need to include a premium for overtime hours under either the Emergency Paid Sick Leave Act or the Emergency Family and Medical Leave Expansion Act.

6. As an employee, how much will I be paid while taking paid sick leave or expanded family and medical leave under the FFCRA?

It depends on your normal schedule as well as why you are taking leave.

If you are taking paid sick leave because you are unable to work or telework due to a need for leave because you (1) are subject to a Federal, State, or local quarantine or isolation order related to COVID-19; (2) have been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or (3) are experiencing symptoms of COVID-19 and are seeking medical diagnosis, you will receive for each applicable hour the greater of:

- your regular rate of pay,
- the federal minimum wage in effect under the FLSA, or
- the applicable State or local minimum wage.

In these circumstances, you are entitled to a maximum of \$511 per day, or \$5,110 total over the entire paid sick leave period.

If you are taking paid sick leave because you are: (1) caring for an individual who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or an individual who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; (2) caring for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons; or (3) experiencing any other substantially-similar condition that may arise, as specified by the Secretary of Health and Human Services, you are entitled to compensation at 2/3 of the greater of the amounts above.

Under these circumstances, you are subject to a maximum of \$200 per day, or \$2,000 over the entire two-week period.

If you are taking expanded family and medical leave, you may take paid sick leave for the first ten days of that leave period, or you may substitute any accrued vacation leave,

personal leave, or medical or sick leave you have under your employer's policy. For the following ten weeks, you will be paid for your leave at an amount no less than 2/3 of your regular rate of pay for the hours you would be normally scheduled to work. The regular rate of pay used to calculate this amount must be at or above the federal minimum wage, or the applicable state or local minimum wage. However, you will not receive more than \$200 per day or \$12,000 for the twelve weeks that include both paid sick leave and expanded family and medical leave when you are on leave to care for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons.

To calculate the number of hours for which you are entitled to paid leave, please see the answers to Questions 5-6 that are provided in this guidance.

7. What is my regular rate of pay for purposes of the FFCRA?

For purposes of the FFCRA, the regular rate of pay used to calculate your paid leave is the average of your regular rate over a period of up to six months prior to the date on which you take leave.[2] If you have not worked for your current employer for six months, the regular rate used to calculate your paid leave is the average of your regular rate of pay for each week you have worked for your current employer.

If you are paid with commissions, tips, or piece rates, these wages will be incorporated into the above calculation.

You can also compute this amount for each employee by adding all compensation that is part of the regular rate over the above period and divide that sum by all hours actually worked in the same period.

8. May I take 80 hours of paid sick leave for my self-quarantine and then another amount of paid sick leave for another reason provided under the Emergency Paid Sick Leave Act?

No. You may take up to two weeks—or ten days—(80 hours for a full-time employee, or for a part-time employee, the number of hours equal to the average number of hours that the employee works over a typical two-week period) of paid sick leave for any combination of qualifying reasons. However, the total number of hours for which you receive paid sick leave is capped at 80 hours under the Emergency Paid Sick Leave Act.

9. If I am home with my child because his or her school or place of care is closed, or child-care provider is unavailable, do I get paid sick leave, expanded family and medical leave, or both—how do they interact?

You may be eligible for both types of leave, but only for a total of twelve weeks of paid leave. You may take both paid sick leave and expanded family and medical leave to care for your child whose school or place of care is closed, or child-care provider is unavailable, due to COVID-19 related reasons. The Emergency Paid Sick Leave Act provides for an initial two weeks of paid leave. This period thus covers the first ten workdays of expanded family and medical leave, which are otherwise unpaid under the Emergency and Family Medical Leave Expansion Act unless the you elect to use existing vacation, personal, or medical or

sick leave under your employer's policy. After the first ten workdays have elapsed, you will receive 2/3 of your regular rate of pay for the hours you would have been scheduled to work in the subsequent ten weeks under the Emergency and Family Medical Leave Expansion Act.

Please note that you can only receive the additional ten weeks of expanded family and medical leave under the Emergency Family and Medical Leave Expansion Act for leave to care for your child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons.

10. Can my employer deny me paid sick leave if my employer gave me paid leave for a reason identified in the Emergency Paid Sick Leave Act prior to the Act going into effect?

No. The Emergency Paid Sick Leave Act imposes a new leave requirement on employers that is effective beginning on April 1, 2020.

11. Is all leave under the FMLA now paid leave?

No. The only type of family and medical leave that is paid leave is expanded family and medical leave under the Emergency Family and Medical Leave Expansion Act when such leave exceeds ten days. This includes only leave taken because the employee must care for a child whose school or place of care is closed, or child-care provider is unavailable, due to COVID-19 related reasons.

12. Are the paid sick leave and expanded family and medical leave requirements retroactive?

No.

13. How do I know whether I have “been employed for at least 30 calendar days by the employer” for purposes of expanded family and medical leave?

You are considered to have been employed by your employer for at least 30 calendar days if your employer had you on its payroll for the 30 calendar days immediately prior to the day your leave would begin. For example, if you want to take leave on April 1, 2020, you would need to have been on your employer's payroll as of March 2, 2020.

If you have been working for a company as a temporary employee, and the company subsequently hires you on a full-time basis, you may count any days you previously worked as a temporary employee toward this 30-day eligibility period.

[1] If you are a Federal employee, you are eligible to take paid sick leave under the Emergency Paid Sick Leave Act. But only some Federal employees are eligible to take expanded family and medical leave under the Emergency Family and Medical Leave Expansion Act. Your eligibility will depend on whether you are covered under Title I or Title II of the Family Medical Leave Act. The Department encourages Federal employees to discuss questions about their eligibility for expanded family and medical leave with their employers or

with the Office of Personnel Management. Additional FAQs regarding public sector employers will be forthcoming.

[2] If you are a Federal employee, the State or local minimum wage would be used to calculate the wages owed to you only if the Federal agency that employs you has broad authority to set your compensation and has decided to use the State or local minimum wage.

The Equal Employment Opportunity Commission (EEOC) and Pandemic Preparedness in the Workplace and the American with Disabilities Act (ADA)

Updated March 19, 2020

During a pandemic, employers should rely on the most current CDC and state or local public health assessments. Employers are expected to make their best efforts to obtain public health advice appropriate for their location and implement reasonable assessments and accommodations where appropriate.

A "**direct threat**" is "a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation. If an individual with a disability poses a direct threat despite reasonable accommodation, he or she is not protected by the nondiscrimination provisions of the ADA.

1. **May an ADA-covered employer send employees home if they display influenza-like symptoms during a pandemic?** Yes. The CDC states that employees who become ill with symptoms of influenza-like illness at work during a pandemic should leave the workplace. Follow current rules established by the CDC for COVID-19.
2. **During a pandemic, how much information may an ADA-covered Employer request from employees who report feeling ill at work or who call in sick?** Employers may ask employees who report feeling ill at work, or who call in sick, questions about their symptoms to determine if they have or may have COVID-19. Currently these symptoms include, for example, fever, chills, cough, shortness of breath, or sore throat.
3. **During a pandemic, may an ADA-covered employer take its employees' temperatures to determine whether they have a fever?** Because the CDC and state/local health authorities have acknowledged community spread of COVID-19 and issued attendant precautions as of March 2020, employers may measure employees' body temperature. As with all medical information, the fact that an employee had a fever or other symptoms would be subject to ADA confidentiality requirements.
4. **During a pandemic, may an ADA-covered employer ask employees who do not have influenza symptoms to disclose whether they have a medical condition that the CDC says could make them especially vulnerable to influenza complications?** No.

For more information visit: https://www.eeoc.gov/facts/pandemic_flu.html

Updated March 25, 2020

Support for Small Businesses:

Small Business Administration: <https://www.sba.gov/funding-programs/loans>

SBA has developed [Lender Match](#), a free online referral tool that connects small businesses with participating SBA-approved lenders within 48 hours.

Tax Payment Deferral

Updated March 18, 2020

Following President Donald J. Trump's emergency declaration pursuant to the Stafford Act, the U.S. Treasury Department and Internal Revenue Service (IRS) issued guidance allowing all individual and other non-corporate tax filers to defer up to \$1 million of federal income tax (including self-employment tax) payments due on April 15, 2020, until July 15, 2020, without penalties or interest. The guidance also allows corporate taxpayers a similar deferral of up to \$10 million of federal income tax payments that would be due on April 15, 2020, until July 15, 2020, without penalties or interest. This guidance does not change the April 15 filing deadline.

Individuals anticipating a refund are encouraged to file their tax returns by April 15 and therefore will have access to their refunds sooner.

Tax Day now July 15: Treasury, IRS extend filing deadline and federal tax payments regardless of amount owed

Updated March 21, 2020

The Treasury Department and Internal Revenue Service announced today that the federal income tax filing due date is automatically extended from April 15, 2020, to July 15, 2020.

Taxpayers can also defer federal income tax payments due on April 15, 2020, to July 15, 2020, without penalties and interest, regardless of the amount owed. This deferral applies to all taxpayers, including individuals, trusts and estates, corporations and other non-corporate tax filers as well as those who pay self-employment tax.

Taxpayers do not need to file any additional forms or call the IRS to qualify for this automatic federal tax filing and payment relief. Individual taxpayers who need additional time to file beyond the July 15 deadline, can request a filing extension by filing Form 4868 through their tax professional, tax software or using the [Free File link on IRS.GOV](#). Businesses who need additional time must file Form 7004.

The IRS urges taxpayers who are due a refund to file as soon as possible. Most tax refunds are still being issued within 21 days.

Updated March 25, 2020

The IRS will continue to monitor issues related to the COVID-19 virus, and updated information will be posted on a [special coronavirus page](#) on IRS.gov.

COVID-19 and Flexibility in Mandatory, In-Person Signatures

Form I-9

On March 20, 2020, the Department of Homeland Security [announced](#) that effective immediately, the physical presence requirement of the *Employment Eligibility Verification, Form I-9*, has been temporarily suspended for employers and workplaces that are operating remotely due to COVID-19 related precautions. In other words, employers with employees taking physical proximity precautions due to COVID-19 (and operating remotely) **are not required** to review the employee's identity and employment authorization documents in the employee's physical presence.

The physical presence requirement that was temporarily suspended mandated that employers, or an authorized representative, physically examine, in the employee's physical presence, the unexpired document(s) the employee presents from the Lists of Acceptable Documents to complete the Documents fields in Form I-9's Section 2.

Employers must also be aware of the following regarding the temporary suspension:

- If there are employees physically present at a work location, then in-person verification of identity and employment eligibility documentation for Form I-9 continues to be required. However, if newly hired employees or existing employees are subject to COVID-19 quarantine or lockdown protocols, DHS will evaluate this on a case-by-case basis.
- Employers may designate an authorized representative to act on their behalf to complete Section 2 and may be any person the employer designates to complete and sign Form I-9 on their behalf. However, employers are liable for any violations in connection with the form or the verification process, including any violations in connection with the form or the verification process, including any violations of the employer sanctions laws committed by the person designated to act on the employer's behalf.

Form I-9, Section 2 Documents Must Be Inspected Remotely

Employers must still inspect the Section 2 documents but may do so remotely (for instance, over video link, fax or email). Employers must also obtain, inspect, and retain copies of the documents they inspect, within three business days to complete Section 2. Employers are also directed to:

- Enter "COVID-19" as the reason for the physical inspection delay in the additional information field of Section 2 once physical inspection takes place after normal operations resume; and
- Add "documents physically examined," with the date of inspection to either the additional information field of Section 2 or to section 3 (as appropriate) once the documents have been physically inspected.

Employers may implement remote document inspections until May 19, 2020 ("up to 60 days from the date of the announcement") or within three business days after the termination of the National Emergency, whichever comes first. Importantly, employers who implement remote onboarding and telework policies must provide documentation for each employee. This burden rests solely with the employers.

Updated March 25, 2020

In-Person Verification Required After Normal Operations Resume

Once normal operations resume, all employees who were onboarded using remote verification must report to their employer within three business days for in-person verification of identity and employment eligibility documentation they presented for their Form I-9. Once the documents have been physically inspected, the employer should add “documents physically examined” with the date of inspection to the Section 2 additional information field or to section 3, as appropriate.

Any audit of subsequent Forms I-9 would use the “in-person completed date” as a starting point for these employees only.

Extension on Inspections

Effective March 19, 2020, any employers who were served Notice of Inspections (NOI) by DHS during the month of March 2020 and have not already responded will be granted an automatic extension for 60 days from the effective date. At the end of the 60-day extension period, DHS will determine if an additional extension will be granted.

Employers are required to monitor the DHS and ICE websites for additional updates regarding when the extensions will be terminated, and normal operations will resume.

USCIS and Benefits Forms

On March 20, 2020, the U.S. Citizenship and Immigration Services (USCIS) [announced](#) that it will accept all benefit forms and documents with reproduced original signatures, including the Form I-129, *Petition for Nonimmigrant Worker*, for submissions dated March 21, 2020, and beyond. This flexibility is in response to the ongoing COVID-19 National Emergency. This means that a document may be scanned, faxed, photocopied, or similarly reproduced provided that the copy must be of an original document containing an original handwritten signature, unless otherwise specified.

For forms that require an original “wet” signature, per form instructions, USCIS will accept electronically reproduced original signatures for the duration of the National Emergency. This temporary change only applies to signatures. All other form instructions should be followed when completing a form. Individuals or entities that submit documents bearing an electronically reproduced original signature must also retain copies of the original documents containing the “wet” signature. USCIS may, at any time, request the original documents, which if not produced, could negatively impact the adjudication of the immigration benefit.

Economic Injury Disaster Loan Program

Small business owners in the following designated states are currently eligible to apply for a low-interest loan due to Coronavirus (COVID-19): *Arizona, California, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Indiana, Louisiana, Maine, Maryland, Massachusetts, Michigan, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Virginia, Washington, and West Virginia.* [Click here to apply.](#)

State of Ohio – Messages from Governor Mike DeWine:

Regular updates: <https://governor.ohio.gov/wps/portal/gov/governor/>

Updated March 15, 2020

Bars and restaurants ordered to close in the State of Ohio. Remain available for carry-out, delivery or drive-thru only.

Updated March 16, 2020

The state of Ohio isn't to the level where they would order a shelter in place yet, but these are the factors that would lead to one:

- Increase in health system resources being used.
- Increase in ICU use.

Updated March 17, 2020

Joint statement issued on primary election lawsuit.

Updated March 18, 2020

Request for federal assistance for small business assistance.

Updated March 18, 2020

Ohio Gov. Mike DeWine announced several businesses would be ordered to close today: All barber shops, nail salons, beauty salons, and tattoo parlors. Some libraries may remain open on a limited basis or utilize curbside services.

EMPLOYEE TEMPERATURES:

Governor DeWine today encouraged business owners to begin taking the temperature of employees when they arrive at work to identify anyone who is becoming ill. If this is not feasible, Governor DeWine asked that employers require workers to take their own temperatures prior to arriving at work. Anyone with a temperature of 100.4 or higher should self-quarantine with members of their household.

Updated March 19, 2020

Applications Being Accepted for Economic Injury Disaster Loan Program; Governor DeWine Signs Order Expanding Telehealth Services for Medicaid Recipients

Updated March 25, 2020

Updated March 22, 2020

State of Ohio – Director’s order that all stay at home unless engaged in essential work or activity

1. Stay at home or place of residence.
2. Non-essential business or operations must cease.
3. Prohibited activities – all public and private gathers of more than 10 people must cease, including indoor and outdoor activities such as, but not limited to amusement parks, carnivals, fairs, zoos, water parks, aquariums, museums, arcades, children’s play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theatres, concert and music halls, country clubs and social clubs.
4. Prohibited and permitted travel – only essential travel and essential activities defined under the order while complying with Social Distancing Requirements.
5. Leaving home for essential activities is permitted:
 - a. For health and safety
 - b. For necessary supplies and services
 - c. For outdoor activity
 - d. For certain types of work, defined as essential business or operation
 - i. Health care
 - ii. Public operations
 - iii. Human services operations
 - iv. Essential government functions
 - v. Essential infrastructure
 - e. To take care of others
 - i. Family
 - ii. Friend
 - iii. Pet in another household
 - iv. Transport family members, friends or pets
 - v. Attend weddings and funerals
6. Care for elderly people and those who are vulnerable as a result of illness should take additional pre-cautions
7. Healthcare and public health operations including but not limited to:
 - a. Hospitals
 - b. Clinics
 - c. Dental offices
 - d. Pharmacies
 - e. Public health entities
 - f. Including those that compile, modify, analyze and communicate public health information
 - i. Pharmaceutical/pharmacy
 - ii. Medical device and equipment
 - iii. Biotechnology companies
 - iv. Organizations collecting blood, platelets, plasma
 - v. Licensed medical marijuana dispensaries and licensed medical marijuana cultivation centers

Updated March 25, 2020

- vi. Obstetricians and gynecologists
 - vii. Eye care centers; including those selling glasses, contact lenses
 - viii. Home healthcare service providers
 - ix. Mental health and substance use providers
 - x. Other health care facilities and ancillary providers dispensing medical services and products
 - xi. Producers of personal protective equipment (PPE)
 - xii. Veterinary care and those providing services to animals
 - xiii. Does NOT include health/fitness facilities, exercise gyms, spas, salons, barber shops, tattoo parlors and similar facilities
8. Human Service Operations – individuals may leave their residence to work or obtain services at any Human Services Operations, including any provider funded by
- a. The Ohio Department of Aging
 - b. Department of Development Disabilities
 - c. Department of Health
 - d. Department of Jobs and Family Services
 - e. Department of Medicaid
 - f. Department of Mental Health and Addiction Services
 - g. Opportunities for Ohioans with Disabilities
 - h. Department of Veteran Services
 - i. Department of Youth Services
 - j. Long-term care facilities
 - k. Day care centers and day care homes
 - l. Group day care homes
 - m. Residential settings and shelters for adults, seniors, children and or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, transitional facilities
 - n. Field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, childcare, vocational services, rehabilitation services, developmental services, adoption agencies, business that provide food, shelter, social services and other necessities of life
9. Essential Infrastructure
- a. Food production and distribution
 - b. Fulfillment centers
 - c. Storage facilities
 - d. Marinas
 - e. Sale and construction in response to this public health emergency, hospital construction, long-term care facilities, public works construction, school construction, essential business construction and housing construction
 - f. Building management and maintenance
 - g. Airport operations
 - h. Operation and maintenance of utilities including but not limited to water, power, gas, electrical, distribution centers; oil, biofuel refining, roads, highways, railroads, and public transportation, ports, cybersecurity operations, flood control, solid waste and recycling collection and removal, and internet, video, telecommunications systems

10. Essential Government Functions

- a. First responders, emergency management, emergency dispatchers, legislators, judges, court personnel, jurors, grand jurors, law enforcement, corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military and other governmental employees working for or to support Essential Businesses and Operations are categorically exempt from the stay at home order.
- b. All services provided by the State, municipality, township, county, political subdivision, board, commission or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or to help support the health, safety and welfare of the public and including contractors performing services for Essential Government Functions

11. Businesses Covered by this Order – any for profit, non-profit, or educational entities regardless of the nature of its service, the function it performs, or its corporate or entity structure

12. Essential Businesses and Operations

- a. CISA list; on March 19, 2020, the U.S. Department of Homeland Security, Cybersecurity and Infrastructure Security Agency (CISA) *Issued a Memorandum Identification of Essential Critical Infrastructure Workers During COVID-19 Response*, which includes all workers in that memorandum.
- b. Stores that sell groceries and medicine
- c. Food, beverage and licensed marijuana production and agriculture
- d. Organizations that provide charitable and social services
- e. Religious entities
- f. Media
- g. First amendment protected speech
- h. Gas stations and businesses needed for transportation
- i. Financial and insurance institutions
- j. Hardware supply stores
- k. Critical trades; building and constructions, plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers providing services that are necessary to maintaining the safety, sanitation of the essential operation of residences, Essential Activities and Essential Business Operations.
- l. Mail, post, shipping, delivery and pick-up services
- m. Educational institutions
- n. Laundry services
- o. Restaurants for consumption off-premises
- p. Supplies to work from home
- q. Supplies for Essential Businesses and Operations
- r. Transportation
- s. Home based care and services
- t. Residential facilities and shelters
- u. Professional services; legal, accounting, insurance, real estate, appraisal, title
- v. Manufacture, distribution and supply chain for critical products and industries

- w. Critical labor union function
 - x. Hotels and motels
 - y. Funeral services
13. Minimum basic operations; providing with Social Distancing Requirements to the extent possible
- a. Minimum necessary value to maintain a business's inventory, preserve the condition of the physical plant and equipment, ensure security, process payroll, employee benefits or related functions
 - b. Minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences
14. Essential travel; providing with Social Distancing Requirements to the extent possible
- a. Travel related to Essential Activities, Essential Government Functions, Essential Businesses and Operations or Minimum Basic Operations
 - b. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons
 - c. Travel to or from educational institutions
 - d. Travel to return to residences outside of jurisdictions
 - e. Travel required by law enforcement or court order, including transport of children due to custody agreement
 - f. Travel required by residents to return from out of state
15. Social Distancing Requirements is defined by maintaining at least six-foot social distance from other individuals, washing hands with soap and water for at least 20 seconds as frequently as possible or with hand sanitizer, covering coughs and sneezes (into the sleeve or elbow) not the hands, regularly cleaning high-touch surfaces and not shaking hands.

Definition of Essential Workers

Governor DeWine is using the Department of Homeland Security's [Guidance on the Essential Critical Infrastructure Workforce](#) to determine what is essential and what is not. A listing of the Department of Homeland Security's Guidance on the Essential Critical Infrastructure Workforce, and therefore those businesses in Ohio that will remain open as deemed essential by Governor Mike DeWine are as follows:

Health Care and Public Health Workers

- Workers providing COVID-19 testing; Workers that perform critical clinical research needed for COVID-19 response
- Caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists)
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.)

- Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers)
- Manufacturers, technicians, logistics and warehouse operators, and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products
- Public health / community health workers, including those who compile, model, analyze and communicate public health information
- Blood and plasma donors and the employees of the organizations that operate and manage related activities
- Workers that manage health plans, billing, and health information, who cannot practically work remotely
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely
- Workers performing cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely
- Workers conducting research critical to COVID-19 response
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely
- Workers who support food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing in shelters
- Pharmacy employees necessary for filling prescriptions
- Workers performing mortuary services, including funeral homes, crematoriums, and cemetery workers
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident

Law Enforcement, Public Safety and First Responders

- Personnel in emergency management, law enforcement, Emergency Management Systems, fire, and corrections, including front line and management
- Emergency Medical Technicians
- 911 call center employees
- Fusion Center employees
- Hazardous material responders from government and the private sector.
- Workers – including contracted vendors — who maintain digital systems infrastructure supporting law enforcement and emergency service operations.

Food and agricultural workers

- Workers supporting groceries, pharmacies and other retail that sells food and beverage products
- Restaurant carry-out and quick serve food operations – Carry-out and delivery food employees
- Food manufacturer employees and their supplier employees—to include those employed in food processing (packers, meat processing, cheese plants, milk plants, produce, etc.) facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging
- Farm workers to include those employed in animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically
- Farm workers and support service workers to include those who field crops; commodity inspection; fuel ethanol facilities; storage facilities; and other agricultural inputs
- Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor-managed inventory controllers and blockchain managers
- Workers supporting the sanitation of all food manufacturing processes and operations from wholesale to retail
- Company cafeterias – in-plant cafeterias used to feed employees
- Workers in food testing labs in private industries and in institutions of higher education
- Workers essential for assistance programs and government payments
- Employees of companies engaged in the production of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids
- Animal agriculture workers to include those employed in veterinary health; manufacturing and distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, etc.; transportation of live animals, animal medical materials; transportation of deceased animals for disposal; raising of animals for food; animal production operations; slaughter and packing plants and associated regulatory and government workforce
- Workers who support the manufacture and distribution of forest products, including, but not limited to timber, paper, and other wood products
- Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary to agricultural production and distribution

Energy employees

Electricity industry:

- Workers who maintain, ensure, or restore the generation, transmission, and distribution of electric power, including call centers, utility workers, reliability engineers and fleet maintenance technicians
- Workers needed for safe and secure operations at nuclear generation
- Workers at generation, transmission and electric blackstart facilities

- Workers at Reliability Coordinator (RC), Balancing Authorities (BA), and primary and backup Control Centers (CC), including but not limited to independent system operators, regional transmission organizations, and balancing authorities
- Mutual assistance personnel
- IT and OT technology staff – for EMS (Energy Management Systems) and Supervisory Control and Data Acquisition (SCADA) systems, and utility data centers; Cybersecurity engineers; cybersecurity risk management
- Vegetation management crews and traffic workers who support
- Environmental remediation/monitoring technicians
- Instrumentation, protection, and control technicians

Petroleum workers:

- Petroleum product storage, pipeline, marine transport, terminals, rail transport, road transport
- Crude oil storage facilities, pipeline, and marine transport
- Petroleum refinery facilities
- Petroleum security operations center employees and workers who support emergency response services
- Petroleum operations control rooms/centers
- Petroleum drilling, extraction, production, processing, refining, terminal operations, transporting, and retail for use as end-use fuels or feedstocks for chemical manufacturing
- Onshore and offshore operations for maintenance and emergency response
- Retail fuel centers such as gas stations and truck stops, and the distribution systems that support them

Natural and propane gas workers:

- Natural gas transmission and distribution pipelines, including compressor stations
- Underground storage of natural gas
- Natural gas processing plants, and those that deal with natural gas liquids
- Liquefied Natural Gas (LNG) facilities
- Natural gas security operations center, natural gas operations dispatch and control rooms/centers natural gas emergency response and customer emergencies, including natural gas leak calls
- Drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, or use in electricity generation
- Propane gas dispatch and control rooms and emergency response and customer emergencies, including propane leak calls
- Propane gas service maintenance and restoration, including call centers
- Processing, refining, and transporting natural liquids, including propane gas, for use as end-use fuels or feedstocks for chemical manufacturing
- Propane gas storage, transmission, and distribution centers

Waste and wastewater

Employees needed to operate and maintain drinking water and wastewater/drainage infrastructure, including:

- Operational staff at water authorities
- Operational staff at community water systems
- Operational staff at wastewater treatment facilities
- Workers repairing water and wastewater conveyances and performing required sampling or monitoring
- Operational staff for water distribution and testing
- Operational staff at wastewater collection facilities
- Operational staff and technical support for SCADA Control systems
- Chemical disinfectant suppliers for wastewater and personnel protection
- Workers that maintain digital systems infrastructure supporting water and wastewater operations

Transportation and logistics

- Employees supporting or enabling transportation functions, including dispatchers, maintenance and repair technicians, warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-border travel)
- Employees of firms providing services that enable logistics operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use.
- Mass transit workers
- Workers responsible for operating dispatching passenger, commuter and freight trains and maintaining rail infrastructure and equipment
- Maritime transportation workers – port workers, mariners, equipment operators
- Truck drivers who haul hazardous and waste materials to support critical infrastructure, capabilities, functions, and services
- Automotive repair and maintenance facilities
- Manufacturers and distributors (to include service centers and related operations) of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations
- Postal and shipping workers, to include private companies
- Employees who repair and maintain vehicles, aircraft, rail equipment, marine vessels, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers
- Air transportation employees, including air traffic controllers, ramp personnel, aviation security, and aviation management
- Workers who support the maintenance and operation of cargo by air transportation, including flight crews, maintenance, airport operations, and other on- and off- airport facilities workers

Public works

- Workers who support the operation, inspection, and maintenance of essential dams, locks and levees
- Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal

maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues

- Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences
- Support, such as road and line clearing, to ensure the availability of needed facilities, transportation, energy and communications
- Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste and hazardous waste

Communications and information technology

Communications:

- Maintenance of communications infrastructure- including privately owned and maintained communication systems- supported by technicians, operators, call-centers, wireline and wireless providers, cable service providers, satellite operations, undersea cable landing stations, Internet Exchange Points, and manufacturers and distributors of communications equipment
- Workers who support radio, television, and media service, including, but not limited to front line news reporters, studio, and technicians for newsgathering and reporting
- Workers at Independent System Operators and Regional Transmission Organizations, and Network Operations staff, engineers and/or technicians to manage the network or operate facilities
- Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables
- Installation, maintenance and repair technicians that establish, support or repair service as needed
- Central office personnel to maintain and operate central office, data centers, and other network office facilities
- Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, and troubleshooting
- Dispatchers involved with service repair and restoration

Information Technology:

- Workers who support command centers, including, but not limited to Network Operations Command Center, Broadcast Operations Control Center and Security Operations Command Center
- Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers, data transfer solutions engineers, software and hardware engineers, and database administrators
- Client service centers, field engineers, and other technicians supporting critical infrastructure, as well as manufacturers and supply chain vendors that provide hardware and software, and information technology equipment (to include microelectronics and semiconductors) for critical infrastructure

- Workers responding to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, and other critical infrastructure categories and personnel
- Workers supporting the provision of essential global, national and local infrastructure for computing services (incl. cloud computing services), business infrastructure, web-based services, and critical manufacturing
- Workers supporting communications systems and information technology used by law enforcement, public safety, medical, energy and other critical industries
- Support required for continuity of services, including janitorial/cleaning personnel

Community based government operations

- Workers to ensure continuity of building functions
- Security staff to maintain building access control and physical security measures
- Elections personnel
- Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks
- Trade Officials (FTA negotiators; international data flow administrators)
- Weather forecasters
- Workers that maintain digital systems infrastructure supporting other critical government operations
- Workers at operations centers necessary to maintain other essential functions
- Workers who support necessary credentialing, vetting and licensing operations for transportation workers
- Customs workers who are critical to facilitating trade in support of the national emergency response supply chain
- Educators supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other essential functions, if operating under rules for social distancing
- Hotel Workers where hotels are used for COVID-19 mitigation and containment measures

Critical manufacturing

- Workers necessary for the manufacturing of materials and products needed for medical supply chains, transportation, energy, communications, food and agriculture, chemical manufacturing, nuclear facilities, the operation of dams, water and wastewater treatment, emergency services, and the defense industrial base.

Hazardous materials

- Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing test kits
- Workers who support hazardous materials response and cleanup
- Workers who maintain digital systems infrastructure supporting hazardous materials management operations

Financial services

- Workers who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities)
- Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (e.g., armored cash carriers)
- Workers who support financial operations, such as those staffing data and security operations centers

Chemical workers

- Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, textiles, and paper products.
- Workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items
- Workers supporting the production of protective cleaning and medical solutions, personal protective equipment, and packaging that prevents the contamination of food, water, medicine, among others essential products
- Workers supporting the operation and maintenance of facilities (particularly those with high risk chemicals and/or sites that cannot be shut down) whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections
- Workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing

Defense industrial base

- Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals, include but are not limited to, aerospace; mechanical and software engineers, manufacturing/production workers; IT support; security staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers
- Personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense, and government-owned/contractor-operated and government-owned/government-operated facilities

State of Indiana – Messages from Governor Eric J. Holcomb

Updated March 25, 2020

Updated March 25, 2020

Indiana Stay-At-Home Order FAQ

INDIANAPOLIS – Governor Eric J. Holcomb delivered a statewide address Monday to order that Hoosiers remain in their homes except when they are at work or for permitted activities, such as taking care of others, obtaining necessary supplies, and for health and safety. [Click here](#) to see the executive order. This order went into effect Tuesday, March 24, at 11:59 p.m.

States Observing the Stay-At-Home Order

California - [Governor Gavin Newsom](#)

Connecticut - [Governor Ned Lamont](#)

Delaware - [Governor John Carney](#)

Hawaii - [Governor Dave Ige](#)

Illinois - [Governor JB Pritzker](#)

Indiana – [Governor Eric J. Holcomb](#)

Louisiana - [Governor John Bel Edwards](#)

Massachusetts - [Governor Charlie Baker](#)

Michigan - [Governor Gretchen Whitmer](#)

New Jersey - [Governor Phil Murphy](#)

New Mexico - [Governor Michelle Lujan Grisham](#)

New York - [Governor Andrew Cuomo](#)

Ohio - [Governor Mike DeWine](#)

Oregon - [Governor Kate Brown](#)

Washington - [Governor Jay Inslee](#)

West Virginia - [Governor Jim Justice](#)

Wisconsin - [Governor Tony Evers](#)

States Operating Under Essential Business Rules, Social Distancing and Quarantines without Stay-at-Home Order:

Alaska - [Governor Mike Dunleavy](#)

Florida - [Governor Mike DeSantis](#)

Georgia - [Governor Brian P. Kemp](#)

Kansas - [Governor Laura Kelly](#)

Kentucky - [Governor Andy Beshear](#)

Maryland - [Governor Larry Hogan](#)

Nevada - [Governor Steve Sisolak](#)

Oklahoma - [Governor Kevin Stitt](#)

Texas - [Governor Greg Abbott](#)

Virginia - [Governor Ralph S. Northam](#)

National Domestic Violence Hotline:

Shelters report increased incidents of domestic violence threats and claims during the COVID-19 pandemic. For support, contact the national hotline at 800-799-7233.

Health Insurance Continuation:

A group health plan must provide coverage without any cost-sharing requirements, such as deductibles, co-payments and co-insurance, or prior authorization or other medical management requirements, for:

- The costs of a test to detect or diagnose the virus that causes COVID-19; or
- Health care provider visits, including telehealth visits, urgent care and emergency room visits, that result in an order for or administration of a test to detect or diagnose the virus that causes COVID-19.
- For more information: <https://www.irs.gov/pub/irs-drop/n-20-15.pdf>

In the normal course of events, group health plan coverage will cease when an employee's share of premiums is not timely paid. However, several actions might be taken that *could* allow coverage to continue.

First, the insurance carrier providing the health coverage may voluntarily continue the coverage while the disaster is sorted out and until an employer reopens its doors. More likely, the employer may make arrangements with the insurance carrier providing health coverage to pay the employees' share of premiums to keep coverage in place (at least temporarily) and possibly until the employer can reopen its doors. Each situation will be different, depending upon the insurance carrier and the relationship between the employer and the insurance carrier. Therefore, each factual situation will need to be individually assessed.

Continuation of Coverage Options

If your group is subject to COBRA (**over 20 employees**), as long as one person remains actively employed, employees may elect to continue coverage under COBRA under the normal notice and election procedure. If the plan has no active employees, the plan is terminated, and COBRA is not an option.

If your group is not subject to COBRA (**fewer than 20 people**), as long as one person remains actively employed, employees may elect to continue coverage under **Ohio's state continuation statute** for up to twelve months. Small employers should notify laid-off employees of this right at the time they are laid off. If the plan has no active employees, the plan is terminated, and continuation is not an option

In addition to COBRA, another option for employees to explore includes the Exchange. Some employees may qualify for a subsidy. Resources providing independent coverage and assistance to navigate the Exchange include:

Chris Ruhm
Insurance Advisor
www.chrisruhm.com
513-335-2465

or

Mike Groh
Risk Strategies
513-417-6028

chris@chrisruhm.com

Resources by Carrier

Mutual of Omaha- All IronRoad Clients who utilize Mutual of Omaha ancillary products

- FREE- Employee Assistance Program (EAP)-Our EAP professionals are always just a call away, ready to lend an ear and make referrals as appropriate based on the EAP services of your policy. Telephonic services are available 24 hours a day, 7 days a week.
- How does Mutual of Omaha handle claims related to COVID-19? We will manage the claims pursuant to the policy that the employer has in place. If an individual is disabled due to a medical condition (i.e., confirmed Coronavirus or another illness), we will manage the claim pursuant to the policy as we do for other disabling conditions.

United Medical Resources (UMR): IronRoad Self-Funded Coverage

Website: <https://www.umar.com/oss/cms/UMR/SharedDocuments/UM1612.pdf>

- Teledoc Services- Before your first virtual visit, you need to set up a Teladoc account and share your medical history on the app or on our account setup page. Completing this step in advance accelerates visit requests
- **Get emotional support:** Call an emotional support line any time at **866-342-6892**. This 24/7 Optum Help Line is staffed by professionally trained mental health experts, free of charge and open to anyone

Fully Insured Carriers

UnitedHealthcare

Website: <https://www.uhc.com/health-and-wellness/health-topics/covid-19>

- Waiving all cost for test as long as provided at approved location in accordance with CDC guidelines.
- Telehealth – Expanded access available for COVID-19 so your primary care physician has an option to do a Telehealth visit. Typically, the same as office visit copay.
- Virtual Visits - All of the All Savers plans have free virtual visits and some of the ACA plans do as well.

Medical Mutual of Ohio

Website: <https://www.medmutual.com/Campaign-Pages/Coronavirus.aspx>

- Relaxing requirements for employees to be actively working to remain on the plan through May 31, 2020. Would need at least one employee/owner to remain on the plan and continue to pay premium.

- Allowing groups to extend their delinquent grace period an extra 30 days. To extend payment grace period, groups must call 1-800-384-2184 to speak with a payment specialist who can process your request.
- MMO will waive waiting period for rehires through May 31,2020.
- Waiving all cost for test as long as ordered by medical physician.

Anthem

Website: <https://www.anthem.com/blog/member-news/worried-about-the-coronavirus/>

- Waiving all cost for test as long as following CDC guidelines.
- LiveHealthOnline is available to members for free through June 14, 2020.
- Most prescriptions can be refilled early.
- 24/7 Nurse line available
- Will allow laid off employees to remain on the plan as long as at least one employee remains actively employed and continues health coverage. Coverage must be offered to all on a non-discriminatory basis and employee premium contributions must be the same or less than prior to layoffs.

Humana

Website: <https://www.humana.com/health-and-well-being/coronavirus>

- Telemedicine cost waived for urgent care for the next 90 days
- Early prescriptions available for the next 30 days.
- Waiving all cost for test as long as provided at approved location in accordance with CDC guidelines.
- Special contact for questions on COVID-19 1-800-592-3005 – COVIDquestions@humana.com

Aetna

Website: <https://cvshealth.com/newsroom/press-releases/cvs-health-announces-covid-19-resources-aetna-members>

- Will waive co-pays for all diagnostic testing related to COVID-19, must follow CDC guidelines
- Telemedicine copay waived for next 90 days for any reason.
- Members diagnosed with COVID-19 will receive a care package from CVS containing over-the-counter medications and cleaning supplies.
- Aetna is pro-actively reaching out to at-risk members to give them guidance how to protect themselves.
- Aetna AFA products have EAP available