



KUDULIS  
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PRICE



# EMPLOYMENT IN THE TIME OF COVID-19

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## EMPLOYEE ARRIVAL ONSITE

- ▶ Employees may be required to monitor their own temperatures;
- ▶ The Credit Union may check an employee's temperature prior to that employee entering the building; or
- ▶ An employee's temperature may be checked periodically and/or when an employee returns from lunch.
  
- ▶ Employee may be required to self-report any symptoms



# INFECTION PREVENTION MEASURES

- ▶ Employees may be required to clean their work area each morning, or even several times a day.
- ▶ Employees may be required to socially distance during breaks. Lunch and other breaks may be staggered.
- ▶ Employees may be prevented from using other employees' phones, desks, offices, or other work tools.
- ▶ Employees may be required to wash their hands every hour.
- ▶ The Credit Union may restrict the number of employees behind the teller counter, in an office, or in the lobby.
- ▶ The Credit Union should make an effort to communicate with employees about important COVID-19 information.



# REQUIRING MASKS

- ▶ The Credit Union is responsible for providing its employees and members a safe work environment.
- ▶ The Credit Union may require employees to wear personal protective equipment (PPE) during a pandemic.
- ▶ If the Credit Union requires an employee to wear PPE it must provide such. (See Governor's April 30, 2020 Proclamation).
- ▶ The Credit Union may limit or prevent employees from wearing PPE that the employee brings from home (i.e. bandana or scarf).
- ▶ Employees may be required to wear proximity devices.
- ▶ Employees may be required to wear freshly washed clothing.



# CDC GUIDELINES FOR CLEANING AND DISINFECTING

- ▶ **What is your Plan**
  - ▶ Determine what needs to be cleaned
  - ▶ Determine how areas will be disinfected
  - ▶ Consider the resources and equipment needed
- ▶ **Implement**
  - ▶ Clean visibly dirty surfaces with soap and water
  - ▶ Use the appropriate cleaning product
  - ▶ Always follow the directions on the label
- ▶ **Maintain and Revise**
  - ▶ Continue routine cleaning and disinfection
  - ▶ Maintain safe practices
  - ▶ Continue practices that reduce the potential for exposure



# MAKING YOUR PLAN TO CLEAN AND DISINFECT

**Cleaning** with soap and water removes germs, dirt, and impurities from surfaces. It lowers the risk of spreading infection.

**Disinfecting** kills germs on surfaces. By killing germs on a surface after cleaning, it can further lower the risk of spreading infection.



Is the area indoors?

**YES**

It is an indoor area.

**NO**

**Maintain existing cleaning practices.**

Coronaviruses naturally die in hours to days in typical indoor and outdoor environments. Viruses are killed more quickly by warmer temperatures and sunlight.

Has the area been occupied within the last 7 days?

**YES**

Yes, the area has been occupied within the last 7 days.

**NO**

The area has been unoccupied within the last 7 days.  
The area will need only routine cleaning.



Is it a frequently touched surface or object?

**YES**

Yes, it is a frequently touched surface or object.

**NO**

**Thoroughly clean these materials.**  
Consider setting a schedule for routine cleaning and disinfection, as appropriate.

What type of material is the surface or object?

**Hard and non-porous materials like glass, metal, or plastic.**

**Visibly dirty surfaces should be cleaned prior to disinfection.**

Consult EPA's list of disinfectants for use against COVID-19, specifically for use on hard, non-porous surfaces and for your specific application need. More frequent cleaning and disinfection is necessary to reduce exposure.

**Soft and porous materials like carpet, rugs, or material in seating areas.**

**Thoroughly clean or launder materials.**

Consider removing soft and porous materials in high traffic areas. Disinfect materials if appropriate products are available.





# LOUISIANA DEPARTMENT OF HEALTH GUIDANCE (FOR FINANCIAL INSTITUTIONS):

- ▶ Business and Organization employees shall:
- ▶ Be screened daily for fever or respiratory symptoms and shall be sent home if symptoms exist;
- ▶ Maintain minimum 6 feet distance between each other and clients;
- ▶ Wash hands frequently;
- ▶ Use gloves for contact with money, credit cards or other materials. Gloves must be replaced between each client interaction. If gloves are not available, then hand sanitizer between each client interaction is acceptable;
- ▶ Clean and sanitize all frequently touched items in work areas;
- ▶ Clean and sanitize tables, chairs, tables, and high touch surfaces after every client. High touch surfaces include doorknobs/handles/plates, light switches, countertops, cabinet pulls, etc.;
- ▶ Clean and disinfect restrooms regularly; and
- ▶ Wear gloves to handle money when clearing the register/cash drawer.





## DOCTOR'S NOTES

- ▶ Credit unions may require a doctor's note, a medical examination, or a time period during which the employee has been symptom free, before allowing the employee to return to work *if* there is a reasonable belief – based on objective evidence – that the employee's present medical condition would:
  - ▶ Impair his/her ability to perform essential job functions with or without reasonable accommodation; or
  - ▶ Pose a direct threat to safety in the workplace



# REASONABLE ACCOMMODATIONS

- ▶ Employees may request reasonable accommodations for COVID-19:
  - ▶ Moving an employee into an office or other physical location
  - ▶ No direct interaction with members
- ▶ A sudden loss of income may be considered when determining whether an employee's request is a reasonable expense to implement.
- ▶ Pre-existing mental health conditions may have to be accommodated.
- ▶ You ***are not*** required to allow an employee to Telework!



# PERSONAL PROTECTIVE EQUIPMENT

- ▶ If an employee informs the Credit Union that s/he is unable to wear PPE because of a disability, look for a reasonable accommodation under the ADA (e.g., non-latex gloves, or gowns designed for individuals who use wheelchairs).
- ▶ Employees who refuse to comply with policies and procedures may be counseled, sent home without pay, or any other action per your employee handbook, as refusal may be considered either a dress code violation or a safety issue.



# VERIFICATION OF MEMBERS

- ▶ It is the Credit Union's obligation under both federal law (BSA/OFAC) and per the terms of the account agreement to only perform transactions with authorized members.
- ▶ Make an operational decision about what to require to verify the identity of a member (in person, by phone, or remotely).
- ▶ What standards have been adopted for remote electronic signatures?
  - ▶ Out of wallet
  - ▶ IP address
  - ▶ Within Online Banking



# TAX CREDIT FOR EMERGENCY SICK & FMLA

- ▶ Credit unions will receive a credit against any payroll tax imposed in the calendar quarter equal to 100% of the emergency sick leave or emergency FMLA paid.
- ▶ Sick Leave
  - ▶ 80 hours
  - ▶ Can't exceed \$500 or \$200 per day (illness vs. caring for children)
- ▶ FMLA Leave
  - ▶ Can't exceed \$200 per day
- ▶ Credit unions may request IRS provide tax credits back to the credit union that it will claim on the next quarterly tax report (941).



# TAX CREDIT UNDER THE “CARES” ACT

- ▶ If the Credit Union retains employees despite experiencing economic hardships related to Covid-19, a 50% tax credit of qualified wages paid to employees is available.
  - ▶ Paid between March 12 – December 31
  - ▶ Maximum of \$10,000 per employee
  - ▶ Must have fully or partially suspended operations or had more than a 50% decline in gross receipts
  - ▶ Minus any credit for emergency sick or FMLA



# OVERVIEW OF “RETURN TO WORK” LAW

- ▶ Initial and subsequent Proclamations have incorporated CISA (Cybersecurity & Infrastructure Security Agency), which finds credit unions to be an “essential” business.  
[https://www.cisa.gov/sites/default/files/publications/Version 3.0 CISA Guidance on Essential Critical Infrastructure Workers 4.pdf](https://www.cisa.gov/sites/default/files/publications/Version_3.0_CISA_Guidance_on_Essential_Critical_Infrastructure_Workers_4.pdf)
- ▶ Because of this, credit unions are excluded from the state “Open Safely Campaign”, which has listed a tentative start date for Phase 1 of May 15, 2020. Essentially, credit unions are “Phase 0”.



# OVERVIEW OF “RETURN TO WORK” LAW

- ▶ Credit unions may open branch operations whenever they please. However, CISA guidance for essential businesses still recommends limitations of in-person workers to the extent possible, such the CU can still provide core services.
- ▶ Thusly, each credit union will have to make its own business decision, based upon need for services and risks, when in-person operations will resume.





# OVERVIEW OF “RETURN TO WORK” LAW

- ▶ The Governor’s April 30, 2020 proclamation says that any business with face to face interaction with the public shall wear face masks. We recommend credit unions follow this, but I do not see authorities assessing penalties and fines for non-compliance. <https://gov.louisiana.gov/assets/Proclamations/2020/52-JBE-2020-Stay-at-Home-Order.pdf>
- ▶ Credit unions should also be aware of local proclamations (shelter orders) that may apply.



# Other Items



# REGULATION CC AND THE EXPEDITED FUNDS AVAILABILITY ACT

- ▶ Account agreement forms providers and data processors should already be working to assist the Credit Union in preparation for new increased funds availability limits required by Reg CC and the Expedited Funds Availability Act.
- ▶ The increased availability schedule must begin no later than July 1, 2020. The Credit Union should not forget to send a Change in Terms Notice required under Regulation CC, no later than thirty (30) days AFTER the effective date of the change.
- ▶ Additionally, Credit Union signage, policy and hold notice language should be updated to reflect the increased amounts.



# REGULATION D LIMITATIONS

- ▶ Effective immediately, the Federal Reserve has eliminated Reg D “savings deposits” transfer and withdrawal limitations.
- ▶ Participation by the Credit Union in the removal of these limitations is optional. The Credit Union may:
  - ▶ Completely remove the limitations and eliminate any associated fees;
  - ▶ Remove the limitations on the number of transactions but still maintain its current excessive withdrawal/transfer fee for each transaction that exceeds the previous limitation of six transactions; or
  - ▶ Retain the limitations it currently has in place.
- ▶ Should the Credit Union desire to implement the relaxed limitations rule, no disclosure revisions are necessary and account structures and titles may remain in place if only on an emergency basis.



## CD MATCH RATE WITH RENEWAL

- ▶ Credit unions might want to consider how initial certificate (CD) account disclosures provide for the renewal of accounts.
- ▶ Do the disclosures require renewal at identical rate or published rate in effect at that time?



## REGULATORY COMPLIANCE

When we know your strengths and weaknesses, and understand your risks and challenges, we can play a strong, supporting role in helping you solidify and secure operations and move your business forward.