

April 16, 2020

In an effort to keep you updated during the COVID-19 pandemic, we will be sending you daily updates on the latest developments. Please do not hesitate to reach out to your Sheakley HR team member should you have additional questions or concerns!

During this unprecedented time, employers are having to make difficult decisions that affect their workforce and daily operations. One of these decisions is whether or not to furlough or layoff an employee from the organization due to a lack of work. Some employer use the terms “layoff” and “furlough” interchangeably, but there are some differences between the two.

A furlough is defined as a leave of absence, something that is temporary in nature. When employees are furloughed, there is an expectation that the employee will return to their position within the organization. You do not have to provide the employee with a specific time for their return, but you should keep in contact with them throughout the duration of their leave. For the purposes of Sheakley’s system, employees who are furloughed remain active in the system.

A layoff is defined as a discharge, or a period of time which someone does not take part in an activity. Layoffs are more permanent and definite in nature, there is not expectation from the employees that they will be called back to work. When laying off an employee, they are terminated in our system.

Employers can furlough employees and later lay them off as the needs of the business change.

Families First Coronavirus Response Act:

Many employers are asking if employees are eligible to take the Paid Sick Leave and Expanded FMLA intermittently. Ultimately, the decision to offer intermittent Paid Sick Leave and Expanded FMLA is up to the employer. It is important to be mindful that you are consistent in your offering to all employees. In the event that you offer the leave to be used intermittently, there must be a clear and mutual understanding between both parties on the leave and the amount of time in which leave can be taken on the intermittent basis.

In the event that you have an employee working from home, they are eligible to use the Paid Sick Leave and Expanded FMLA intermittently. Employees who are working remotely present no risk to the organization as they are working offsite. In contrast, employees who continue to report to office/jobsite for their day-to-day operations may only take Paid Sick Leave or Expanded FMLA intermittently if there is minimal risk to the organization. In this instance, employers may only allow employees to use the leave intermittently to care for their child(ren) whose day care or school has been closed. If an employee is experiencing symptoms or is caring for an individual that is experiencing symptoms they are now presenting a higher risk of spreading COVID.

Unemployment Update:

Part of the CARES Act provides additional funding to employees collecting unemployment benefits. This funding would allow for employees to receive an additional \$600 per week in unemployment payments. Employees who are actively receiving unemployment benefits today, should begin seeing this additional amount starting the week of April 24. According to the Ohio

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Department of Job and Family Services, this \$600 payment will be retroactive to the effective date of March 29.

This unemployment boost will only be paid out to employees until Jul 31, 2020 unless the Congress decides to extend it. If employees have specific questions regarding their unemployment claim or the boost, they should contact ODJFS directly.

Sheakley HR COVID-19 Resource Page:

In addition to our daily email updates, we are also working diligently to keep our Sheakley HR COVID-19 Resource Page up-to-date. You can visit this page at <https://ww2.sheakley.com/coronavirus-update/>.