

CORONAVIRUS

WEEKLY WEBINAR SERIES



February 9, 2021



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Introduction



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Vaccine Update I – Where Do We Stand



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Vaccine Update II – Mandates, Refusals, Paid Time Off, etc.



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Vaccination – Mandate Consideration

- EEOC Guidance
- EUA Considerations
- Religious and Disability Issues
- Collective Bargaining issues
- Protected Concerted Activity
- Safety Issues



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Practical Considerations

- Vaccine Availability
- Impact of Refusal on the Employee
- Staffing the Workplace
- Education
- Incentives
- Accommodations – Working from Home



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Other Things to Keep in Mind

- Vaccine Availability
- Paid Time Off
- Compensability
- Healthcare Employers/Providers
- Records and Related Issues
- Time may resolve some of these issues...



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Operating Plans – Pitfalls and Approaches



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Update from Albany



Caitlin A. Anderson

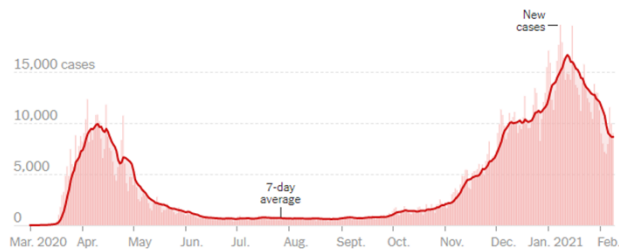
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New York Coronavirus Map and Case Count

Updated February 9, 2021, 12:33 A.M. E.T.



The New York Times

	TOTAL REPORTED	ON FEB. 8	14-DAY CHANGE
Cases	1.4 million+	8,972	-34% ↘
Deaths	44,512	125	-13% →
Hospitalized		7,716	-12% →

Hospitalization data from the Covid Tracking Project; 14-day change trends use 7-day averages.



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Vaccine Addendum

- Cancer (current or in remission, including 9/11-related cancers)
- Chronic kidney disease
- Pulmonary Disease, including but not limited to, COPD (chronic obstructive pulmonary disease), asthma (moderate-to-severe), pulmonary fibrosis, cystic fibrosis, and 9/11 related pulmonary diseases
- Intellectual and Developmental Disabilities including Down Syndrome
- Heart conditions, including but not limited to heart failure, coronary artery disease, cardiomyopathies, or hypertension (high blood pressure)
- Immunocompromised state (weakened immune system) including but not limited to solid organ transplant or from blood or bone marrow transplant, immune deficiencies, HIV, use of corticosteroids, use of other immune weakening medicines, or other causes
- Severe Obesity (BMI 40 kg/m²), Obesity (body mass index [BMI] of 30 kg/m² or higher but < 40 kg/m²)
- Pregnancy
- Sickle cell disease or Thalassemia
- Type 1 or 2 diabetes mellitus
- Cerebrovascular disease (affects blood vessels and blood supply to the brain)
- Neurologic conditions including but not limited to Alzheimer's Disease or dementia
- Liver disease



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Vaccine Addendum

- Comorbidities validation:
 - Doctor's letter, OR
 - Medical information evidencing comorbidity, OR
 - Signed certification (up to local government).



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S.2588-A/A.3354-B

- Bill would require employers to provide a “paid leave of absence” for employees for “a sufficient period of time, not to exceed four hours per vaccine injection” to be vaccinated for COVID-19.
 - “Leave of absence” must be provided at the employee’s regular rate of pay and not charged against any other leave the employee is entitled to.
 - Impact of collective bargaining agreement.
- Passed the Assembly on Feb. 3, reported favorably out of Senate Civil Services and Pensions Committee yesterday.



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Restaurants

- Friday Feb. 5: Decision issued allowing 94 bars/restaurants in Buffalo to remain open after 10:00 p.m.
 - State has announced that it will appeal.
- Friday Feb. 12: Restaurants may open at 25% capacity in NYC.



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Federal Assistance

- FEMA Funeral Assistance Program – will provide up to \$7,000 in burial relief retroactively from Jan. 20, 2020 to Dec. 31, 2020.
 - FEMA did this following Hurricane Katrina, Hurricane Sandy
- Will likely need all invoices/billing records; death certificate.



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Operating Plans – Pitfalls and Approaches

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