

## Additional Question from COVID-19/Trustee Webinar

1. If we reduce staff hours, are they eligible for unemployment, which we would be responsible to pay a portion of? **It is possible that a reduction in hours could result in eligibility for unemployment if the employee's wages fall below the earnings threshold.**
2. Why have you advised against having a formal workforce reduction policy? **It is difficult to cover all of the situations that could arise in a workforce reduction policy. (For example, the pandemic has raised issues that are like no other before). Therefore, rather than having to follow a policy that may have been drafted years prior, it is best to evaluate the specific situation when deciding how to proceed.**
3. When we reopen, what if an employee is considered high risk and is afraid to come in to work and be exposed to the virus? If we do not have enough work for them to do from home, can we choose to allow them to take unpaid leave? Does the answer change if the employee is not high risk, but is simply anxious about working? **Employees who are high risk and are afraid to return should have the case assessed under applicable employment laws to see if they are eligible for a continued leave of absence. Of course, an employer can always choose to allow the employee to continue to take leave for lack of work, but should be clear about the parameters of the leave. If the employee is anxious about returning, (absent any medical condition), it is unlikely they would qualify for leave under any employment law.**
4. Can we rely on employees' honor to take their own temperature before coming in? **This is an option.**
5. Re. HR advice: the Governor's plan speaks about making accommodations for employees who are covid-19 vulnerable. How is this defined and how do we determine which employees this applies to? Do we need to require evidence (doctor's note, etc.)? **Employers should work with legal counsel to best determine how to proceed. In most cases, if an employee is requesting an accommodation due to a medical condition, the employer can require the employee to provide evidence of the medical condition from the employee's physician.**
6. What if a library doesn't want to temporarily dismiss an employee entirely...but rather wanted to keep 40-hr/wk employees employed 32-hrs/wk and allow them to use their vac/sick/personal time for those furloughed 8-hrs/wk? **There are a number of actions employers can take to save employees' jobs and still save dollars. I would recommend discussing with legal counsel.**

### Considerations:

- Full pay to employee (assuming they have vac/sick/personal time remaining)
- Reduced vac/sick/personal time banked (employee)
- Reduced accrued liability (library)