

Speaker 1:

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Cecilia:

Okay, great. Hi, everybody. Thank you for your patience with our jumping on the call. My name is Cecilia Brennan. I am an attorney with HKM. I'm the managing partner of the San Diego Office of HKM Employment Attorneys. As you likely know by now, HKM Employment Attorneys represent exclusively employees and workers in various matters in various cities throughout the country. I'm happy today to be here to present with four, actually, five of our attorneys are now on the line. And so I'd like to go through and have our attorneys introduce themselves, and then what we'll do, is go over a couple of housekeeping things, and then we'll get started with our substantive round table discussion. And again, thank you all for your patience, thank you all for joining us today, and we're going to start with our managing attorney in the Pittsburgh Office, which is Brian. Brian, can you introduce yourself briefly?

Brian:

Yes, this is Brian Benestad. I'm an attorney with HKM Employment Attorneys. I run the Pittsburgh Office, and I will be talking about essential businesses and compulsory attendance as it relates to the COVID-19 pandemic.

Cecilia:

Great, thanks, Brian. How about John Ziegelmeier. He's our managing partner of the Kansas City, Missouri office.

John:

Thank you. So, yes, John's Ziegelmeier, Kansas City area for any folks on the line from there, Kansas or Missouri. I'll be talking about unemployment wages, that kind of thing and the Care Act and how it relates to obviously the Coronavirus pandemic and why we're [inaudible 00:01:51] call it and hopefully try to shed some light and maybe answer some questions that y'all might have. Thank you.

Cecilia:

Great, thanks. Let's hear from from Jay Walker in our Atlanta Office. Hi, Jay.

Jay:

Hi, everybody. This is Jay Walker. I'm the managing partner in the Atlanta Office. Thanks for being with us this afternoon. I'm going to be talking about health and safety issues concerning employees in the workplace and COVID-19.

Cecilia:

Perfect, thanks. And we're lucky to be joined by the managing partner of the entire firm who's Dan, who you heard from earlier. Dan, would you mind reintroducing yourself, please? We might hear from Dan a little bit later. Okay, everybody, yeah again, thanks, everybody, for being with us today. Wanted to just go forward. We did our introductions. We wish we could go around and hear from all of you but that just technically isn't possible. You are able to email us during this call. At the end of the call, we will be taking questions. We have received a few inquiries from you already that will help guide our discussion, but also, you can email us at Coronavirus, C-O-R-O-N-A, virus, V-I-R-U-S at HKM.com throughout this call

and that can ping us to get us any of your additional questions that might come up, and we'll take those questions at the end.

Cecilia:

Just a little bit of housekeeping, this call is being recorded. So, just know that and if you're not comfortable, we will not be hearing from you actually. So, you won't have to worry about having your voice recorded. The recording will be posted on our website as are the other recordings from the other round tables. And so you can feel free to access those. If you have to jump off, you miss anything from today, this will all be available to you. In addition, just so you know, we're attorneys, we're going to give you the kind of disclaimer that always occurs with conversations like this one and basically, just to be clear, we're not providing specific legal advice to anybody on this call. And we're not engaging in an attorney client relationship with anybody on this call. So, we just want to make sure that, give me one moment, just want to make sure that you're aware of that. And that there's no kind of attorney client relationship going on or we're not providing specific legal advice here.

Cecilia:

With that said, in general, we know that there are, I'm just going to give you a little kind of summary of what we're all contending with in terms of the legal framework of what's going on right now with Coronavirus, the federal government and employees. So, this conversation is not going to be geared towards kind of an overall description of what the federal government is doing in general, but generally, what they have passed and what they're working on in relation to employee related matters. And so, as you all know, there were two major kind of packages of legislation that were passed federally. One was the Families First Coronavirus Response Act that was passed on March 18, and then took effect on April 2nd. It expires December 31.

Cecilia:

And this is a bill that expanded paid leave and additional portions of the FMLA for employees, and in terms of the specifics of this bill, we would really encourage you to look at our website, which is probably where you signed up for this, and it'll give you kind of the whole specifics of that act. And you just want to go to HKM.com and you can search for the specifics here on our page on national Coronavirus FAQs. So, that act covers paid leave and also covers sick leave. So, paid leave to care for others and sick leave when one is sick or caring for others that are sick. And then there was also the Cares Act, which is additional funds that expands the unemployment benefits provisions of federal law, and then, usually, will be administered through the states. And so, that's another obviously major act that was passed federally.

Cecilia:

Now, there are tons of questions and probably that is partly what brings you to the call today, there are tons of questions about how these acts overlay with other existing law and how these acts overlay with our state laws and even local laws. And so, in that respect, if you do have specific questions, we would encourage you to seek counsel from an attorney for your particular questions and/or seek resources from your state, and also encourage you to look at the different provisions that your city might also have, your city or local county, might have that would apply to, for example, in San Diego, we have additional provisions for paid sick leave related to caring for children and things like that. And so, just to note that we have all of this information on our website and you're encouraged to review the details

there and if you have specific questions moving forward, you can email those to us today or later at that Coronavirus email address that I gave you.

Cecilia:

We have received some questions already from you. And so, we would like to jump into starting to answer some of these specific questions. So, I'd like to call on my colleagues that are on the line to begin that process. Let's start with Brian. Brian, are you able to commence your piece of the presentation?

Brian:

Yes. Are you clearly Cecilia? Because I just want to make sure that I'm coming through clearly.

Cecilia:

You sound great, yea.

Brian:

Okay. All right. So, I'm going to talk a little bit about essential businesses and essential employees and different benefits associated with essential employees and consequences of being either essential or non essential, and also the effects of that and a furlough versus being laid off and different specific questions received about a doctor's note or being forced to sign a new agreement and the right to work home. And I'll be talking on a more overall level based on the federal standards but also specifically, talking a little bit about Pennsylvania and how that state has implemented some of the guidance from the federal agencies because it all seems to the interplay pretty similarly across this this region, but the most-

Cecilia:

Hi, Brian, just a second really quickly, Brian, just to let you know, you're cutting out slightly with your line. So, I just wanted to let you know we missed a bit of [inaudible 00:09:09] that, hopefully we can fix [inaudible 00:09:16] we'll try.

Brian:

Right That's what I was worried about, because when you're speaking it's coming through quite muffled, but I'm not sure if you're all hearing me. Are you hearing me?

Cecilia:

No, we didn't we didn't hear you that time. Let's move forward, would you mind proceeding with your piece of the presentation and then we can circle back to Brian?

John:

Sure, I can. Am I coming through clearly? You all seem to be on my end. I don't know if it's... The beauty of technology [inaudible 00:09:59]. Sorry. Am I coming through okay?

Brian:

You are

John:

Okay. Thank you. As Cecilia kind of mentioned earlier and I'm sure everyone unless you've been living under a rock is aware of the Cares Act. So, I'd like to discuss unemployment wages and how that applies to folks. So, as you all are probably aware, the Coronavirus Aid Relief and Economic Security Cares Act was passed by Congress and signed into law late March of this year to help combat with the COVID-19 crisis that we're all dealing with. Essentially, we at HKM have boiled it down to try to make it as simple as possible to understand. That being said, it is complicated and we are kind of constantly updating it and discussing it and trying to figure out what different pieces mean. So, essentially, there's five kind of additional applications that the Cares Act adds to what we always generally have understood as kind of the unemployment process. So, essentially it makes it easier for folks to get unemployment benefits.

John:

The act [crosstalk 00:11:02]

Cecilia:

Hi John.

John:

Yeah?

Cecilia:

Let me just interrupt. We're having technical difficulties. It looks like it's through our... [inaudible 00:11:15] hearing you very well, John.

John:

You could not?

Cecilia:

Let's try [inaudible 00:11:22] if wouldn't mind, and then if not we'll likely [inaudible 00:11:29]. Going back a few [inaudible 00:11:35]

John:

I'm sorry. Would you want me to start?

Cecilia:

Yes.

John:

Sorry. So, essentially, I'll try to, I guess, try to be brief but so the Cares Act makes it easier for folks to get unemployment benefits. 12 reasons you can qualify that wouldn't have been present before are if you're an individual who's been diagnosed with COVID-19, or experiencing COVID-19 symptoms and seeking a medical diagnosis for those, if a member of your household has been diagnosed with COVID-19, if you're an individual, or excuse me, if you're someone that's caring for a member of your family or household who's been diagnosed with COVID. A child or person for which you were caring for is unable

to attend a school facility because of COVID, or some other public health emergency, you're not required to go to work. If you're unable to reach your place of employment because of quarantine, based on your various jurisdictions, again, this somewhat difficult for us because everyone's from all over the country but trying to be as general and thorough as we can be.

John:

If the individual has been scheduled to commence unemployment and doesn't want to end their job, or was unable to reach the job as a direct result of the COVID crisis, if you became the breadwinner or major support because someone has some died from COVID-19. If you have had to quit as a direct result of COVID-19, which I think a lot of folks situation, outside dovetail that into also if you come with, what I'd call, underemployed, if you're unable to work the normal amount of hours that you were prior then you should also be able to apply for unemployment benefits and get some sort of relief from that. Probably, so that sort of thing, but if you're placing employment has been closed because of COVID, that would add another way for you to get unemployment benefits. So, Cares Act also now allows independent contractors and gig workers to obtain unemployment benefits as long as, for instance, if you're an independent contractor, you are willing to work but are unable to because of any of the reasons that I've described above.

John:

Individuals able to telework or pay, who are receiving sick leave or other paid benefits are not eligible, unfortunately. I'm sure I know a lot of questions that have come in very recently have essentially had to kind of deal with the same issue and it is unfortunate. I think state is being bombarded with calls and emails and website inquiries, and vast majority, at least to the questions that have been kind of pointed towards me, relate to that as far as trying to get in touch with their unemployment office not being in touch, not getting a callback, getting kicked out of the system. And not to certainly excuse that situation, but I think an explanation, simply just that it's just this is an immensely complicated system on a good day and add a pandemic to it, it makes it a total nightmare and disaster. So, for what it's worth, we certainly apologize for what y'all been through as far as trying to get your unemployment and get a call in, or get an email in, get a website inquiry but not to be unhelpful, I guess, but that you would just keep trying to do that.

John:

I think I've heard some anecdotal stories of folks are trying, this isn't very convenient for folks, but trying in the middle of the night even, trying first thing in the morning, typically trying to avoid Monday morning or avoid the weekends, as those will be typically the busiest times that people are trying to get in touch in the office. So, if at all possible, just trying to just set an alarm and get up early and try to get it done then, or in the middle of the night or something like that, which again, isn't very convenient for folks, that might be an option. As you're probably aware of [inaudible 00:15:43] typically have only been given 26 weeks of coverage, but the Cares Act adds another 13. So, you'll get an additional 39 weeks and this will go back retroactively to January 27, arguably, before the Cares Act went into effect. So, that's helpful for folks, another 13 weeks of unemployment.

John:

Additionally, you're probably aware that up until the end of July this year, you get an extra \$600 per week, given the Cares Act even if you wouldn't have qualified for \$600 a week anyway. So, that's a nice additional benefit. Typically, I think the minority of the states had a one week kind of waiting period

before you would get unemployment. The Cares Act provides coverage for that and kind of ending the wait period for States. And then each individual government [inaudible 00:16:36] Indian tribes, there's kind of some different, I haven't had any questions regarding those, but there's some different kind of rules there. And if someone's on the line that has one of those kind of questions or kind of unique situations, please reach out to us or shoot us an email. We'll be happy to try to answer your question to the best of our ability.

John:

Trying to think. One way I think for folks to get their money quicker is if you are able to sign up for unemployment, or excuse me, I'm sorry, switching gears to the stimulus check. If you go to, as I understand, the irs.gov/coronavirus, you're able to enter in your direct deposit information if you're so inclined, and that will likely help get that stimulus check quicker than a paper copy, as you might imagine, which allows for, depending on your taxable income, \$1200 per adult for individuals who are less than or \$89,000, that's 198,000 for joint filers, and \$500 per child under 17 years old, or up to \$3400 for a family of four. Trying to think. I think that's generally my spiel. I hope I came through [inaudible 00:17:49] break up too badly. Again, I know I've had a bunch of questions and generally revolving around, not being able to get into your unemployment office, get signed up.

John:

I would say just keep trying to do so, and really, a good resource to if there's specific questions is to try to go to your particular State's website, Secretary of State or whatnot. They probably have set up a special site to deal with us to, and some information for them, as you might imagine, pretty impossible to know what every state's going to do or what every state's rules are regarding certain things. So, to the extent you're able to try to find those on your own particular State's websites. I'll kick it back to you Celia.

Dan:

All right. Thanks, John.

John:

Or Dan.

Dan:

This is Dan. Yes. Yeah, this is Dan Kalish. All right. Why don't we go to Brian? Brian, why don't you talk about kind of essential businesses and whether or not individuals actually have to attend work and those situations.

Dan:

(Silence)

Dan:

All right, why don't we move to Jay? Jay, why don't you talk a little bit about kind of safety at the workplace and what employees can do regarding safety at the workplace, if that's okay?

Jay:

Absolutely, sure. What I'm going to talk about is generally two subjects. I want to talk about first, health issues that employees may have to deal with and address as the result of COVID-19 and then some safety issues. Keep in mind that these are general guidelines and each legal scenario is unique and that you should ultimately consult with an attorney about representation and legal action should the need arise. We have 14 offices throughout the country/ Happy to speak with anyone concerning a specific legal situation. So, what I thought I would do is just kind of address in a question and answer type format, which I think is going to be a little bit easier to digest, and these are just some kind of common thoughts and questions and concerns that employees have. So, the first is, well, in the middle of the pandemic, do I have to continue to work?

Jay:

So, the answer to that is, it depends. We would suggest that you check with your specific state and local jurisdiction. Their governors, county commissioners, mayors across the country have been issuing shelter in place orders, and those orders generally state that if you work for a non essential business, you are prohibited from going to work. The orders typically have a start date and an end date. So, it's important to check the dates. Some of these orders have been extended. So, it's important to check to see if it's been extended. Then the orders will talk about whether or not your company's considered an essential business or not essential business, and more than likely, your employer has reached out to you and has read those orders and given you some instructions in terms of what category they fall into and the rules that would apply.

Jay:

So, the second, I think, common question concerning health is if you are in essential business, and you're required go to work, what should you do if you've been diagnosed with, or if you're experiencing, pardon me, COVID-19 symptoms? So, if you are required to go to work and you have these symptoms, then you should notify your employer, and in addition to that, you can request sick leave pay under the Families First Coronavirus Response Act that went into effect March 18. It runs to the end of the year. If your employer is less than 500 employees and you have COVID-19 symptoms, and you're seeking a medical diagnosis, your employer is required to provide you with up to two weeks of sick leave, or 80 hours of sick leave. What's kind of important to note here is that employers are actually getting tax credits for this sick leave. So, there is a kind of a benefit that they get in order to provide the sick leave to you.

Jay:

If your employer has more than 500 employees, then you would be protected under the Family Medical Leave Act. You're actually protected if it has at least 50 employees but you would fit under this act in terms of being eligible to take leave. Now, keep in mind that type of leave would be unpaid, and you would get up to 12 weeks of unpaid leave. So, in both scenarios, kind of regardless of the size of your employer, keep in mind that you can use accrued sick leave and annual leave to take time off should you have COVID-19 symptoms, and you should do that in accordance with whatever your company's policies and procedures are. So another question is, well, what if I'm diagnosed with COVID-19? Am I still required to go to work? The answer there is pretty much the same that you should notify employer, and that probably should not go to work because you would be subject to a quarantine order through your local or state government, but at the same time you're still allowed to request the sick leave under the Families First Coronavirus Response act or unpaid leave under FFLA, or you, can like I said before, use sick leave, irrespective of those laws and your leave according to what your company provides.

Jay:

The other kind of common question that comes up in terms of health is if you work for an essential business or you're required to go to work and you're caring for someone that has COVID-19 symptoms or have been diagnosed with COVID-19, what should you do in that situation? Similar answer there. You should notify your employer under the Families First Coronavirus Response Act, you're actually allowed to still get that 80 hours of sick leave if the individual that you're caring for is subject to a quarantine order. So, you should notify employees and let them know that that person is subject to quarantine and you're requesting this sick leave. In addition to that the FFLA also provides leave for an employee who is taking care of their spouse, child or parent that's suffering from a serious health condition, which I think we can all agree that COVID-19 would qualify.

Jay:

So, again, you would request FFLA leave to take care of spouse, child or parent, and/or again, you could use sick or annual leave. Just some basic pointers, really in terms of requesting this type of leave that documentation is very important. It's probably best to submit an email. If you can't do it by email, then make a note of when you submitted the request, who you sent it to, what the response was so you can have good notes. If for some reason you take this leave and you're retaliated against by, for example, you're suspended or maybe your hours are reduced, or you're getting forced job assignments, or even terminated then under the FFLA, you would have some protections for that under their retaliation provision, which would basically state that the employer cannot retaliate against you for using your rights under that law. Under the FFCRA, it's an open question, at least to me it is, as to whether or not you would have retaliation rights on that but by all means, if you're eligible, you should request it.

Jay:

In terms of safety, I'll kind of jump over to safety issues. And so, really here there're kind of two main questions I think most employees would have. One is what are the safety procedures and protocols in my workplace? And here it kind of depends. Again, you should check with your local jurisdiction your state or city or county executives to see if they've issued any orders on what the protocols are. For example, here in Georgia, the governor has decided to open up hair and nail salons beginning April 24. And so, one of the boards that governs those entities, the board of cosmetology, they have issued guidelines. So, guidelines are like you've got to check temperatures of employees, you have to do social distancing, wear masks, disinfect. The problem is that these these are just kind of guidelines. And they're not mandatory as legal requirements. So, because that's the case, they may not necessarily provide you with any rights or recourse. The only recourse that I understand is that if they come in and see that someone's not following it, they can probably close the shop down, which doesn't give you a lot of protection.

Jay:

I will kind of just touch briefly on OSHA. OSHA does have guidance for workplaces on how to address COVID-19 and provide protections, but once again, those are guidelines. They're not standard regulations or legal requirements. Now, that being said, there could be, in certain industries, specific rules under OSHA that a company has to follow, and next I'll kind of just move to what your recourse is should employer be following these guidelines. I would say, kind of go back to what I said earlier, it's important to document. So, if you want to take a picture, or video of what's not being done, that's the first step. Then you would report it to your employer. Then you may want to consider reporting it to your state or local government or OSHA. If you are similarly retaliated against, then OSHA has a non

retaliation provision, which basically says that if you were acting in a way to try to prevent your employer from violating any safety or health standards, and they took an adverse action against you that you would have a recourse.

Jay:

Important there to note that you have to file it within, 30 days is pretty quick, so you would have to contact them file within 30 days, and the last thing I'll touch on is with the NLRB is also another avenue for recourse. They're essentially, if you were acting on the behalf of of employee or you're acting with another employee to try to protect your safety and health standards and then were discriminated against, or retaliated against because of that then you would have recourse with The National Labor Relations Board and in that sense you have to file your charge within six months of the procurement. So, that's pretty much all I have. I just wanted touch on some some basic guidelines on how to navigate these issues.

Dan:

Okay, Thanks, Jay. I appreciate that. Now, Brian, why don't you talk about kind of essential businesses and kind employers who want to force employees to go into the office, that type of stuff.

Brian:

Absolutely. So, most of you are probably still under Stay-At-Home order, at least in Pennsylvania, all 57 counties are under Stay-At-Home order until May 8, and that means that all individuals and counties subject to the policy must Stay-At-Home except for certain essential activity and work to provide life sustaining businesses and government services. So, that even means that you really cannot leave your residence unless it's to perform individual activities and allowable central travel such as, and this just for your general knowledge, individuals performing tasks essential to maintain health and safety, or the health and safety of your family or household members such as obtaining medicine or medical supplies, visiting healthcare professionals, obtaining supplies they need to work from home, engaging in outdoor activities such as walking, hiking or running, if they maintain social distancing.

Brian:

So, that's just related to the Stay-At-Home order for everybody's general knowledge and then you start talking about exemptions to that and it's life spanning business activities, and they're exempt from the Stay-At-Home policies in most states. Businesses can determine whether they're considered life sustaining businesses and allowed to continue in-person physical operations by referring, usually, each governor has issued an order and the list of licensed ending businesses is available on every State's website. In Pennsylvania it's PA.gov, and then most of them follow the essential critical infrastructure issued by the Department of Homeland Security and Cyber Security infrastructure security agency advisory. So, if you're curious about whether your business is actually life sustaining, you can look that up and it's fairly self explanatory. Obviously hospitals and stores and places like that, but it also includes construction and manufacturing, oil and gas, energy, transportation, financial activities, banking, educational Services.

Brian:

And there is also guidance about what the employers should be doing the key people safe at work. The governor of Pennsylvania, he even issued an additional order which require these life sustaining businesses to ensure the safety of their employees, which is maintaining proper social efficiency

measures where possible, and if your employer you think is not providing you with enough safety, the first step is to at least complain about it. You also can contact the department of Human Services. You can contact the attorney general's office. You can do different things if you think they're being, even if you're at an essential business, and you're being subjected to safety hazards as it relates to COVID-19. Now, a lot of questions we've been getting are can an employer require me to sign a new agreement to continue working, and unfortunately the employer can do that, or do have a right to work from home? And no, not necessarily, not if you're in a central business and you need to report to work.

Brian:

So, but with that said, you also can be asking for different accommodations if you need one, such as if you have a disability or you're immunocompromised. You could ask for that kind of thing at work and if you are not given it, and you're subjected to the virus, you think, unnecessarily, we recommend you contact an attorney or perhaps OSHA or at the Attorney General's office. And another question we're receiving is can an employer require a doctors note in order to work? And that also is something an employer can do in this situation. They are allowed to ask for a doctor's note if you are saying, "I can't come to this essential business because of my medical condition." So, you could be required to provide medical proof of that, but something to be aware of is if you're at work in an essential business is you can ask for a mask. You can ask for staggered work starts and stop times are practical to prevent gatherings of large groups entering or leaving the premises that there's sufficient space for employees to have breaks and meals while maintaining a social distance up to 60 feet, putting limits on the number of employees in common areas and setting up, needing to have employees facing forward and not across from each other.

Brian:

Conduct meetings and training virtually. If it must be held in person, limit the meeting to the fewest number of employees possible. Ensure that the facility has a sufficient number of employees to perform measures listed effectively and in a manner that ensures the safety of the public employees. Prevent non essential visitors from entering the premises of the business, ensure that all employees do not speak English as their first language are aware of procedures by communicating the procedures. These are specific guidelines that were issued in an order by the governor, but they are different guidelines and protocols that you can be asking your specific employer to uphold and maintain the safety of the employees at essential businesses. And you also, I mean another question we were asked if you were fired for not going to work, but your work was essential. Yeah that is possible for an employer to do that. Now, you may have available recourse under a different statute, maybe the ADA or OSHA, but you definitely could go collect on employment.

Brian:

There's also the question of what if we're not essential and you're fired for not going to work? Well, then you can say, "Well, I shouldn't have had to go to..." It's possible that you could have some [inaudible 00:37:55] recourse if the employer is requiring you to come to work but it's a non essential business, and that's something that you would want to talk to an attorney in your area about pursuing and there's another question received lastly about being furloughed versus being laid off and a main difference is that you should be continuing to receive benefits if you're furloughed, but under either circumstance you should be applying for unemployment compensation benefits.

Brian:

So, that's a brief summary of what an essential business is, and different protocols employers should be implementing to ensure the safety of its employees and what's available possible recourse you may have if you're unnecessarily exposed and you're objected to safety hazards at work as it relates to the Coronavirus.

Dan:

Great. Thanks, Brian. I appreciate that. And then, again, that sort of concludes our formal presentation. Now we'll do sort of answering the specific question that people have and to do that the best way is to email us at Coronavirus@HKM.com. Again, that's Coronavirus@HKM.com. In the meantime, we've received some questions. So, I think we'll just start into that. And then John, why don't we start with you? Why don't you take those two questions and then to Question and Answer questions that Jay will respond to.

John:

Yeah, sounds good. Thank, Dan. So, [inaudible 00:39:30] let me pull up the question here, I would say generally, you filed for unemployment and now your employer is telling you that they're going to deny that. I think, generally, like I said during my session, I will consider you under employed to this point. So, I think you're certainly within your rights to for unemployment and there's certainly no penalty for filing for unemployment even if you're deemed to be not eligible for it in the future, so you might as well try for it. And as far as trying to let folks know, or excuse me, update the unemployment office that you are working and trying to make essentially just [inaudible 00:40:10]. I think, essentially just let them know that you're doing what you normally do week in and week out as far as work's concerned, but given the current situation, to use your words, decimated as far as the sales ability and whatnot, just indicate that you're still doing what you're doing, making calls on certain people, making whatever it is that you do or whatever your sales process is to just continue doing that and let them know.

John:

Again, if your employer is going to fight that employment, there's nothing you can relieve that. That'd being said, I think I would consider that you would be underrated given the situation. So, I wish I had a better, just specific answer of what to do but I would generally say you've done the right thing as far as filing for unemployment and keep trudging forward and letting them know, updating them that you're doing what you're supposed to be doing as far as it relates to your work and go from there. And there's another one, bear with me one sec.

Dan:

Great, thanks. Yeah, no. I'll do the next one. We had a question about, there was somebody who is a senior citizen and wants to know that if his or her child claims him or her as a dependent, will that prevent her from getting unemployment benefits or will her son get the unemployment benefits? And the answer to that is, I don't know. I don't know how it works with dependents because usually the experience we get is usually people who have their child as a dependent child don't work. I don't know anything right off the top of my head that would prevent you from getting unemployment benefits but I'm simply not sure of that. So, what I would recommend it, I know this is going to be tough, but I would recommend calling the unemployment department. It will take a long time getting through, but my concern is also that dates may vary on how they handle dependents.

Dan:

So, my recommendation to you would be to contact the unemployment office and then you can hopefully get that question answered. Thanks. And now, Jay, I believe you're going to focus on one.

Jay:

Yeah, sure. So, we have a question from an employee who appears to work for the Federal Government and her question has to do with PPE, more specifically face mask and whether or not they're required to be worn and if so, where? So, she states that the face masks are now required in the lab area in response to COVID-19 but not in our common cubicle area. It's left to personal choice. So, as I was saying earlier, this kind of depends upon on what specific requirements that are in place that are provided for by your specific jurisdiction. What type of safety procedures and protocols are in place. It depends on the industry you're in. There might be state laws and orders that dictate what is supposed to be word and when and what the safety [inaudible 00:43:42] protocols are to be. So, I would recommend, first, figuring out what industry you're in and then check to see what the protocols are.

Jay:

In addition to that, I will mention that if you are a Federal Employee there is a possibility that you might be represented by a labor union. If that's the case, then I would definitely advise to speak with your union representative and have that person look on your behalf in terms of what the rules are concerning workplace safety. The last I would mention is OSHA, which is the Occupational Safety and Health Act, and again, sometimes there are specific requirements that are in place for certain types of industries and sometimes there's not. So, I would definitely look into that as well and to see if there are environments here, that would kind of give you the, at least, the parameters of what's required in terms of a face mask or any type of PPE in the workplace.

Dan:

Great. Thanks, Jay. And that now concludes our presentation. We apologize about any technical difficulties but what we recommend all employees and all workers do is to continue to check our website at HKM.com/Coronavirus. We will update that as we get updates, number one. In addition, we will post this Roundtable on onto that site. We will also have postings of two previous Roundtables. We're going to have three Roundtable discussions on that site. And then again, if there are any additional questions, feel free to write us at Coronavirus@HKM.com and then we will hopefully be able to answer your question or provide information that answers your question at the next Roundtable. So, with that, I think we'll hang up. Thank you so much for participating and good luck and please stay safe. Thank you.