



WORKPLACE POLICIES,
PRACTICES & LEGAL REQUIREMENTS
THAT PROMOTE
PHYSICAL & EMOTIONAL SAFETY

Nonprofit Westchester
April 8<sup>th</sup>, 2021



### Presented by:

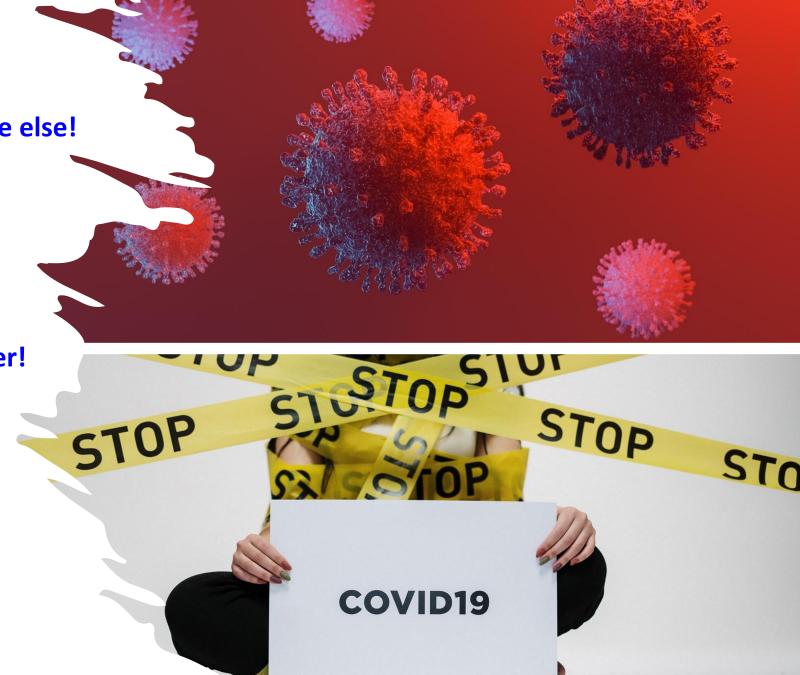
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### Our Objectives Today

- Understanding of Government Mandated Protocols:
- Updates on Legal Requirements
- Agency Updates/ Recommendation
- EEOC/ OSHA
- NYS
- Westchester County
- Creating a Healthy Physical and Emotional Workplace
- Managing Stress

#### THE PAST YEAR +

- Don't leave your home!
- Don't breathe the air near anyone else!
- Wash your hands! Images
- Wear a mask!
- Wear gloves!
- Wash your groceries!
- Stay six feet away from each other!
- Don't see your family!
- Don't see your children, parents, grandparents!
- Don't touch any thing!







# WHY DO WE NEED TO RECAP THESE EXPERIENCES!

- We are all still living with these fears and concerns!
- Even those vaccinated are still unsure of their safety and the safety of those around them
- The mental health impacts are longer lasting
- Post Traumatic Stress Disorder
  - PTSE- PANDEMIC Trauma and Stress Experience
- Pandemic Burnout
- Pandemic Paranoia

### **Employers Guardrails**

- Do not expect a quick return to normal.
  - Employees need continued wellness and compassion to move out of survival mode before they can think about Thriving.
- Employers should not focus on setting new ambitious goals to recoup losses.
- Try to understand the challenges employees are facing.
  - Limits on coping capacity / Burnout.
  - Reduced Concentration Level. (Groundhog Day phenomena)
- View Employees Holistically.
  - Not all will have the same needs.
- Try to reduce stress levels.
  - Scheduling, assignment of tasks
- Recognize and Reward behaviors you are trying to encourage.
- Share your longer-term vision and strategy for the future.
- Create trust.
  - Be flexible and adaptable.
  - Take an active interest in your employee's well-being.



#### THE VACCINE

EMPLOYERS CAN REQUIRE EMPLOYEES TO BE VACCINATED FOR COVID-19 or FACE DISCHARGE

CDC has determined that COVID-19 is a Direct Health Risk to Workers

The EEOC has the same opinion

#### **Exceptions:**

- EEOC guidance regarding Vaccine Mandates and the following:
- ADA- Americans with Disabilities Act
- Title VII of the 1964 Civil Rights Act and
- GINA (Genetic information Non-Discrimination Act )
- Pregnancy Discrimination Act

#### Reasonable accommodations must be made for the following:

- Genuine Religious Beliefs
- Health Reasons Americans With Disabilities Act (ACA)
- Pregnancy





#### THE VACCINE

### EMPLOYERS CAN REQUIRE EMPLOYEES TO BE VACCINATED FOR COVID-19 or FACE DISCHARGE

#### **Additional things to think about:**

- Employee educations programs about the vaccine
- Vaccinated Employees vs. Non-Vaccinated Employees
- Vendors and Customers
- Employee Risk Parameters
- Type of Business
- Vaccine Availability

#### • INCENTIVES:

- PTO ( to get the vaccine +/or recuperate from any side effects )
- Cash Incentives

+Covid 19-Vaccine To mandate or not to mandate?

- TASK FORCE
- VACCINE AMBASSADOR
- OPERATIONAL & CULTURAL ISSUES:
  - Enough employees to run the business
  - Employee Engagement issues:
    - Reluctance or even hostility towards a mandate
  - Extensive lost time- huge cost
    - A fully vaccinated workforce may yield benefits far outweighing any temporary anger

#### **GOVERNMENT AGENCIES**

- CDC / EEOC / NIH
- NYS Department of Health
  - Westchester County

#### **Guidelines:**

- Same as past year
- Social Distancing:
- General -6ft / Schools- 3ft / Vaccinated Family
   Members- Close Proximity-Okay
- Vaccinated Co-Workers ????
- Washing Hands
- Wear a Mask
- All Prudent Precautions
- NYS Safety Plan Required





Services News Government Local

**New York Forward Reopening Guidelines** Testing Vaccine Program **Advisory Boards Protect Yourself Excelsior Pass for Business Download the App** COVID-19 Vaccination Jane Mcdowell Excelsior Pass is a free, fast, and secure way to accept proof of COVID-19 vaccination or 712611973 negative test result. **GET ON GOOGLE PLAY** APP STORE DOWNLOAD Pass Valid Verify name and date of birth by checking their photo ID. COVID-19 Vaccination 7126/1973

https://forward.ny.gov/excelsior-pass-business

#### **New York Forward Business Reopening Lookup Wizard**

Industries in each region will reopen in phases. Reopening refers to allowing non-essential businesses and business activities to resume in-person operations. Eligibility for reopening will be determined by health metrics for each region

Essential businesses and business activities that are open may remain open statewide. New York State is also permitting certain commercial and recreational activities to reopen statewide with restrictions.

By entering their region and business type, businesses should be able to:

- 1. Determine your eligibility to reopen, including any special restrictions that may apply;
- 2. For both essential businesses and non-essential businesses allowed to reopen, be directed to review **industry-specific public health and safety guidelines**, if applicable, and, where any guidelines exist, be directed to **submit an affirmation form** for having reviewed and understood such guidelines; and
- 3. Be directed to complete a **business safety plan** to outline how your workplaces will prevent the spread of COVID-19, either by direct link from this wizard or, where industry-specific guidelines apply, as linked to after you submit the affirmation form.

To access this information, please click on the "Get Started" button below:

**Get Started** 

https://www.businessexpress.ny.gov/app/nyforward

#### THE PHYSICAL WORKPLACE

#### **GOALS:**

- Prevent & Reduce Transmission among Employees
  - Prevent
  - Trace
  - Mitigate
- Maintain Healthy Business Operations
- Maintain a Healthy Work Environment

#### **SUCCESS =**

- Policies
- Plans
- Emergency Response Team



#### THE PHYSICAL WORKPLACE

#### What is the Risk Level?

Prevalence in your -

- Community
- Industry
- Business



#### **WORKPLACE SAFETY**

- Employee Health Screenings
- Exposure Response Plan
- PPE
- Detailed/Enhanced Cleaning Procedures
- Workforce Vaccination Strategy
- Restricting/Re-evaluating Business Travel
- Defining Customer and/or Visitor Contact Protocols
- Understanding & Complying with OSHA record-keeping and reporting obligations
- In-Office Food Service
- Rest Room Access

#### **RECALL PROCEDURES**

- Phasing In-Employees returning to Work
- Creating a plan for Employees in high-risk categories
- Notifying State unemployment agency of employees returning to work
- Determine how to handle employees who are unable or unwilling to return to work



#### **Other Back to Work Checklist Items:**

- **✓ EMPLOYEE BENEFITS**
- **✓ COMPENSATION**
- **✓ REMOTE WORK**
- **✓ COMMUNICATIONS**
- ✓ NEW HIRE PAPERWORK POLICY CHANGES
- **✓ BUSINESS CONTINUITY PLANNING**
- **✓ UNIONS**





#### Mental Health Concerns are at an all –time high

- Pandemic Burnout
- Pandemic Paranoia
- PTSD- Post Traumatic Stress Disorder
  - Pandemic Trauma Stress Experience

( A Newly Defined Clinical Diagnosis)





### U.S. ADULTS

46%

not comfortable going back to living like they used to

49%

uneasy about adjusting to in-person interaction

Source: American Psychological Association

**LIFE AFTER LOCKDOWN** 

'RE-ENTRY ANXIETY' GROWS AS COVID RESTRICTIONS ARE LIFTED





70% of employees say they work on the weekends

**45%** are working **more hours** per week than prepandemic, according to data from consulting firm Robert Half.

As a result of these factors, over half of surveyed employees plan on getting a new job- up from 35% last year.

### Tea Cup Story



#### **How To Create Emotional Safety In The Workplace**

- Develop your balanced leader
  - ✓ Self-aware, and aware of others
  - ✓ Authentic
  - ✓ Decisive
  - ✓ Empathic
- Be proactive- address the elephant in the room
- Create space for connection in standing meetings
- Build civility
- Treat conflict as collaboration

Celebrate success and failure

Recognize stress and provide support





53% of adults in the U.S. say their mental health has taken a hit due to Covid-related worry and stress—up 21 points since March.



More than 1 in 3 adults had symptoms of anxiety/depressive disorder during the pandemic, compared to more than 1 in 10 before the pandemic.

https://www.kff.org/coronavirus-covid-19/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use



#### **INACTION IS VERY EXPENSIVE**

- The American Psychological Association <u>estimates</u> that more than \$500 billion is siphoned off from the U.S. economy because of workplace stress.
- 550 million workdays are lost each year due to stress on the job.
- 60% to 80% of workplace accidents are attributed to stress.
- It's <u>estimated</u> that more than 80% of doctor visits are due to stress.
- Workplace stress has been linked to health problems ranging from metabolic syndrome to cardiovascular disease and mortality.
- Harvard Business Review https://hbr.org/2015/12/proof-that-positive-work-cultures-are-more-productive



According to a 2017 study from The Lancet, teams whose managers received just four hours of training on mental health issues saw an 18 percent reduction in work-related sick time off (the control group measured a 10 percent increase)—leading to an associated ROI of \$13.30 for each \$1.30 spent on training.



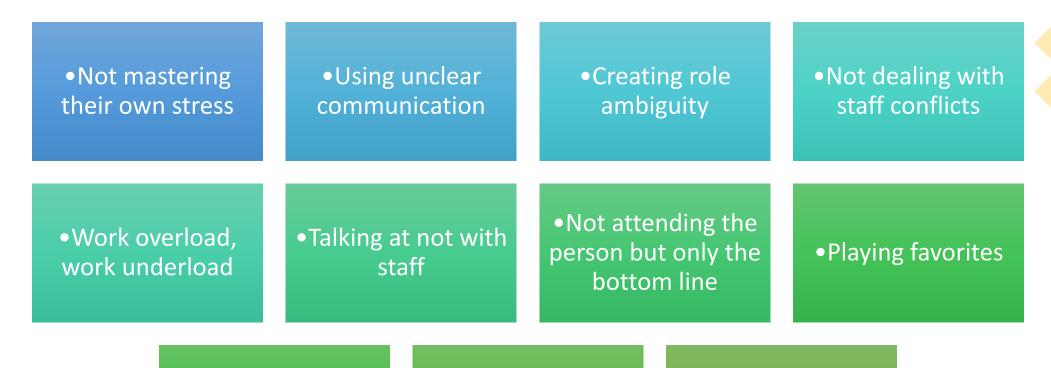
#### **Employee "AT RISK"** Behaviors – Obvious

- Excessive absenteeism
- •Decrease in billable hours, decrease in sales
- Avoidance of manager or others in the office
- Isolation
- Anger/Aggression outbreaks
- Threats
- During or after hour drug/alcohol use
- Not taking any breaks
- Works constantly

#### **Employee "AT RISK"** Behaviors – **Subtle**

- Caustic and degrading remarks
- Passive aggressive behavior
- Being late routinely to meetings
- Continuous avoidance of office functions
- Increased medical use by self or family
- Longer than usual lunches or breaks
- Loss of concentration
- •Simple errors in work
- Sudden shifts in behavior or attitude

### A Leader Can Be A Stressor by...



- Not empowering employees
- Authoritative and domineering attitude
- Unrealistic and unnecessarily tight deadline

## ADDITIONAL **SUPPORT SERVICES** from MY HR DEPARTMENT

#### **TASK FORCE / HR SUPPORT:**

- For companies too small to develop the needed resources for a task force, My HR
  Department is available to supplement your internal resources as you develop and
  monitor your post pandemic planning.
- If you would like to know more: marc@myhrd.biz

#### 4 WEEK WORKSHOP SERIES (starting April 26th):

- Join peers and other industry leaders and we collectively and collaboratively-move forward with the challenges of re-opening our businesses.
- The four-week program starting on Monday, April 26th, will combine a mix of discussion, updates on guidelines and regulations, practical approaches to the challenges ahead, continued stress mastery skill building, re-opening checklist development, and a roundtable environment where the sharing of best practices will take place.
- At the conclusion of the series, all attendees will leave with a **workbook** that will serve as an **important deskside reference**.
- Seating is limited to the first 20 registrations

If you are interested in attending, please forward your contact info to: Info@myhrd.biz

# Q&A



marc@myhrd.biz

914-243-9155

#### **OUTSOURCED HUMAN RESOURCE ADVISORY**



#### My HR Department clients:

- Work with World Class HR Talent who know them and their business
- → Have access to Concierge Human Resource Services
- Sleep better at night