



Human Resource FAQs for May 14, 2020

Connecticut is going to Phase One of RE-OPEN in just 6 days, May 20, 2020. WBDC clients with employees may face key questions, some with straight answers and some with answers still developing. Here are a few questions we discussed this week in our calls.

- 1. Is an employee's general fear of exposure to the virus a qualifying reason to refuse work?**
 - a. While an employee's fear may be very real, the fear is not considered a bona fide reason to refuse work. Governor Lamont has consistently stated that he wants people 65+ to work remotely, stay home and not go out. However, CT has not created a special UI provision for those 65 and over at this time.
- 2. Could I do something different to return the employee to work?**
 - a. **First**, reassure the employee that you have all of the proper safety precautions in place to protect the employee from any potential exposure. Show the employee your cleaning routine, checklists and other procedures or documents that comply with RE-OPEN CT and be sure the employee understands everyone will be educated in following procedures and you will not entertain a customer who puts you or your employees in harm's way.
 - b. **Second**, consider returning the employee to non-customer facing work, or remote work. You are not obligated to create work that does not fit your business needs, but listening to the employee and documenting your conversation is a good practice
 - c. **Third**, if you are not able to return the employee to your business, refer the employee to CT DOL, which has job search resources.
- 3. I have asked my employees to return to work, but the employee is either unable to return to work or is concerned about returning. What happens to the employees' UI?**
 - a. CT's Department of Labor determines eligibility for UI. If your employee refuses your offer to return to work, ask the employee *why*, document the reason provided and send a letter on company letterhead to CTDOL with the employee name, social security number, date of refusal, work start date, your contact information, including fax number (or cell) and fax your information to the **Merit Rating Unit fax at 860-263-6723**.

4. Can the employee lose their UI benefits?

- a. It is possible. If CTDOL determines that the employee refused work without sufficient cause, benefits will stop. If the employee believes however, that returning to work poses a health risk, the DOL may find work is not suitable employment under the law and the employee may not be denied benefits. CTDOL makes the final decision

5. Can I “screen” employees for virus symptoms each day before work?

- a. Yes, you can or you can set a guideline for self-monitoring. CDC recommends as well as RE-OPEN CT that an on-site leader be appointed to manage new safety protocols, watch over self-monitoring and answer employee questions. The most common screen is the temperature screen but it is not hard to ask how the employee is feeling at the start of the shift. You can document your conversation with a note to a separate file.

6. Can I screen customers?

- a. The practice of screening customers at this point appears to be focused on temperature checks and proper masks. You are not required to check temperatures of customers. Some businesses in Connecticut like grocery stores are doing so. Customer temperatures are not tracked and no records are retained. As a business owner, you can ask if the customer has any virus symptoms, which are not tracked. The questions are really used to screen entry into your business. You can require customer masks or ask a customer not to enter without a mask because ***your responsibility is to maintain a safe environment for yourself, your employees and your customers.***

We are living in a very dynamic and fluid situation. It is possible some of the answers we have today will be different in the future.



If you have human resource questions not answered here, you are welcome to reach out to WBDC Volunteer, Deb Gagliettino, DEBGHR, LLC at 203-470-6652 or dghrlc@gmail.com.