Dear GO-HR clients and friends.

We do not want to overwhelm you with emails, but our goal is to ensure you have enough information to make the best decisions to operate your business, and the information is changing by the moment.

Today, Governor DeWine issued an order to limit and/or prohibit mass gatherings in the state (with specific exclusions). Further, he ordered schools (grades K-12) to essentially extend their spring breaks to three weeks (March 16-April 3). This means you, as an employer, may be faced with some challenges when it comes to operating your business. I wanted to share the full text of the Director’s (of the Ohio Department of Health) Order that reinforces Governor DeWine’s order. Please review this and then make the decisions that work for your business. No two businesses will function the same or have the same considerations.

In this Order, please note particularly, items 3, 7, and 10. Also, on page 4, please note that the “CDC reports that people are most contagious when they are most symptomatic (the sickest) however some spread might be possible before people show symptoms although that is not the main way the virus spreads.” This is important to know as you are communicating to your employees, training your managers and supervisors on when to react and send employees home, and what you can say to help alleviate anxiety.

Beginning on page 2 of the order, you can learn additional details about the virus’s transmission and the timeline of its spread. Page 4 of the order reinforces some key points that we have been hearing consistently in the media:

* Those at highest risk of substantial harm are those who have an underlying health condition/conditions.
* Masks do not prevent the spread. The benefit of masks is to reduce people from touching their face. Encourage your employees to use scarves for this purpose and to leave the masks for the medical personnel.
* Encourage social distancing, which is creating space of approximately 6 feet in between people.
* Encourage consistent handwashing.
* Encourage use of one-time use tissues in instances of sneezing/coughing.
* Avoid hugging and handshakes. (Be hip and fist bump or elbow tap, if you must.)
* If you see any symptoms (coughing/sneezing, fever, runny nose, difficulty breathing, shortness of breath), SEND THE PERSON HOME. According to the CDC, fever, shortness of breath, and cough are the symptoms that will appear within 2-14 days of exposure.

**How to ensure work gets done**

Here is where it gets challenging, because every environment and every company is different. Some points to consider include:

* Consider preventing non-employees from entering your offices and instead conduct meetings via telephone and video conferencing.
* Because many parents now have a childcare issue, consider allowing them to bring their child to work. Many may be doing schoolwork and will not be a problem.
* Evaluate whether your employees can work from home (not only to limit any exposure concerns, but also to alleviate childcare concerns). If you check equipment out to them to work from home, such as laptops, be sure to document this for tracking and retrieval purposes.
* Consider your leave policies. Most smaller employers don’t have some of the paid leave benefits larger employers have, so you’ll have to think about whether you want to require people to use the paid time off, or whether you want to take a more generous approach. Be consistent and ensure you are not violating Fair Labor Standards Act (FLSA) in terms of deducting from exempt employees’ salaries or failing to pay non-exempt employees wages for any time worked. Legally, you do not have to pay your non-exempt (hourly) employees if they are not at work and not working. However, think about the impact on your employees who do not receive a paycheck but for the fact that they are non-exempt. Again, this will vary from company to company, but keep this in mind as you make your decisions.
* Use your technology. Phones can be forwarded.
* Communicate with your clients. Use your email, websites, and other communication forms to let them know you’re still here and still available and then tell them how they can reach you.

**What happens if an employee tests positive or you send one home because they exhibited symptoms?**

* Conduct a quick assessment of who that person has had contact with in the office or among your customers. Let them know that they may have come into contact with someone who was exhibiting symptoms (you don’t need to name names) and that they may want to self-quarantine, as well. If it’s one of your employees who may have been exposed, send them home.
* Keep cleaning supplies handy and clean frequently. Yes, we’re short on hand sanitizer and Lysol wipes, but there are other ways to clean, as well.
* If an employee who seems perfectly healthy indicates any concerns about coming to work, have an empathetic discussion with them. They may have an underlying health condition of which you are not aware, they may have an elderly member in their household, or any other number of issues. Remember, your job is to ensure your employees have a safe place to work. Failing to do so could be an OSHA violation.
* Check in on your employees who are not at work. Care check-ins go a long way to building strong(er) relationships.

We will continue to monitor this situation and provide updates. Please let us know if you have any questions.

\*Sharon DeLay is not a medical or legal professional.

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