

Response + Recovery

The Allegheny Conference
COVID-19 Webinar Series



UPMC HEALTH PLAN

Today's program,
Early Considerations for the
Re-opening of Business
in our Region
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generous sponsors.



Program

- Welcome
- Featured Presentations
- Q&A Session
- Wrap-Up

Moderator:

Kyle Chintalapalli, Vice President, Business & Economic Development, Pittsburgh Regional Alliance - an Allegheny Conference affiliate

Presenters:

Matt Smith, President, Greater Pittsburgh Chamber of Commerce - an Allegheny Conference affiliate

Jay Glunt, Partner, Reed Smith, LLP

John O'Leary, Senior Manager, Deloitte Services and State & Local Government Research Leader, Deloitte Center for Government Insights

Kyle Chintalapalli

Vice President, Business & Economic
Development

Pittsburgh Regional Alliance – an
Allegheny Conference affiliate

Matt Smith

President, Greater Pittsburgh
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Allegheny Conference affiliate

Allegheny County Department of Health

Unique County Level
Health Department





Pennsylvania
joined Northeast
compact with
other states

What does this mean?

Reopening Process

Data Driven

Key Metrics

Evidence-based

Testing

County-by-County
Approach

Robust Case Investigation
& Contact Tracing

Carnegie Mellon
University Data
Dashboard

Reopen Most Positive
Impact on the Economy
& Mitigating Health Risk

Governor Wolf breaks it down
into 3 Phases:

Red

Yellow

Green

Key Questions

Testing capacity

Contact Tracing capacity

PPE availability

Hospital/healthcare provider utilization

Business social distancing capability

Federal

White House released

“Opening Up America Again” guidelines April 16

Three phase approach – *Based on symptoms, cases, and hospitals' metrics over two week periods*

- Phase 1 – phased in return to work
- Phase 2 – larger venues can open with social distancing restrictions
- Phase 3 – full return to work with some restrictions on large venues, restaurants/bars, etc.

BUT, Highly deferential to Governors making the final call

Federal

NEW – Phase 3.5 of The CARES Act

Funding for testing

Require states to submit testing and contact tracing plans to federal government

Jay Glunt

Partner
Reed Smith, LLP

Five Areas of Risk

1. **New Workplace Laws = Compliance Risks**
2. **Selection of Workers to Return = Discrimination Risks**
3. **Enhanced UC = Employee Relations Challenges**
4. **Cost Saving Measures = Wage / Hour Risks**
5. **Safe Workplace Practices = Employee Privacy Risks**

Best Practices: Be aware of agency guidance

- **Guidance has been issued by various other agencies, such as the EEOC, CDC, DOL, OSHA, and FDA**
 - These inform employers about best practices for continuing to operate during the COVID-19 crisis and in a post-pandemic world
- **Implement policies and procedures that adhere to guidance issued by these agencies**
 - This will help employers mitigate liability as businesses begin to reopen
 - OSHA Guidance on Preparing Workplaces for COVID-19
- **Be aware of any local or state orders and requirements**
 - Examples include continued social distancing protocol or a responsibility to provide employees with personal protective equipment

Summary of Best Practices for Retail Food Stores, Restaurants, and Food Pick-Up/Delivery Services During the COVID-19 Pandemic



BE HEALTHY, BE CLEAN

| | | |
|--|--|---|
|  <ul style="list-style-type: none"> • Employees - Stay home or leave work if sick; consult doctor if sick, and contact supervisor • Employers - Instruct sick employees to stay home and send home immediately if sick • Employers - Pre-screen employees exposed to COVID-19 for temperature and other symptoms |  <ul style="list-style-type: none"> • Wash your hands often with soap and water for at least 20 seconds • If soap and water are not available, use a 60% alcohol-based hand sanitizer per CDC • Avoid touching your eyes, nose, and mouth with unwashed hands • Wear mask/face covering per CDC & FDA |  <ul style="list-style-type: none"> • Never touch Ready-to-Eat foods with bare hands • Use single service gloves, deli tissue, or suitable utensils • Wrap food containers to prevent cross contamination • Follow 4 steps to food safety Clean, Separate, Cook, and Chill |
|--|--|---|

CLEAN & DISINFECT

| | | |
|--|--|---|
|  <ul style="list-style-type: none"> • Train employees on cleaning and disinfecting procedures, and protective measures, per CDC and FDA • Have and use cleaning products and supplies • Follow protective measures |  <ul style="list-style-type: none"> • Disinfect high-touch surfaces frequently • Use EPA-registered disinfectant • Ensure food containers and utensils are cleaned and sanitized |  <ul style="list-style-type: none"> • Prepare and use sanitizers according to label instructions • Offer sanitizers and wipes to customers to clean grocery cart/basket handles, or utilize store personnel to conduct cleaning/sanitizing |
|--|--|---|

SOCIAL DISTANCE

| | | |
|---|---|--|
|  <ul style="list-style-type: none"> • Help educate employees and customers on importance of social distancing: <ul style="list-style-type: none"> - Signs - Audio messages - Consider using every other check-out lane to aid in distancing |  <ul style="list-style-type: none"> • Avoid displays that may result in customer gatherings; discontinue self-serve buffets and salad bars; discourage employee gatherings • Place floor markings and signs to encourage social distancing |  <ul style="list-style-type: none"> • Shorten customer time in store by encouraging them to: <ul style="list-style-type: none"> - Use shopping lists - Order ahead of time, if offered • Set up designated pick-up areas inside or outside retail establishments |
|---|---|--|

PICK-UP & DELIVERY

| | | |
|--|--|--|
|  <ul style="list-style-type: none"> • If offering delivery options: <ul style="list-style-type: none"> - Ensure coolers and transport containers are cleaned and sanitized - Maintain time and temperature controls - Avoid cross contamination; for example, wrap food during transport |  <ul style="list-style-type: none"> • Encourage customers to use "no touch" deliveries • Notify customers as the delivery is arriving by text message or phone call |  <ul style="list-style-type: none"> • Establish designated pick-up zones for customers • Offer curbside pick-up • Practice social distancing by offering to place orders in vehicle trunks |
|--|--|--|

Potential **FTC compliance** issues when reopening

- **Information-sharing between companies alone does not raise antitrust risks**
 - However, direct information exchange among employers or agreements between employers that have an adverse affect on workers may be subject to antitrust rules against collaboration among competitors
 - **Example:** developing agreements with other employers that lead to uniform employee rules on hours of work, compensation reduction, or return to work incentives
- **The FTC and Justice Department are on the lookout for employers whose conduct violates antitrust laws**
 - <https://www.ftc.gov/news-events/press-releases/2020/04/federal-trade-commission-justice-department-issue-joint-statement>
- **Collusion or other anticompetitive conduct in labor markets may subject companies to civil and criminal penalties**
- **Special rules may apply when a union is involved**



Returning workforce documents

- Return to work considerations
- Recall letter
- Form I-9
- Form W-4
- Criminal background checks
- Drug testing considerations
- Other licensing/certifications
- Benefits issues
- Wage and hour issues
- Labor considerations
- Policy/handbook
- IT considerations
- What to do when the employee refuses to return to work due to COVID-19 related concerns



CARES Act: Resources for employees

Unemployment insurance expanded

- **Pandemic Unemployment Assistance**
 - Temporary expansion of eligibility
 - Seeking part time work, business owner, self-employed (gig workers and independent contractors), limited work history
 - Up to 39 weeks (13 weeks longer)
- **Pandemic Unemployment Emergency Assistance**
 - Additional \$600/week taxable income (no withholdings) for all weeks of eligibility from April 5, 2020 through July 31, 2020
 - Ordinary first week waiting period waived
 - Additional 13 weeks of eligibility (to 39 weeks)
- **Lower wage and part-time workers are making more while laid off and collecting unemployment**
- **Expanded unemployment compensation benefits present a potential strategy for short-term layoffs**



Reducing hours or wages

- **Reductions in hours and/or wages typically permitted**
 - Be aware of contract restrictions
- **For non-exempt employees:**
 - Give advance notice
 - Reductions cannot reduce compensation below federal minimum wage of \$7.25
- **For exempt employees:**
 - Give advance notice and no end date
 - If reduction below \$35,568, formerly exempt employee is now entitled to overtime pay
 - Salary reductions should not be short-term or seasonal



EEOC Guidance: **What employers can do**

- **Conduct screenings of employees physically entering the workplace, which may include:**
 - Temperature screenings
 - Asking about COVID-19 symptoms, exposure, testing, and diagnosis
 - Asking about close contact with anyone diagnosed with COVID-19
- **Employers may require screenings for all employees or on a case-by-case basis**
 - If only some employees are screened, the employer must have a reasonable belief based on objective evidence, such as a persistent hacking cough, that the individual may have COVID-19
- **Exclude those with COVID-19 or symptoms associated with COVID-19 from the workplace**
 - This is permissible because their presence would pose a direct threat to the health and safety of other employees



John O'Leary

Senior Manager, Deloitte Services

State & Local Government
Research Leader, Deloitte Center
for Government Insights



Governments' response to COVID-19

From pandemic crisis to a better future

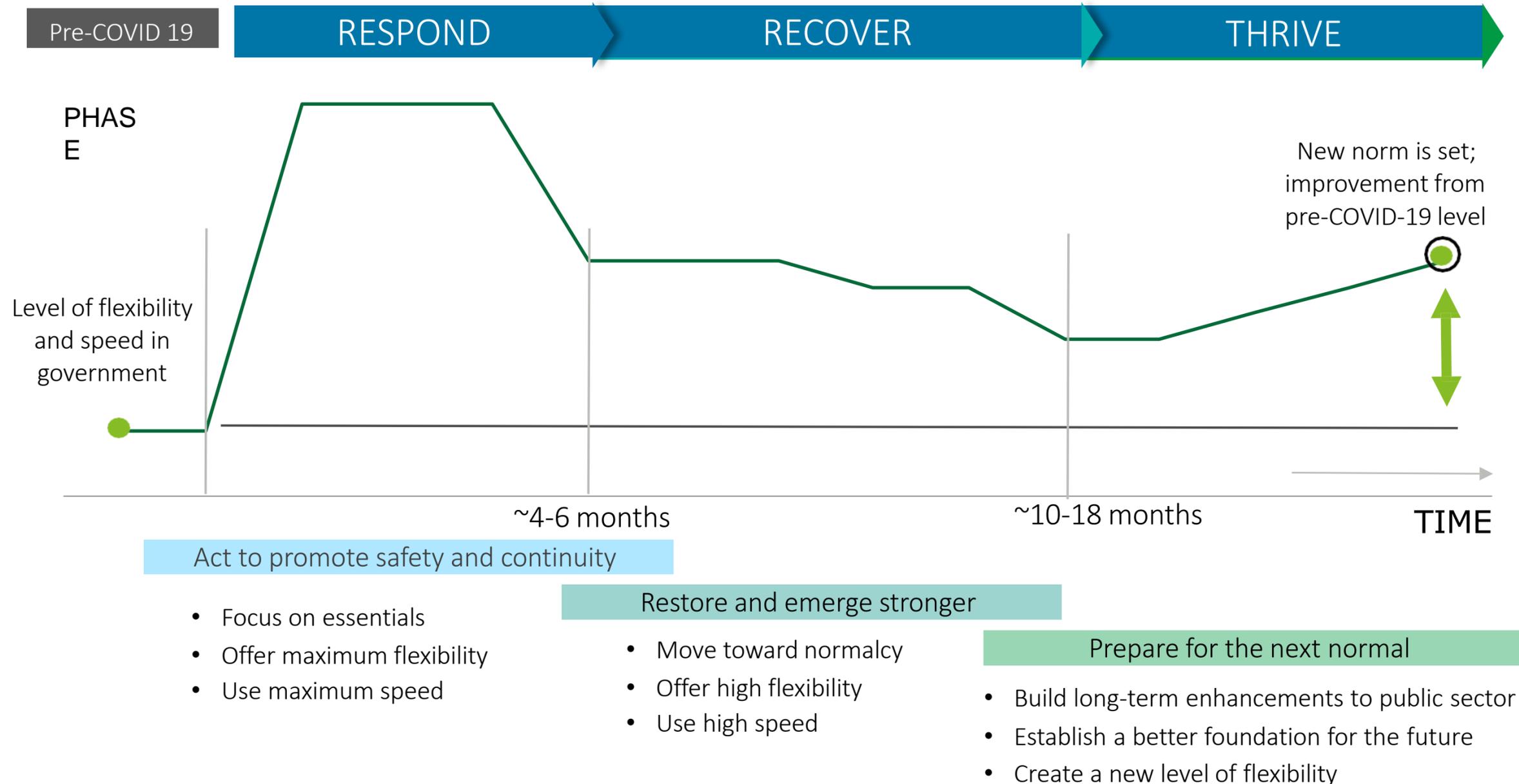
Executive summary

Presented to Allegheny Conference

April 2020

A timeline of government's actions through the COVID-19 crisis

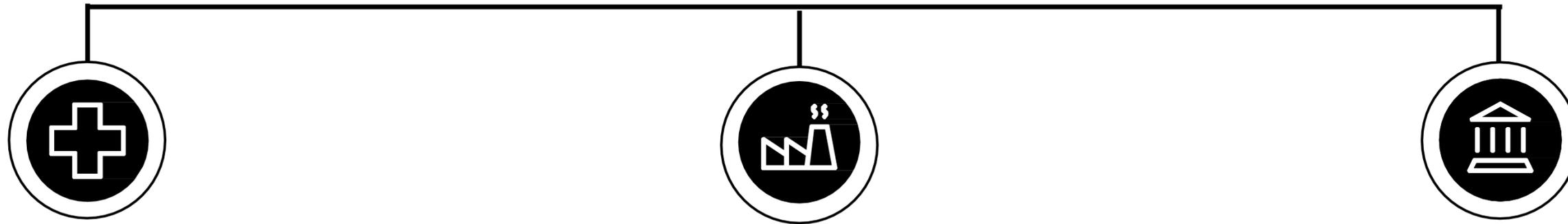
This figure models the COVID-19 crisis over time across the three overlapping phases governments will pass through: respond, recover, and thrive. Robust data analysis through all the phases will be vital so that officials can properly interpret the signals and act accordingly.



“You don’t make the timeline; the virus makes the timeline.”

—Dr. Anthony Fauci

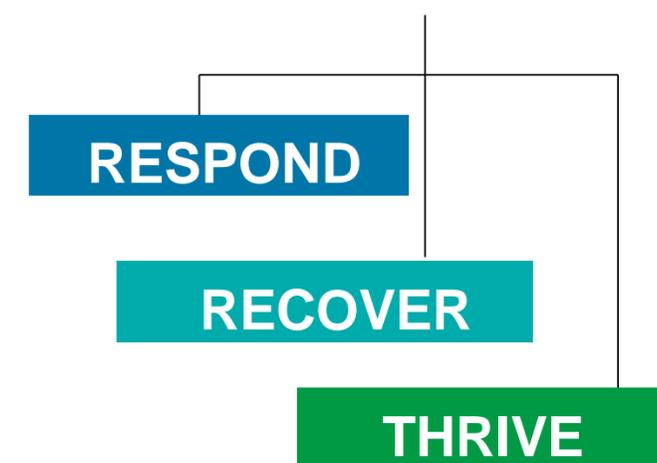
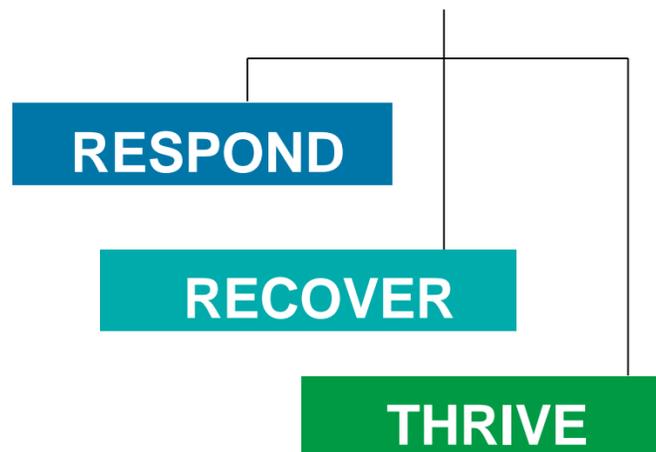
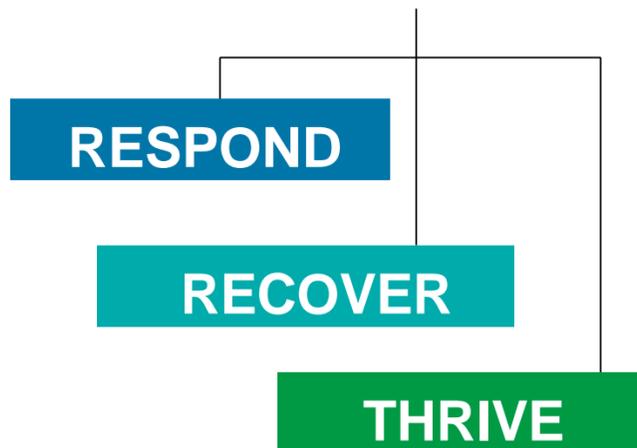
The journey through crisis will deal with three challenges



How do we address the health care crisis?

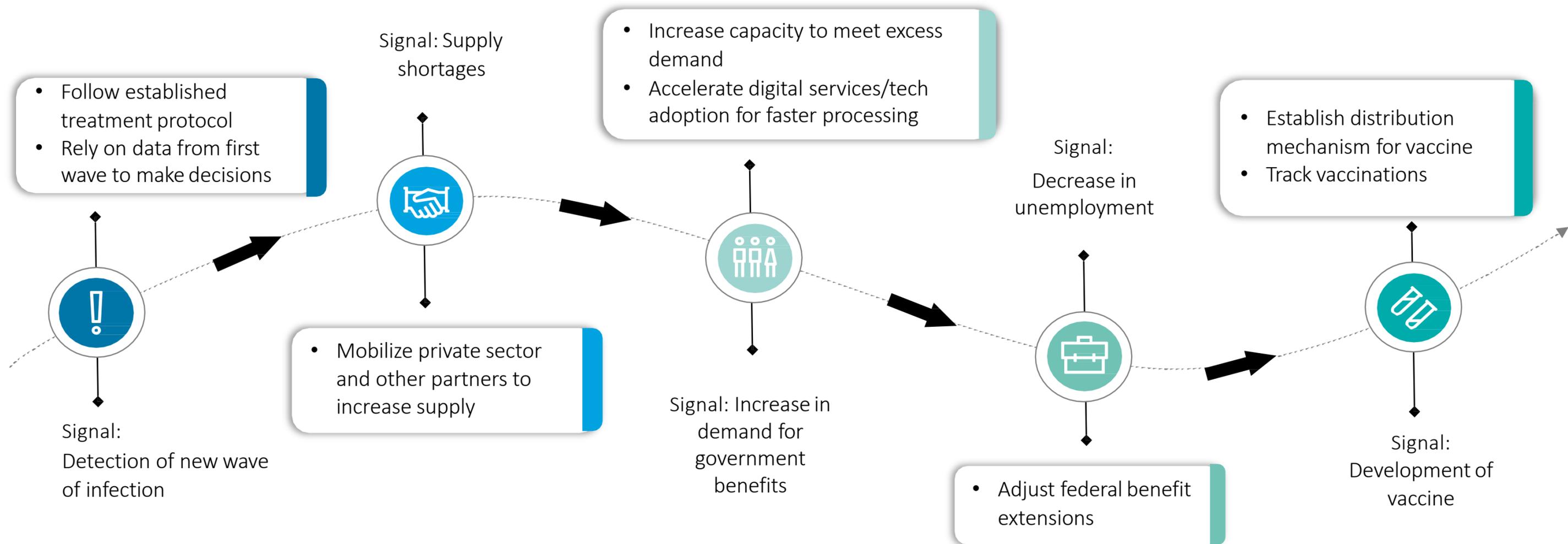
How do we address the economic crisis?

How do we keep “the business” of government operating?



Governments must be adaptable as circumstances evolve, including heeding data signals that indicate a resurgence of the virus

The range of policy responses over time will depend on *signal* changes—changes in policy tools, such as sustainment/expansion or pivots, that could unfold based on economic, health, or demand shifts



The core business of government challenge



The *respond* phase requires a “two-gear” mindset, as some functions massively surge (emergency response, benefit programs, etc.), while some functions physically close down (licensing, library, etc.).

Core operational and policy challenges

Determining which functions need to operate, and which continuing operations require new protocols.



Mission review

Finances



Officials will, in many cases, have to simultaneously manage precipitous drops in tax revenues with surges in demand and, in some cases, massive infusions of money from central government.

The biggest experiment in “remote everything,” as telework, telehealth, and distance learning are adopted at scale, on the fly.



Remote everything

Worker safety



Many parts of government must continue to function in close contact with the public—and hence, with the virus.

IT is needed to support telework in an environment of increasing cyberattacks.



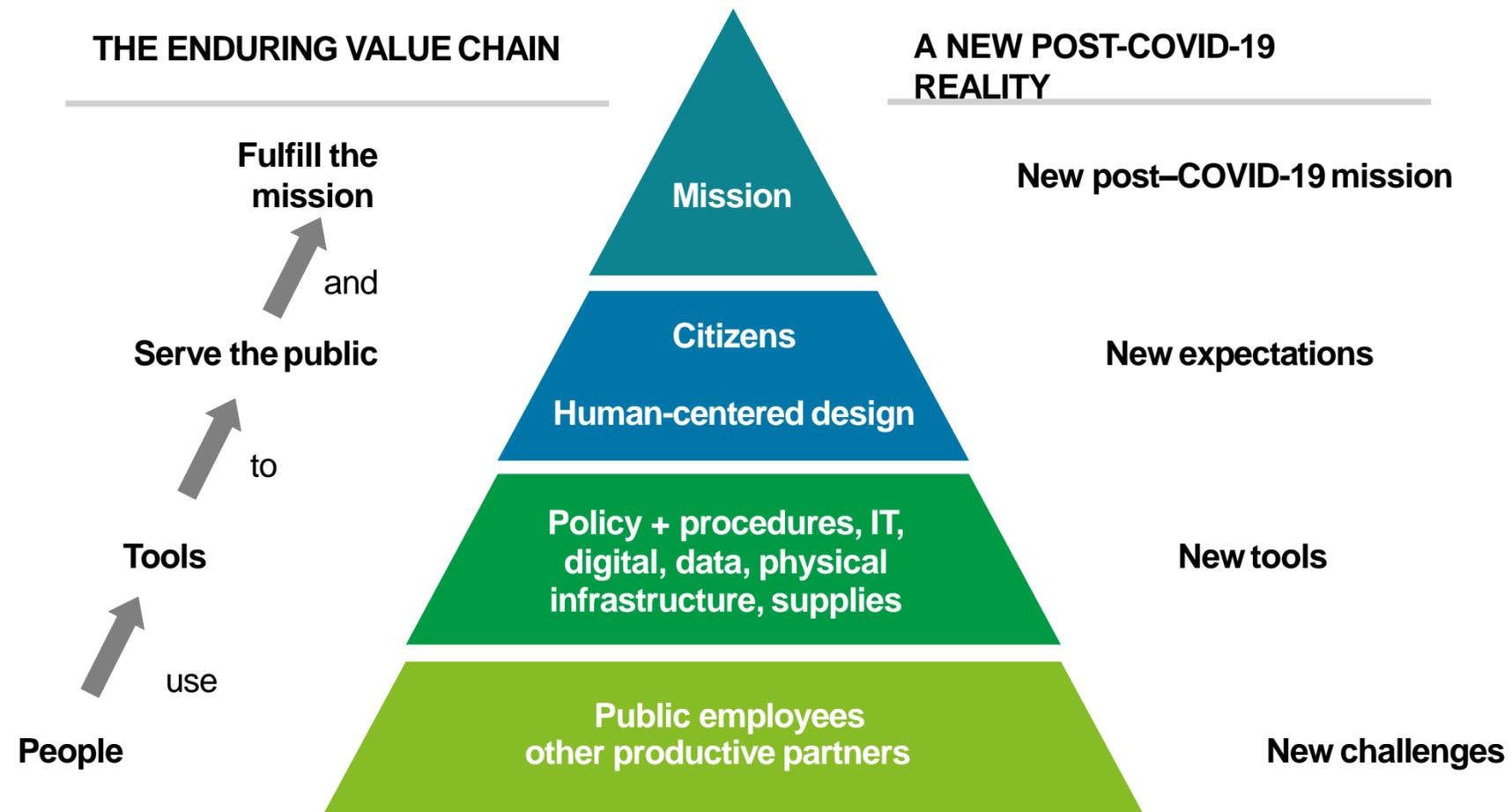
IT and cybersecurity

The business of government front



Every government agency has a specific and often unique mission. But all deliver value in the same way, which can be expressed in the mantra, “People use tools to serve the public and fulfill the mission.”

A mission-centric look at the next normal



People: Management of public employees as well as other partners of government will be irrevocably changed. In the *recover* phase, the health and safety of public employees is likely be an area of emphasis, as well as remote work.

Tools: The COVID-19 crisis has demonstrated clearly that rules and regulations that hinder public service should be altered or removed—quickly. We’ve also seen the importance of data and digital tools to adaptive government.

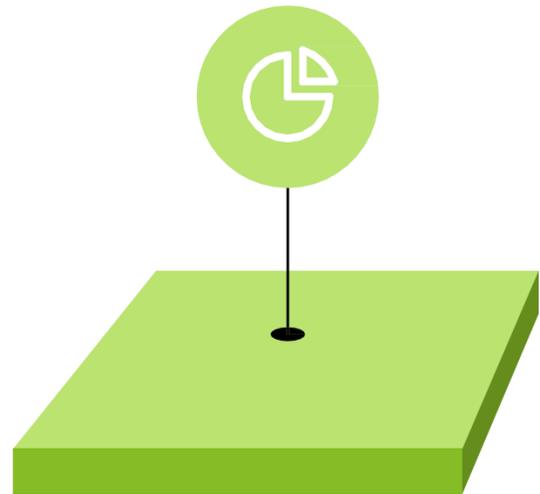
Serving the public: Expectations for service will only grow after the COVID-19 crisis. In the short term, governments must be able to sense and react rapidly to changes in the pandemic.

Mission: In many cases, government’s mission in a post-COVID-19 environment will be different.

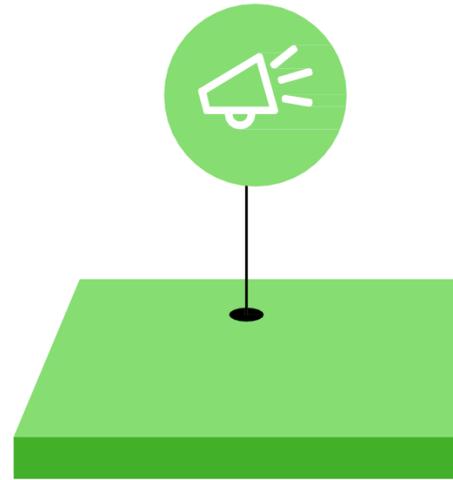
Tools and tips for the economy



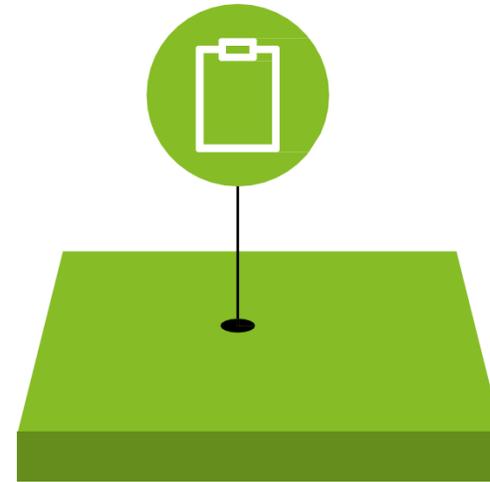
Use data to identify the hardest-hit areas



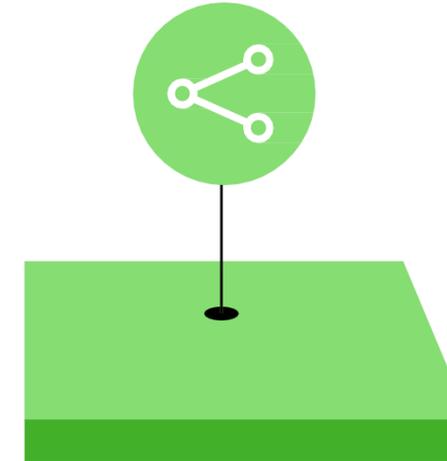
Provide clear guidance for reengaging in economic and social activity



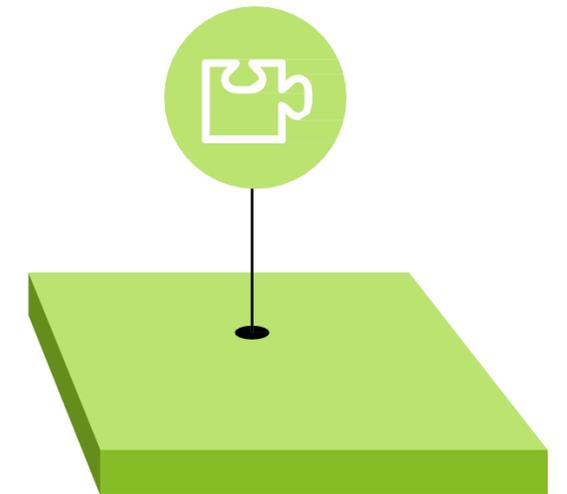
Conduct an industry/sector assessment



Engage private sector participation to revive certain sectors



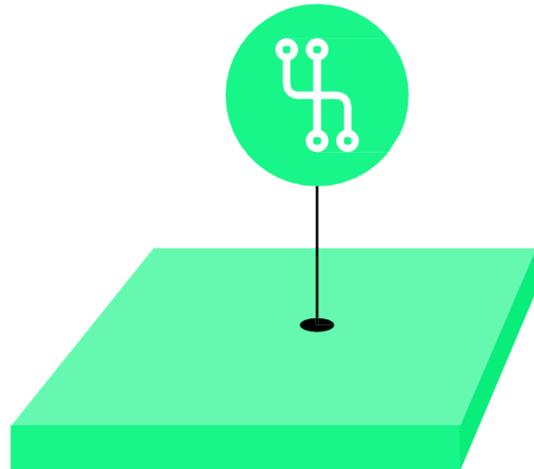
Retrofit infrastructure and civic assets



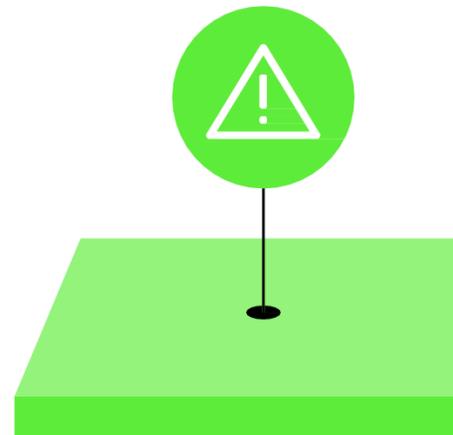
Tools and tips for the economy



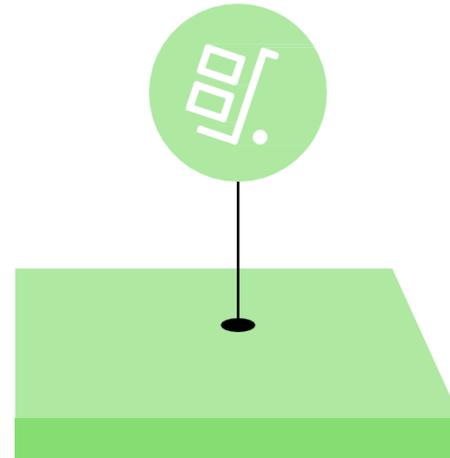
Use the power of networked government



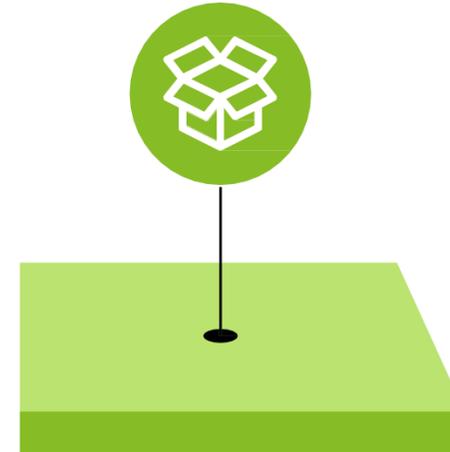
Prevent fraud by design



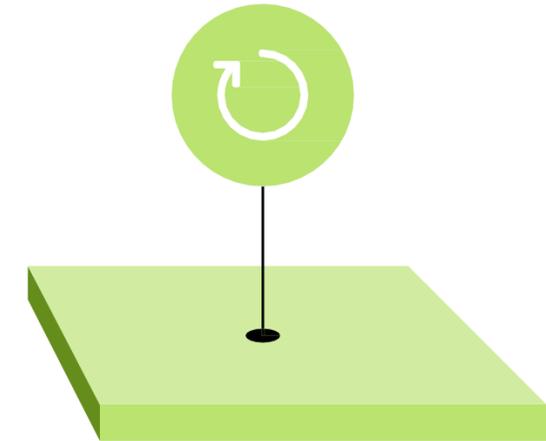
Evaluate supply chain vulnerability



Provide open data



Plan ahead for a potential second wave



Q & A

Moderated by:

Alison Treaster

Senior Director, Workforce and Business Engagement

Allegheny Conference

A panoramic view of the Pittsburgh skyline at dusk, featuring several skyscrapers and the iconic yellow suspension bridge. The city lights and bridge structure are reflected in the calm water of the river in the foreground. The sky is a mix of soft pinks, oranges, and blues.

PITTSBURGH REGION RESPONSE TO COVID-19

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