



An HR Survival Guide for COVID



Guidance for Independent Schools

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Introduction

At many independent schools and businesses Human Resources (HR) has sometimes taken a back seat to other priorities. In many cases job descriptions and policies and procedures have not been updated for several years.

Human resources management can be challenging under normal circumstances, but COVID-19 has introduced new complexities for managing faculty and staff in K-12 schools. This is complicated by the fact that many schools do not have a robust HR staff to take on the additional tasks required by the COVID-19 crisis.

In this guide, Fusion Cell’s experts in public health will review the current COVID-19 guidance related to HR and how to manage a safe environment for employees that does not create “Undue Hardships” for your school. This paper will help you learn:

- How to manage changes for employees in both traditional classroom and remote learning settings.
- How to navigate COVID-19 remote work policies and avoid “Undue Hardships” on your school.
- Workplace safety measures you can take to reduce the risk of COVID-19 on campus.

COVID-19: Impact in the Workplace

In March 2020, COVID-19 outbreaks were occurring across the US and schools were moved to remote learning in response to state and federal guidance to try to stop the spread of the coronavirus in the school systems.

Without notice, States of Emergency and Public Health Emergencies were declared across the US and K-12 schools followed the closures of most colleges and universities. Unfortunately, unlike colleges and universities that may have had prior experiences with remote learning, the K-12 schools were thrust into a new world of creating online academic programs.

As COVID cases continue to increase we are now in a new phase of response to the crisis. Most schools worked hard over the summer to develop online and traditional curricula and have had most students return to campus with some students still utilizing remote learning at the same time. As we progress towards the new normal for K-12 schools everyone is experiencing:

- Productivity erosion
- Remote work fatigue
- Functions that don’t fit remote work
- Infrastructure vulnerabilities
- Faculty/staff/student fears

Increased demand on K-12 faculty and staff combined with the fears of increased risk to themselves and their families have significantly raised the stress levels at all academic institutions. This additional stress has caused a major increase in employee complaints and lawsuits related to the COVID crisis.

Independent schools continue to struggle with finding the proper balance of safety and health mitigation that allows a safe environment on campus for faculty, staff, and students alike. Most organizations have found that even their best and brightest employees are struggling with responding to the COVID crisis. Very few individuals or organizations have ever experienced anything like a pandemic.

The only groups that have consistently worked in these high stress scenarios is our military services. Fusion Cell has recruited experienced pandemic planners from the military and created a program to support independent schools by assisting them in responding to the pandemic with plans that include multiple levels of options to support the K-12 system.

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Important COVID-19 Definitions

There are four significant definitions that all faculty and staff must understand. These terms have been repeatedly misused by the media and “experts” and have been confusing to the public. To make sure everyone understands the differences we are including these four important definitions to ensure everyone has the same level of understanding.

- **Close Contact** – Someone who was within 6 feet of an infected person for a cumulative total of 15 minutes or more over a 24-hour period starting from 2 days before illness onset (or, for asymptomatic patients, 2 days prior to test specimen collection) until the time the patient is isolated.
- **Medical Isolation** – Separating an ill or sick individual from others while they are infectious.
- **Medical Quarantine** – Separating a person from others (i.e., excluding that person) for 14 days when that person has had a known exposure. A person generally cannot test out of medical quarantine.
- **Travel Quarantine** – A new term created based on an administrative order from a federal, state, or local government to segregate higher risk individuals from the general public. It calls for separating a person from others (i.e., excluding that person) for 14 days when that person has had a potential or unknown exposure due to travel in an area with high transmission levels for COVID-19. It is possible to test out of quarantine with a negative COVID test in certain states, including Massachusetts.



Necessary Updates to Your HR Processes and Procedures

After working with several independent schools, Fusion Cell has developed several methodologies to assist in protecting the independent school communities. There are three major phases that schools need to focus on to prepare their workplaces for COVID-19 and lessen the likelihood of HR issues:

- **Preparation** – updating your schools job descriptions and HR policies and procedures.
- **Execution** – how to operate on a daily basis to reduce HR issues and ensure safety.
- **Response** – what to do if someone gets COVID.

Preparation Phase

We recommend all schools implement the COVID “Big 6” for Workplace Safety. By providing mitigation in these six priority areas your school will be accomplishing their due diligence in protecting your faculty, staff, and students:

- **HVAC** – Follow ASHRAE recommendations to increase fresh air intake and/or filter air.
- **Sanitation/disinfection** – Properly clean surfaces using appropriate items on the EPA List N.
- **Exclusion and health screenings** – Use either hard copy or an electronic method. Fusion Cell recommends using an electronic method.
- **Distance** – Follow CDC/state/local guidance.
- **Masks and mask mandates** – Follow state/local guidance.
- **Hand hygiene** – Follow CDC/state/local guidance.

To prepare your organization for COVID-19 response it is important to make sure you update the following HR areas:

- Complete a Hazard Assessment of Workplace Safety (OSHA)
 - o Validate Personal Protective Equipment (PPE) requirements
 - o Update Hazard Communication Standard education of employees regarding workplace chemicals
 - o Prepare for OSHA documentation and reporting of any occupational illnesses (e.g., workplace acquired COVID cases)

- Update school communication plans
- Update all faculty and staff job descriptions
- Perform necessary HVAC maintenance and upgrades
- Create plans for use of non-traditional spaces as classrooms
- Ensure that employee training related to new policies and procedures is properly communicated and documented

Execution Phase

To prepare your organization for COVID-19, make sure you update and implement the following:

- Implement all items developed in the Preparation Phase
- Implement appropriate cleaning and disinfection procedures
- Implement required health screenings
- Implement appropriate physical distancing measures
- Implement mandatory mask policies
- Require proper hand hygiene
- Implement a comprehensive remote work policy
- Implement a faculty and staff travel policy
- Implement an appropriate COVID testing policy

Response Phase

To prepare your school for positive COVID-19 cases at your school, make sure you have the following items ready for immediate use:

- Sick employee/student protocols
- Coordination with your LBOH/contact tracing organization
- Medical isolation procedures
- Medical quarantine procedures
- Increased communication plans and template documents
- Understand reporting requirements

Guidance from the ADA: Reasonable Accommodation vs “Undue Hardship”

To prepare for employee requests for modified work schedules and remote work, school administrators must understand what accommodations are and when they do and do not apply to employee requests. Keep these definitions in mind:

- **Reasonable Accommodation** – A reasonable accommodation is any change to the application or hiring process, to the job, to the way the job is done, or the work environment that allows a person with a disability who is qualified for the job to perform the essential functions of that job and enjoy equal employment opportunities. Accommodations are considered “reasonable” if they do not create an undue hardship on the business.
- **Undue Hardship** – Under the Americans with Disabilities Act (ADA), when an accommodation would cause such a burden that it would amount to an undue hardship to provide, then an employer is not obligated to provide that particular accommodation. Determining undue hardship largely depends on fact-specific details that must be evaluated on a case-by-case basis.

Leave and Personal Time Off (PTO) Practices (FFCRA and FMLA)

To prepare for employee requests for time off, modified work schedules, and remote work, school administrators must understand what programs are available and applicable to individual circumstances. Keep in mind that current federal COVID Response programs expire on December 31, 2020 but it is expected that these programs will be extended or replaced by new legislation by Congress for 2021.

Relevant programs include:

- **The Family and Medical Leave Act (FMLA)** requirements will remain in effect. More information can be found at: <https://www.dol.gov/agencies/whd/fmla>
- **The Families First Coronavirus Response Act (FFCRA)** requires independent schools to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020. More information can be found at: <https://www.dol.gov/agencies/whd/pandemic/ffra-employee-paid-leave>

FFCRA includes two areas of employee coverage:

1. The Emergency Paid Sick Leave Act
2. The Emergency Family and Medical Leave Expansion Act

All employers should be familiar with these limited employee benefits and prepare for renewal or similar programs in 2021.

Conclusion and About Fusion Cell

COVID-19 has increased already limited HR capabilities at independent schools. There are limited resources available to assist schools with reviewing, updating, and implementing new policies and procedures related to the current COVID crisis.

Fusion Cell is helping independent schools mitigate the risks of COVID-19 and take control of their HR practices. Our team includes public health experts with backgrounds in HR and risk mitigation practices. We have decades of experience keeping US Military bases operating safely and efficiently in the face of infectious diseases and pandemics. We are here to help you make your campus as safe and healthy as possible and to manage your human capital resources as you navigate constant changes to the human resource rules in this new and everchanging environment.

For specific advice on managing the human resources for your school, contact Fusion Cell at contact@fusioncell.com.