

## *Employment Law*

COVID-19 creates a myriad of issues for employers. The primary types of questions our attorneys get from employers relate to what the employer can, may, or must do relating to their employees. Some answers are obvious while others are more nuanced and require review of statutes or regulations. The questions employers are asking are, in many ways, similar to those asked by employers during the early days of the SARS and ZIKA scares. For example:

- Can we, may we, or must we send an employee home?
- What happens if an employee refuses to go home or refuses to work with or near another employee?
- What are our obligations to other employees if one employee is infected or suspected to be infected?
- What are our obligations to customers, clients and third parties?
- Must we supply masks or protective items to employees?

Some answers can be found in OSHA's "Guidance on Preparing Workplaces for an Influenza Pandemic" at [https://www.osha.gov/Publications/influenza\\_pandemic.html](https://www.osha.gov/Publications/influenza_pandemic.html).

Other questions are similar to the types of questions our attorneys receive regularly relating to employee safety, mandatory or voluntary leave with or without pay, wage and hour issues (particularly with offsite or remote working arrangements), OSHA and CalOSHA standards, and best practices for employee safety, required accommodations (particularly for employees who are more vulnerable), discrimination and termination issues and employee privacy issues. Unionized employers may have some unique questions that arise, particularly issues relating to required bargaining over actions the employer may want to take to protect its work place.