

# RESPONSIBLE RESTART OHIO FOR LOCAL GOVERNMENTS

MAY 20, 2020



MID-OHIO REGIONAL  
**MORPC**  
PLANNING COMMISSION

# WELCOME & INTRODUCTIONS



MORPC

## WILLIAM MURDOCK

*EXECUTIVE DIRECTOR*

*MID-OHIO REGIONAL PLANNING  
COMMISSION*



Feel free to post questions in the chat function in teams or email ["questions@morpc.org."](mailto:questions@morpc.org)

# MORPC MEMBERSHIP & PROGRAMMING



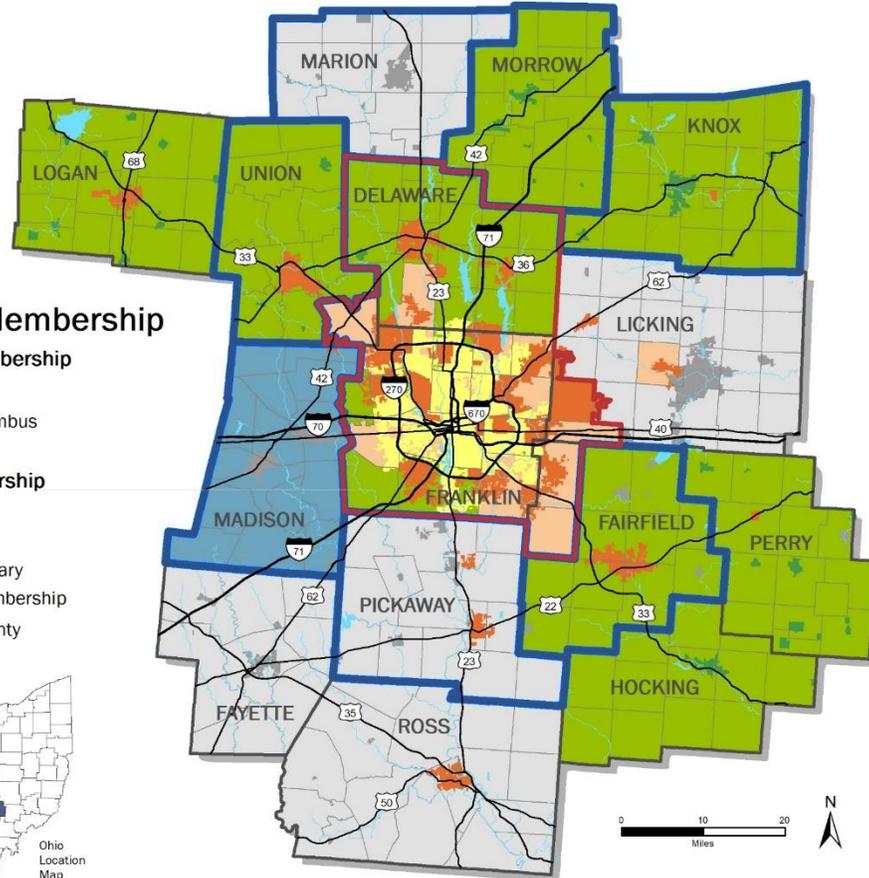
## MORPC Membership

### Individual Membership

- City/Village
- City of Columbus
- Township

### County Membership

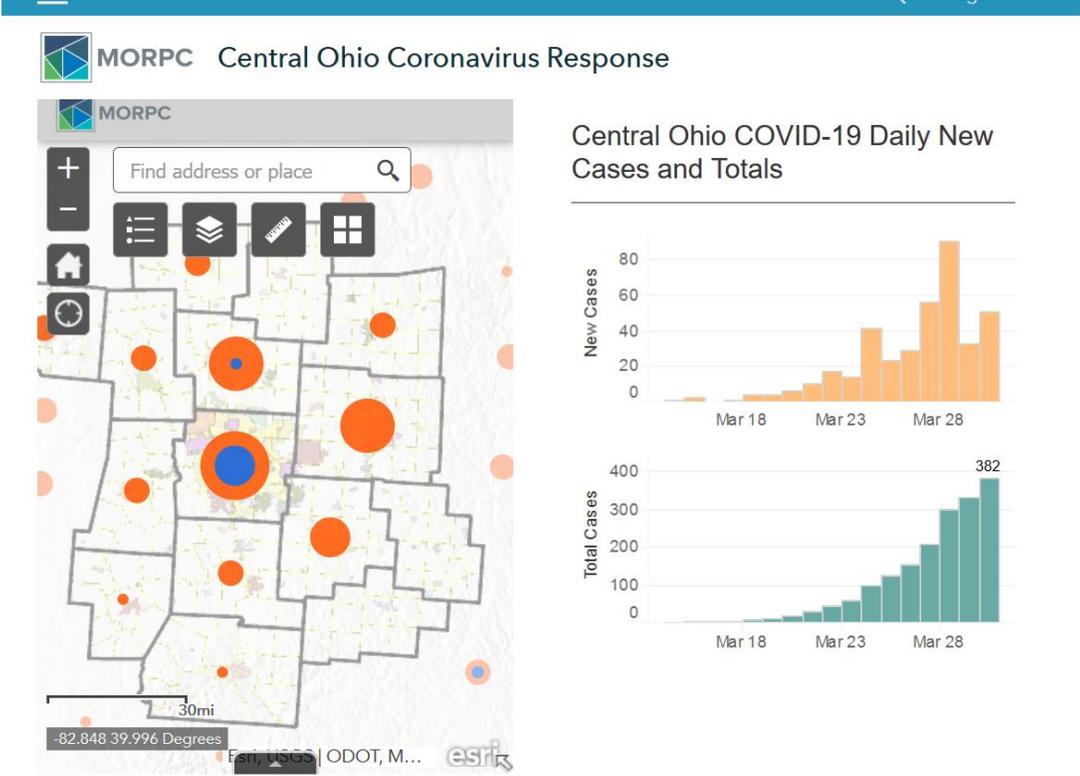
- County
- Township
- MPO Boundary
- CORPO Membership
- CORPO County



- Transportation & Infrastructure Development
- Planning & Sustainability
- Data & Mapping
- Residential Services
- Government Affairs
- Communications & Engagement

# MORPC COVID-19 RESOURCE HUB

[www.morpc.org/covid19](http://www.morpc.org/covid19)



## Local Government Resources



Local Agency COVID-19 Sites

Explore



Government Operations & Remote Options

Explore



## COVID-19 Re-opening Strategies

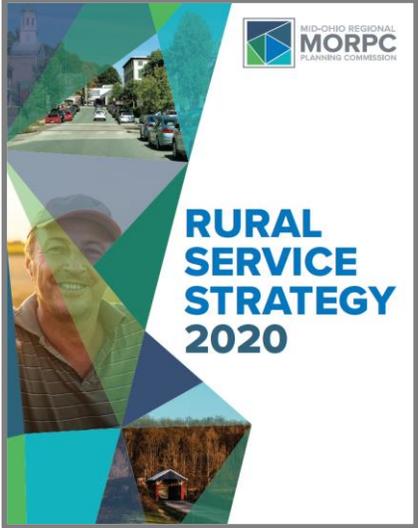
# RESOURCES

- COVID-19 WEEKLY CALLS 4 p.m. -5 p.m.
  - TUESDAYS – TOWNSHIPS & COUNTIES
    - IN PARTNERSHIP WITH FRANKLIN COUNTY TOWNSHIP ASSOCIATION
  - THURSDAYS – CITIES, VILLAGES, ASSOCIATES & COMMA
    - CITY MAYORS AND MANAGERS ASSOCIATION
- KEGLER – BROWN DAILY FEDERAL & STATE UPDATES
- WEEKLY GRANT INFORMATION

# FORUMS COMING UP:



SUSTAINABILITY IN  
THE FACE OF COVID-19  
MAY 27



RURAL FORUM  
SERIES  
JUNE-AUGUST



SOCIAL MEDIA  
BEST PRACTICES  
FOR LOCAL  
GOVERNMENTS  
JULY 29



GRANT CAMP WEEK  
JUNE 8-12

# REOPENING LOCAL GOVERNMENTS



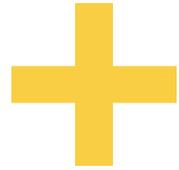
**BRENDAN FEHELEY**  
*DIRECTOR OF EMPLOYMENT  
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**DANIELLE CRANE**  
*EMPLOYMENT AND  
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MID-OHIO REGIONAL  
**MORPC**  
PLANNING COMMISSION

# Reopening Local Governments

*May 20, 2020*

# Reopening **CHECKLIST**



# Workforce STRATEGY



# Telework



# Responsible RestartOhio

## General Office Environments



[Coronavirus.Ohio.Gov/BusinessHelp](https://www.Coronavirus.Ohio.Gov/BusinessHelp)

#IN THIS  
TOGETHER  
**Ohio**

**Ohio** | Department  
of Health



**MIKE DEWINE**  
GOVERNOR OF OHIO

## Employees & Guests

### Mandatory

- **Ensure minimum 6 feet between people, if not possible, install barriers**
  - Personnel should work from home when possible and feasible with business operations
  - Limit travel as much as possible
  - Stagger arrival of all employees and guests
  - Businesses must require all employees to wear facial coverings, except for one of the following reasons:
    - Facial coverings in the work setting are prohibited by law or regulation
    - Facial coverings are in violation of documented industry standards
    - Facial coverings are not advisable for health reasons
    - Facial coverings are in violation of the business's documented safety policies
    - Facial coverings are not required when the employee works alone in an assigned work area
    - There is a functional (practical) reason for an employee not to wear a facial covering in the workplace.
- (Businesses must provide written justification, upon request, explaining why an employee is not required to wear a facial covering in the workplace. At minimum, facial coverings (masks) should be cloth/fabric and cover an individual's nose, mouth, and chin.)*
- Employees must perform daily symptom assessment\*
  - Require employees to stay home if symptomatic
  - Require regular handwashing by employees
  - Place hand sanitizers in high-contact locations

### Recommended Best Practices

- **Ensure seating distance of minimum of 6 feet or more**
- Consider having customers wear face coverings at all times
- Enable natural workplace ventilation
- Health questionnaire for symptoms at entry
- Temperature taking protocol

## Physical Spaces / Workstations

### Mandatory

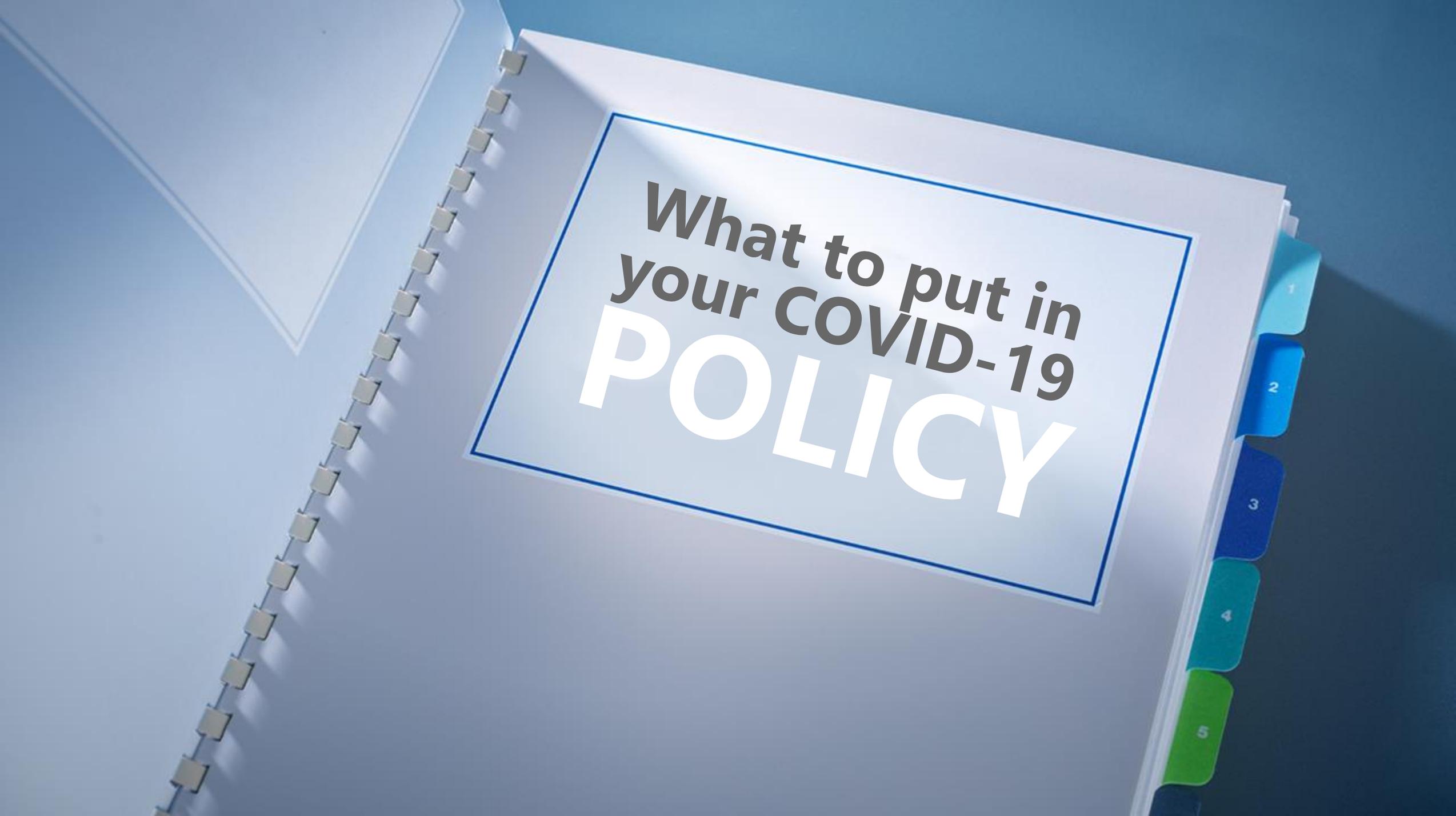
- Frequent disinfection of desks, workstations, and high-contact surfaces
- Daily disinfection of common areas
- Cancel/postpone in person events when social distancing guidelines cannot be met
- No buffet in cafeteria
- Utilize disposable tableware and other materials
- Establish maximum capacity
- Reduce sharing of work materials
- Post signage on health safety guidelines in common areas

## Confirmed Cases

- Immediately isolate and seek medical care for any individual who develops symptoms while at work
- Contact the local health district about suspected cases or exposures
- Shutdown shop/floor for deep sanitation if possible

### Recommended Best Practices

- **Redesign/space workstations for 6 feet or more of distance**
  - Close cafeteria and gathering spaces if possible, or conduct regular cleanings
  - Limit congregation in office spaces
  - Divide essential staff into groups and establishing rotating shift
  - Availability of at least 3 weeks of cleaning supplies
- 
- Work with local health department to identify potentially infected or exposed individuals to help facilitate effective contact tracing/notifications
  - Once testing is readily available, test all suspected infections or exposures
  - Following testing, contact local health department to initiate appropriate care and tracing



*What to put in  
your COVID-19*  
**POLICY**

# Symptom CHECKS



# COVID-19 Team Member Pre-Shift Screening

## To Be Completed by Manager on Duty

Employee Name

Do you have any symptoms of COVID-19, like fever, cough or difficulty breathing?

Date

Have you been in contact or staying in the same household as someone who has been diagnosed with COVID-19?

Temperature currently under 100.4 degrees Fahrenheit?

Have you been in contact or staying in the same household as someone who has a temperature of 100.4 degrees or above?

Have you been diagnosed with COVID-19, seeking a diagnosis, or been advised by a health official to self-quarantine?

Have you traveled outside the State of Ohio within the past 14 days? If yes, where to?

# Employee REQUESTS



Thank  
you



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KEGLER  
BROWN  
HILL +  
RITTER



## JONATHAN J. DOWNES

*ATTORNEY AT LAW*

*ZASHIN & RICH*



ZASHIN & RICH



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ZASHIN & RICH

**MORPC - Update  
Employment Law Issues  
Transitioning Back-To-Work  
May 20, 2020**

**Jonathan J. Downes**  
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Assistance from Jantzen D. Mace [jdm@zrlaw.com](mailto:jdm@zrlaw.com)



# Jonathan J. Downes

- **AV Preeminent rated by Martindale Hubbell since 2004.**
- **Fellow in the College of Labor and Employment Lawyers.**
- **Ohio State Bar Association Certified Specialist in Labor and Employment Law.**
- **More than thirty years of experience and expertise in representing public and private employers in labor and employment law and human resource management.**
- **Negotiated over 500 labor contracts.**
- **Represents employers in arbitrations, organizing campaigns, and administrative hearings.**
- **Defends employers in state trial and appellate courts, courts, the Ohio Supreme Court, federal district courts and the United States Court of Appeals for the Sixth Circuit.**
- **Recognized many times over as a subject-matter expert, Jonathan is designated as one of the Best Lawyers, Top 50 Central Ohio Lawyers, and an Ohio “Super Lawyer” every year since 2004.**



# About Zashin and Rich

**Zashin & Rich Co., L.P.A. (“Z&R”) has over 30 attorneys who specialize in labor and employment law with offices in Columbus and Cleveland, representing both private and public employers.**

**Z&R represents its clients in labor negotiations, human resources matters, and civil service. Attorneys of Z&R have collectively negotiated over 1000 contracts and have represented private and public employers in arbitrations, impasse proceedings and litigation.**

**Attorneys represent private employers, universities and colleges, state agencies, special districts, cities, counties, townships, housing authorities, hospitals and others. Attorneys handle matters at the National Labor Relations Board, the State Employment Relations Board, State Personnel Board of Review, and local civil service commissions.**



# MORPC - Update

## Employment Law Issues - Transitioning Back-To-Work

- Temporary policies and procedures should be based on the Standards and Recommendations of CDC, Governor/Health Department, OSHA, and other Federal agencies.
- Examples of websites:
  - <https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html>
  - [https://www.eeoc.gov/eeoc/newsroom/wysk/wysk\\_ada\\_rehabilitation\\_act\\_coronavirus.cfm](https://www.eeoc.gov/eeoc/newsroom/wysk/wysk_ada_rehabilitation_act_coronavirus.cfm)



# MORPC - Update

## Employment Law Issues - Transitioning Back-To-Work

### 1.) Stay at Home Orders

### 2.) Health Screenings, Temperature Checks, and Masks

- Privacy
- Compensable time under FLSA
- Records retention



# MORPC - Update

## Employment Law Issues - Transitioning Back-To-Work

### 3.) Remote Work

- a) FFCRA application
- b) ADA: reasonable accommodation

### 4.) FFCRA - Policy and Leave Forms

- a) PSL - Paid Sick Leave
- b) FMLA – Emergency Leave and “Serious health condition”
  - I. Child Care
  - II. Self-isolation
  - III. Ordered Isolation
  - IV. Out-of-State Travel/Vacations



**MORPC - Update**  
**Employment Law Issues - Transitioning Back-To-Work**

**5.) Workers' Compensation: Possible Expansion**

**6.) Enforcement of Workplace Standards of Conduct: Discipline**

**7.) Unemployment Compensation – CARES Act Expansion**

**8.) Shared Works Program**



**MORPC - Update**  
**Employment Law Issues - Transitioning Back-To-Work**

**9.) Union Contracts and Demands**

**10.) Employee Layoffs and Furloughs**

**11.) Lawsuits – Insurance Coverage**

**12.) Social Media – Posts by Employees**

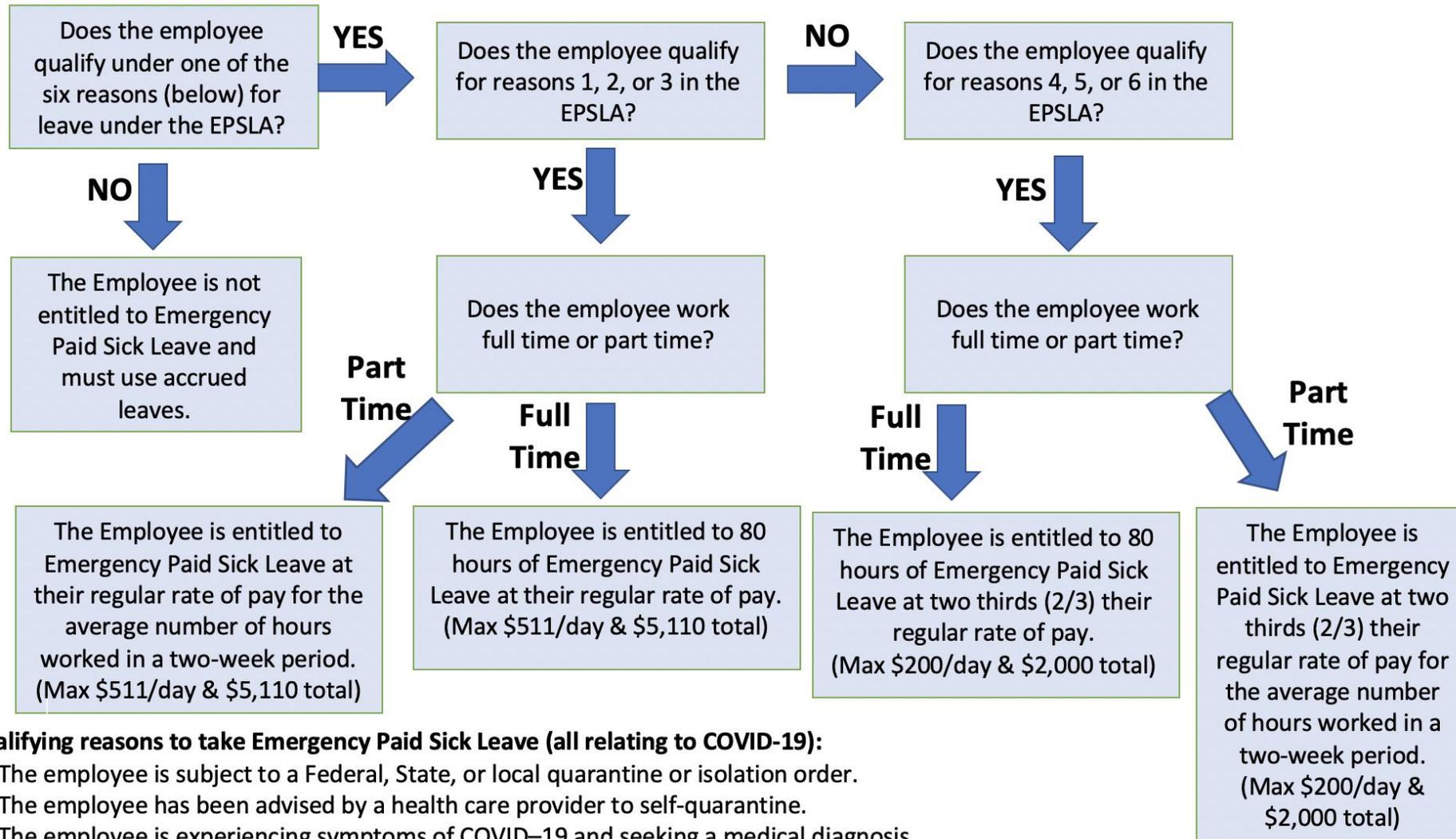


<p align="center"><b>Qualifying Reasons for: Emergency Paid Sick Leave (EPSL)</b></p>	<p align="center"><b>Weeks 1 and 2 (80 hours)</b></p>		<p align="center"><b>Weeks 3 through 12 (additional 10 weeks)</b></p>
<p>1. subject to a Federal, State, or local quarantine or isolation order related to COVID-19</p>	<p>Paid EPSL at regular rate</p>	<p>No EFML</p>	<p>No EFML</p>
<p>2. has been advised by a health care provider to self-quarantine related to COVID-19</p>	<p>Paid EPSL at regular rate</p>	<p>No EFML</p>	<p>No EFML</p>
<p>3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis</p>	<p>Paid EPSL at regular rate</p>	<p>No EFML</p>	<p>No EFML</p>
<p>4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2)</p>	<p>Paid EPSL at 2/3 regular rate</p>	<p>No EFML</p>	<p>No EFML</p>
<p>5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons <b>This is Also the Only Qualifying Reason for Emergency Family Medical Leave (EFML)</b></p>	<p>Paid EPSL at 2/3 regular rate</p>	<p>Unpaid EFML</p>	<p>PAID EFML at 2/3 regular rate</p>
<p>6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services</p>	<p>Paid EPSL at 2/3 regular rate</p>	<p>No EFML</p>	<p>No EFML</p>



# Determining an Employee's Pay Under the Emergency Paid Sick Leave Act (EPSLA)

## Start Here

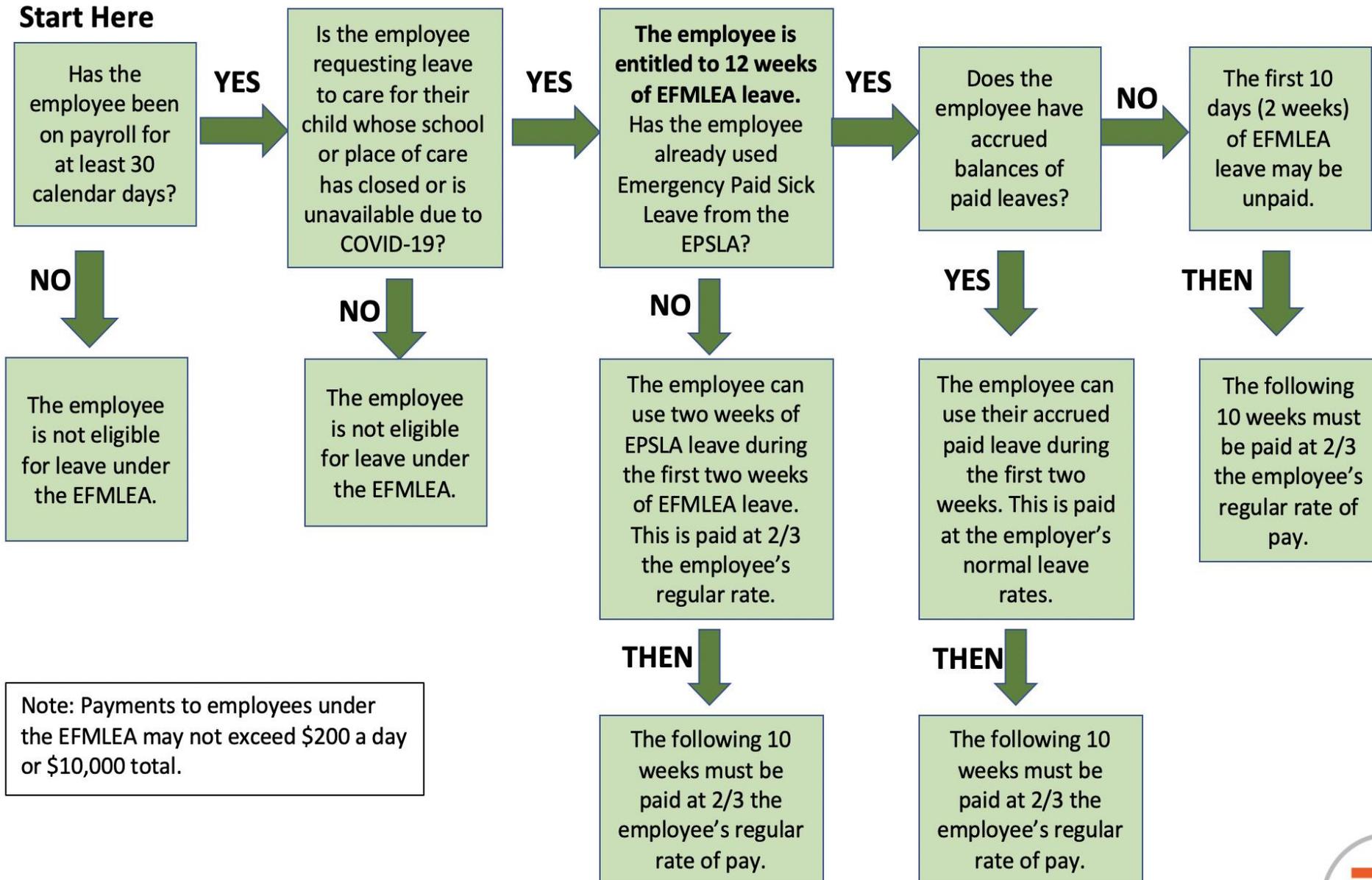


### Qualifying reasons to take Emergency Paid Sick Leave (all relating to COVID-19):

- (1) The employee is subject to a Federal, State, or local quarantine or isolation order.
- (2) The employee has been advised by a health care provider to self-quarantine.
- (3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- (4) The employee is caring for an individual who is subject to such an order in (1) or such advice in (2).
- (5) The employee is caring for their child whose school or place of care has closed or is unavailable.
- (6) The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.



# Determining an Employee's Pay Under the Emergency Family and Medical Leave Expansion Act (EFMLEA)



**Thank You and Good Luck!**

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**Certified Labor & Employment Specialist**

**Zashin & Rich**

Cleveland and Columbus Ohio

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## JOE MAZZOLA

*PUBLIC HEALTH COMMISSIONER  
FRANKLIN COUNTY*



<https://covid-19.myfcph.org/>

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# COMPLYING WITH GOVERNMENT DIRECTIVES AND GUIDANCE



MORPC

## JEFF GIBBS, RS

*DIVISION MANAGER*

*ENVIRONMENTAL HEALTH*

FRANKLIN COUNTY PUBLIC HEALTH

<https://covid-19.myfcph.org/>



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PREVENT  
ENGAGE  
RESPOND  
GROW



**Franklin County  
Public Health**



May 20, 2020

Franklin County  
Public Health



# Complying with Directives and Guidance on Maintaining a Safe and Healthy Work Environment

# Governmental Directives

## > Section 7 Businesses covered by this Order

- For the purposes of this Order, covered businesses include any for-profit, non-profit, educational entities, or governmental entities (other than federal) regardless of the nature of the service, the function it performs, or its corporate or entity structure

# Governmental Directives cont'd

## > Section 8 Facial Coverings

- Businesses must allow customers, patrons...to use facial coverings, except for documented legal, life, health or safety considerations and limited documented security considerations.

## > Section 16 Social Distancing Requirements

- **i. Designate six-foot distances.** Designating with signage, tape, or by other means six foot spacing for employees and customers in line to maintain appropriate distance;
- **ii. Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
- **iii. Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers;
- **iv. Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

# Governmental Directives cont'd

## > Section 21 (C). General office environments

- Ensure minimum 6 feet between employees, if not possible, install barriers;
- Personnel should work from home when possible;
- Employees must perform daily symptom assessment that should include taking temperature with a thermometer and monitoring for fever. Also watching for coughing or trouble breathing;
- Require employees to stay home if symptomatic;
- Consider having customers wear face coverings at all times;
- Require regular handwashing by employees;
- Reduce sharing of work materials;
- Limit travel as much as possible;
- Stagger arrival of all employees and guests;
- Post signage on health safety guidelines in common areas;
- Frequent disinfection of desks, workstations, and high-contact surfaces;
- Daily disinfection of common areas;
- Cancel/postpone in person events when social distancing guidelines cannot be met;
- No buffet in cafeteria;
- Utilize disposable tableware and other materials;
- Establish maximum capacity;
- Immediately isolate and seek medical care for any individual who develops symptoms while at work;
- Contact the local health district about suspected cases or exposures; and
- Shutdown shop/floor for deep sanitation if possible.

# Maintaining a Safe & Healthy Work Environment

## > Building Access and Needs

- PPE provided to staff or customers
- Food delivery to buildings
- Cafeteria/Break Rooms
  - Self-Serve Coffee
  - Vending
- Elevators
- Stairwells – Handrails
- Barriers – non-absorbent, easily cleanable surfaces. No shower curtains
- Disinfecting - Staff cleaning their own office equipment – desks, arm rests, tables, keyboards, mouse
  - <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>
- Hand washing with soap and water. Hand sanitizer is a good alternative

# Sector Specific Operating Requirements

- <https://coronavirus.ohio.gov/static/responsible/General-Office-Environments.pdf>
- <https://coronavirus.ohio.gov/static/responsible/Pools-Aquatic-Centers.pdf>
- <https://coronavirus.ohio.gov/static/responsible/Golf-Course-Operator.pdf>
- <https://coronavirus.ohio.gov/static/responsible/Tennis-Court-Operators.pdf>
- <https://coronavirus.ohio.gov/static/responsible/Baseball-Softball.pdf>
- <https://coronavirus.ohio.gov/static/publicorders/Directors-Order-Dine-Safe-Ohio.pdf>

# Signs and Flyers



<https://covid-19.mycph.org/shareable-resources>

# Thank you

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# PANDEMIC PREPAREDNESS & RESPONSE PLANS



MORPC

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*FRANKLIN COUNTY*

*EMERGENCY MANAGEMENT  
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# QUESTIONS & ANSWERS



MORPC

## WILLIAM MURDOCK

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*MID-OHIO REGIONAL PLANNING  
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## OTHER BUSINESS



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