



**RETURN TO WORK
COVID-19 EMPLOYEE ISSUES**

GNYADA DEALER WEBINARS



Greater New York
Automobile Dealers
Association



MARK SCHIENBERG
GNYADA PRESIDENT



Greater New York
Automobile Dealers
Association

PHASED REOPENING

Region	Phase 1	Phase 2	Phase 3	Phase 4
New York City	6/8	6/22	7/6	7/20
Long Island	5/27	6/10	6/24	7/8
Mid-Hudson	5/26	6/9	6/23	7/7
Capital Region	5/20	6/3	6/17	7/1
Western New York	5/19	6/2	6/16	6/30
Central New York, Finger Lakes, Mohawk Valley, North Country, Southern Tier	5/15	5/29	6/12	6/26

DEPARTMENT OF LABOR INQUIRY

You may operate if permitted under a Phase of reopening in your region. Use the tool on this page to make that determination:

<https://www.businessexpress.ny.gov/app/nyforward>

Alternatively, if you are not permitted to operate under a Phase of ReOpen NY, you may be operating as an essential business. Please review this FAQ document: <https://esd.ny.gov/nyforward-faq>

- Are you on the list of essential employers? <https://esd.ny.gov/guidance-executive-order-2026>
- If you are not on the list, why are you operating?
- If you are a business operating in a Phase of Reopening, please check the following link to see the mandatory safety and health guidance for your business. <https://forward.ny.gov/> Please send us your completed plan within 3 business days.
- If you are operating not as part of a Phase of Reopen NY, but as an essential business you still must take all necessary safety and health precautions:
- If you are lawfully operating, have you followed all necessary health and safety measures?
- Are you ensuring social distancing at the workplace?
- Are you providing adequate Protective Personal Equipment, including face coverings for all employees in close contact with each other or the public (6 feet or less)?
- Are you providing for proper hygiene with hand washing and sanitizing stations?
- Are you frequently cleaning and disinfecting the worksite?
- Here is a helpful link: <https://coronavirus.health.ny.gov/home>
- Is anyone in the workplace currently sick (or within the last 14 days)? If yes, have you notified your local public health agency regarding next steps?
- Are you providing for telecommuting (working from home) to the maximum extent possible?
- Are you taking specific precautions to prioritize the health and safety of vulnerable employees — i.e. those 70 years of age or older; those with underlying health conditions; those who live with someone with underlying health conditions?

The best way to answer these questions is to provide us with your site safety plan, that all businesses are required to create. Please forward it to us with your response



SAFETY PLAN



Greater New York Automobile Dealers Association

NY FORWARD SAFETY PLAN FOR DEALERS

Dealers must retain and post this document on the premises. It must be made available to the New York State Department of Health (DOH) or local health or safety authorities in the event of an inspection.

COVID-19 Reopening Safety Plan

Name of Business: _____

Industry: _____
VEHICLE SALES, LEASES, AND RENTALS

Address: _____

Contact Information: _____

Owner/Manager of Business: _____

Human Resources Representative and Contact Information, if applicable: _____

Site Safety Monitor(s): _____

Screener(s): _____

Reviewer(s): _____

Tracing and Tracking Log Monitor(s): _____

Reopening New York

Vehicle Sales, Leases, and Rentals Guidelines for Employers and Employees

NEW YORK STATE

These guidelines apply to all vehicle sales, leases, and rental activities in regions of New York that have been permitted to **reopen** in Phase 2, as well as to vehicle sales, leases, and rental activities statewide that were previously permitted to operate as essential. See Interim Guidance for Vehicle Sales, Leases, and Rentals for full details.

During the COVID-19 public health emergency, all businesses involved in vehicle sales, leases, and rentals should stay up to date with any changes to state and federal requirements related to vehicle sales, leases, and rental activities and incorporate those changes into their operations. This guidance is not intended to replace any existing applicable local, state, and federal laws, regulations, and standards.

	Mandatory	Recommended Best Practices
Physical Distancing	<ul style="list-style-type: none"> ✓ Ensure 6 ft. distance between individuals, unless the safety of the core activity requires a shorter distance. ✓ Reduce interpersonal contact and congregation through methods such as limiting in-person presence to only personnel necessary for the current tasks, and/or adjusting retail hours to spread employee and customer traffic over a longer period of time. ✓ For any vehicle sale, lease, or rental activity, the workforce and customer presence must be limited to 50% of the maximum occupancy for a particular area as set by the certificate of occupancy, inclusive of customers, who must maintain 6 ft. of space from others and, in all cases, wear an acceptable face covering. ✓ Prohibit the use of confined spaces (e.g. elevators, vehicles) by more than one individual at time, unless all individuals are wearing face coverings. If occupied by more than one person, keep occupancy under 50% of maximum capacity. ✓ If an employee accompanies a customer on a test drive, the employee must sit in the seat with the furthest possible distance from the customer(s) and wear an appropriate face covering. ✓ Ensure that waiting areas allow customers to adhere to social distancing rules (e.g. space seating 6 ft. apart). 	<ul style="list-style-type: none"> ✓ Limit in-person presence of staff to only those employees necessary. ✓ Modify the use and/or restrict the number of work stations and seating areas, so that staff members are at least 6 ft. apart in all directions and are not sharing stations or seats without cleaning and disinfection between uses. ✓ Encourage customers to conduct viewings, test drives, and/or rentals by appointment only. ✓ Modify showroom and retail layouts so that employees and customers are at least 6 ft. apart in all directions when employees are working and customers are browsing, unless physical barriers are in place. ✓ Reduce bi-directional foot traffic by using tape or signs with arrows throughout the showroom or parking lot. ✓ Provide clearly designated entrances and separate exits. ✓ Prepare to queue customers outside while still maintaining physical distance (e.g. use of visual cues). ✓ Stagger schedules for employees to observe social distancing. ✓ Allow customers to conduct unaccompanied test drives. ✓ Facilitate outside pickup and drop-off where possible. ✓ Limit the number of vehicles for viewing or renting in enclosed spaces. ✓ Minimize touching vehicles unless on a test drive or renting the vehicle.



Greater New York Automobile Dealers Association

STAY HOME. STOP THE SPREAD. SAVE LIVES.

110th GNYADA ANNUAL MEETING



Greater New York
Automobile Dealers
Association

Tuesday
June 23, 2020
11:00 am
via **ZOOM**

AGENDA



Installation of
GNYADA
Officers & Directors



State of the
Industry



Legislative
Update

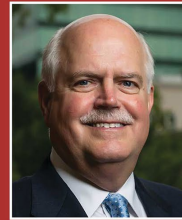


Franchise Law
Protections
concerning the
New Normal

Guest Speakers:



Mark Schroeder
DMV Commissioner, NYS
Interactive Q & A



Peter K. Welch
President & CEO, NADA
"State of the Industry"



ALL ATTENDEES WILL BE ELIGIBLE TO WIN A FREE ROUND
OF GOLF FOR TWO PEOPLE AT GNYADA'S NEXT ANNUAL
MEETING & GOLF OUTING

**110 YEARS OF SERVING
FRANCHISED NEW CAR DEALERS**

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SUSAN BIEBER

VICE PRESIDENT — DEALER SERVICES



Greater New York
Automobile Dealers
Association

WITH US TODAY



James E. MCGRATH, III, Esq



REBECCA K. KIMURA, Esq.

PUTNEY, TWOMBLY, HALL & HIRSON LLP



Greater New York Automobile Dealers Association



RETURN TO WORK COVID-19 EMPLOYEE ISSUES

SCREENING
EMPLOYEES WITH COVID-19
LEAVE REQUESTS
REQUESTS FOR ACCOMMODATIONS
TERMINATION



SCREENING

NEW YORK STATE REQUIREMENTS
CDC GUIDANCE
ADA/EEOC CONSIDERATIONS

NEW YORK FORWARD — PHASE TWO GUIDELINES

SCREENING

MANDATORY

- ✓ Daily health screening assessment for employees, contractors and other visitors, asking about:
 - (1) COVID-19 symptoms in past 14 days;
 - (2) Positive COVID-19 test in past 14 days;
 - (3) Close contact with confirmed or suspected COVID-19 case in past 14 days.

PERMISSIBLE

- ✓ Daily temperature checks, according to EEOC guidelines.
- ✓ Testing for COVID-19 virus.

NEW YORK FORWARD — PHASE TWO GUIDELINES

SCREENING — DOCUMENTATION

MANDATORY

- ✓ Employers must review all employee and visitor responses collected by the screening process on a daily basis and maintain a record of such review.
- ✓ Employers should maintain a log of every person, including workers and visitors (excluding customers) who may have close contact with other individuals at the work site, excluding deliveries that are performed with appropriate PPE or through contactless means.
- ✓ The log should contain contact information for contact tracing, in the event an employee is diagnosed with COVID-19.

NEW YORK FORWARD — PHASE TWO GUIDELINES

SCREENING – TRACING AND TRACKING

MANDATORY

- ✓ Employers must notify the local health department and NYSDOH of any positive COVID-19 test.
- ✓ Employers must cooperate with tracing efforts and notify the health department of all workers and visitors who entered the site dating back 48 hours before the worker first experienced COVID-19 symptoms or tested positive.
- ✓ Employees who are alerted that they have come into close contact with a person with COVID-19, must self-report to their employer and follow all required self-quarantine protocols.

SCREENING — CDC GUIDANCE

The CDC has identified the following symptoms associated with COVID-19, which employers may inquire about during screening or for suspected case of COVID-19:

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

SCREENING — ADA/EEOC CONSIDERATIONS

Confidentiality

- The ADA requires all medical information about employees be stored separately from personnel file, and kept confidential, including screening questionnaires and temperature logs.
- The employer may disclose the name of an employee that has COVID-19 to a public health agency.

Nondiscriminatory Screening

- Employers should make sure not to engage in unlawful disparate treatment based on protected characteristics in decisions related to screening and exclusion

SCREENING — REFUSAL TO TEST

Employees who refuse to be screened may be barred from the workplace.

- Employers should ask the reason for refusal.
- Employers may be able to provide information or reassurance that they are taking steps to ensure the safety of workers in the workplace.

Customers cannot be mandated to complete a health screen or provide contact information.

- Customers should be encouraged to provide contact information for contract tracing, if necessary.

SCREENING — JOB APPLICANTS

- Screening permitted only after making conditional job offer.
- Employer may delay start date of applicant who has COVID-19 or symptoms.
- Employer may withdraw job offer when it needs the applicant to start immediately.



EMPLOYEES WITH COVID-19

NEW YORK STATE REQUIREMENTS
CDC GUIDANCE

NEW YORK FORWARD — PHASE TWO GUIDELINES

SCREENING RESULTS	MANDATORY
	✓ Employees who are sick should stay home or return to home if they become ill at work.

NEW YORK FORWARD — PHASE TWO GUIDELINES

SCREENING RESULTS

MANDATORY

- ✓ Employees who screen positive for **COVID-19 symptoms** should be sent home to contact their health care provider for assessment and testing.
 - If employee tests positive, or does not receive a test, employee may only return after completing a 14-day quarantine.
- ✓ The employer must immediately notify the local health department and DOH of any positive case.

NEW YORK FORWARD — PHASE TWO GUIDELINES

	MANDATORY
SCREENING RESULTS	<p>✓ Employees who have tested positive in the past 14 days, but with no symptoms, may only return to work after completing a 14-day quarantine.</p>

NEW YORK FORWARD — PHASE TWO GUIDELINES

SCREENING RESULTS

MANDATORY

- ✓ Employees who have had **close contact** with a person with COVID-19, and are **symptomatic**, should inform their employer and follow the protocol for a positive case.
 - The employee may only return to work after completing a 14-day quarantine.

NEW YORK FORWARD — PHASE TWO GUIDELINES

SCREENING RESULTS

MANDATORY

- ✓ Employees who have had **close contact** with a person with COVID-19, but have **no symptoms**, should inform their employer and must complete a 14-day quarantine, but may be able to work with additional precautions, if they are critical.

NEW YORK FORWARD — PHASE TWO GUIDELINES

	MANDATORY
COMMUNICATIONS PLAN	<ul style="list-style-type: none">✓ Employers must identify a contact for workers to notify if they later are experiencing COVID-19-related symptoms, as noted in the questionnaire.✓ Employees should be required to disclose immediately if their responses to the screening questions change, or if they begin to experience symptoms.✓ Employees who become sick during the day must be separated and sent home immediately, following the protocol for a positive case.

CDC GUIDANCE — COVID-19 SYMPTOMS

Individuals with COVID-19 symptoms who will not get tested:

- May not return to work until at least 3 days with no fever and symptoms improved; and
- At least 10 days have passed since symptoms first appeared.

Individuals with COVID-19 symptoms who will get tested:

- May not return to work until after no fever and symptoms improved; and
- After two negative test results, at least 24 hours apart.

CDC GUIDANCE — POSITIVE COVID-19 TEST

Individuals who test positive for COVID-19, but have no symptoms:

- May not return to work until at least 10 days have passed since test; or
- After two negative test results in a row, at least 24 hours apart.

Individuals who develop symptoms after testing positive:

- May not return to work until 3 days with no fever and symptoms improved; and
- After 10 days since symptoms first appeared; or
- After two negative test results, at least 24 hours apart.

CDC GUIDANCE — CLOSE CONTACT WITH COVID-19 INDIVIDUAL

Individuals who have had close contact with someone with COVID-19:

- Should stay home for 14 days after exposure.

Travel considerations:

- CDC recommends that everyone avoid nonessential international travel.
 - Employees should self-quarantine for 14 days after international travel.
- Airline or cruise travel can increase risk of getting COVID-19.
 - Employees should closely monitor health after domestic travel.

CDC GUIDANCE — EMPLOYER'S ACTIONS

If an employee is suspected or confirmed to have COVID-19:

- Immediately separate the employee from others and send home.
- Close off areas used for prolonged periods of time by the sick person.
- Wait 24 hours before cleaning and disinfecting to minimize potential exposure.
- Determine which employees may have been exposed to the virus.
- Inform employees of their possible exposure, but maintain confidentiality.
- Instruct potentially exposed employees to stay home for 14 days, telework if possible.



LEAVE REQUESTS

NEW YORK PAID LEAVE FOR COVID-19
FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)
NON-COVID-19 RELATED LEAVES

SCENARIOS FOR COVID-19 RELATED LEAVES

	Employer PTO/Sick Leave	NYS COVID-19 Emergency Sick Leave	NYS COVID-19 Emergency Family Leave or Disability	FFCRA Paid Sick Leave	FFCRA Expanded FMLA	NYS Paid Family Leave	NYS Unemployment Insurance
Employee ordered to quarantine or isolate by governmental entity	✓	✓	✓	✓	X	X	✓
Employee advised to quarantine or isolate by health care provider only	✓	X	X	✓	X	X	✓
Employee is experiencing symptoms of COVID and seeking medical diagnosis	✓	X	X	✓	X	X	✓
Employee unable to work because child's school or daycare closed due to COVID-19	✓	X	X	✓	✓	X	✓
Employee unable to work because caring for sick family member diagnosed with COVID-19 and subject to an order of quarantine or isolation or advised to self-quarantine (only applies to FFCRA)	✓	X	✓	✓	X	✓	✓
Employee unable to work because caring for another individual who is subject to an order of quarantine or isolation or advised to self-quarantine	✓	X	X	✓	X	X	✓ (only if the indiv. is a member of the household)



SCENARIOS FOR COVID-19 RELATED LEAVES CONTINUED

	Employer PTO/Sick Leave	NYS COVID-19 Emergency Sick Leave	NYS COVID-19 Emergency Family Leave or Disability	FFCRA Paid Sick Leave	FFCRA Expanded FMLA	NYS Paid Family Leave	NYS Unemployment Insurance
Employee unable to work due to employer voluntary closing	✓	X	X	X	X	X	✓
Employee unable to work due to employer closing by order of state or federal government or authorized entity for COVID-19	✓	X	X	X	X	X	✓
Employee laid off due to business slow down or lack of demand due to COVID-19	X	X	X	X	X	X	✓
Employee furloughed due to business slow down or lack of demand due to COVID-19	✓	X	X	X	X	X	✓
Employee reduction of work hours due to business slow down or lack of demand due to COVID-19	✓	X	X	X	X	X	✓ (only if work less than 4 days/wk and less than \$504/wk)



SCENARIOS FOR COVID-19 RELATED LEAVES CONTINUED

	Employer PTO/Sick Leave	NYS COVID-19 Emergency Sick Leave	NYS COVID-19 Emergency Family Leave or Disability	FFCRA Paid Sick Leave	FFCRA Expanded FMLA	NYS Paid Family Leave	NYS Unemployment Insurance
Employee refuses to work when employer stays open despite public health urging (but not order) to close	✓	X	X	X	X	X	X
Employee refuses to work due to self-imposed decision to engage in social distancing and avoid workplace	✓	X	X	X	X	X	X
Employee is immune-compromised and advised by health care provider to quarantine or self-isolate	✓	X	X	✓	X	X	✓
Employee quits job because employer will not allow work from home	X	X	X	X	X	X	✓

COVID-19 RELATED LEAVE — NEW YORK LEAVE LAW

New York Emergency Paid Sick Leave

- Employee must be subject to a mandatory or precautionary order of quarantine/isolation.

New York Emergency Paid Family Leave

- Employee must be subject to a mandatory or precautionary order of quarantine/isolation; or
- Employee's child is subject to a mandatory or precautionary order of quarantine/isolation.

COVID-19 RELATED LEAVE — FEDERAL LEAVE LAW

Emergency Family & Medical Leave Expansion Act (EFMLA)

- Employee is unable to work because of need to care for a child whose school or child care provider is closed or unavailable due to COVID-19-related reason.

Emergency Paid Sick Leave Act (EPSLA)

- Employee is subject to a mandatory or precautionary order of quarantine/isolation;
- Employee has been advised by a health care provider to self-quarantine;
- Employee is experiencing symptoms and is seeking a medical diagnosis;
- Employee is caring for an individual subject to an order of quarantine/isolation;
- Employee is caring for child whose school or place of care has closed due to COVID-19;
- Employee is experiencing other substantially similar condition.

NON-COVID-19 RELATED LEAVES — NY PAID FAMILY LEAVE

New York Paid Family Leave (“PFL”)

- Available to employees to care for a **family member** with a serious health condition.
 - Cannot be used for the employee’s own serious health condition.
- Provides up to 10 weeks of job-protected *paid* family leave benefits, up to a maximum of 60% of the state average weekly wage, or up to \$840.70 for 2020.

NON-COVID-19 RELATED LEAVES — FMLA

Family and Medical Leave Act (“FMLA”)

- Available to employees with a serious health condition, or for the serious health condition of a family member.
- Provides up to 12 weeks of **unpaid** family leave benefits.
- Employers can require employees to use accrued paid vacation leave, sick time or family leave while on FMLA leave.

NON-COVID-19 RELATED LEAVES — NYC ESSTA

New York City Earned Safe and Sick Time Act (“ESSTA”)

- Available to employees for the care and treatment of employee’s own health condition or the care and treatment of a family member.
- Can be used for an employee’s need to care for a child whose school or care facility is closed as a result of a declared public health emergency.
- Provides up to 40 hours of **paid** sick leave for employers with 5 or more employees.
- If the employer provides time off for other purposes, such as vacation or personal leave, the employer does not have to provide additional time for ESSTA.

NON-COVID-19 RELATED LEAVES — WESTCHESTER ESLL

Westchester Earned Sick Leave Law (“ESLL”)

- Available to employees for the care and treatment of employee’s own health condition or the care and treatment of a family member.
- Can be used for an employee’s need to care for a child whose school or care facility is closed as a result of a declared public health emergency.
- Provides up to 40 hours of **paid** sick leave for employers with 5 or more employees.
- If the employer provides time off for other purposes, such as vacation or personal leave, the employer does not have to provide additional time for ESLL.



REASONABLE ACCOMMODATIONS

EEOC GUIDANCE

REASONABLE ACCOMMODATION — MUST REQUEST

The Americans With Disabilities Act (“ADA”) requires employers to provide reasonable accommodations for employees with disabilities.

- An employer is required to accommodate only a *known* disability of an employee.
- The requirement is generally triggered by a request from an individual with a disability.
- If the individual does not request an accommodation, the employer is not obligated to provide one.

REQUESTS FOR ACCOMMODATION — INTERACTIVE PROCESS

If not obvious, the employer may ask questions or request medical documentation to determine whether the employee has a disability.

The employer may also ask questions to determine what accommodations are necessary, including:

- how the disability creates a limitation;
- how the requested accommodation will address the limitation;
- whether another form of accommodation could effectively address the issue, and
- how a proposed accommodation will allow the employee to continue performing the "essential functions" of his/her job.

REASONABLE ACCOMMODATION — REASONABLE ACCOMMODATION

What is a reasonable accommodation?

A reasonable accommodation is a modification or an adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Examples include:

- Temporarily modifying work schedules
- Modifying work spaces
- Moving the location of the employee's work station
- Working from home

Employee may choose among effective accommodations.

REQUESTS FOR ACCOMMODATION — NOT REASONABLE

What Is Not a Reasonable Accommodation?

- Removing essential job functions
- Creating new jobs

REQUESTS FOR ACCOMMODATION — UNDUE HARDSHIP

An employer is not required to make an accommodation if it would impose an "undue hardship" on the operation of the employer's business.

- "Undue hardship" is defined as "an action requiring significant difficulty or expense."
- An accommodation that would not have posed an undue hardship or a significant expense prior to the pandemic may pose one now.

EXAMPLE - EMPLOYEES WITH UNDERLYING MEDICAL CONDITION

The CDC has identified people with the following underlying medical conditions to be at high risk for severe illness from COVID-19:

- People with chronic lung disease or moderate to severe asthma
- People who have serious heart conditions
- People who are immunocompromised
- Conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications
- People with severe obesity (body mass index [BMI] of 40 or higher)
- People with diabetes
- People with chronic kidney disease undergoing dialysis
- People with liver disease

EXAMPLE - EMPLOYEES WITH UNDERLYING MEDICAL CONDITION

The employee or employee's health care provider must notify the employer of the medical condition and request an accommodation.

The employer may ask questions or seek medical documentation to help decide if the individual has a disability, and determine what accommodations can be provided.

EXAMPLE - EMPLOYEES OVER AGE 65

The CDC has identified individuals age 65 and over to be at higher risk for a severe case of COVID-19.

- Employers may not involuntarily exclude people 65 or older from the workplace.
- Older workers are not entitled to workplace accommodation based on their age.
- ADEA does not prohibit employers from providing flexibility to employees 65 or older, even if younger employees are treated less favorably.

EXAMPLE — PREGNANT EMPLOYEES

Under the ADA, Pregnancy itself is not a disability.

- There is no right to accommodations during a pandemic due to pregnancy.
- However, pregnancy-related medical conditions may be disabilities.

Under Title VII, as amended by the Pregnancy Discrimination Act, women affected by pregnancy, childbirth, and related medical conditions must be treated the same as others who are similar in their ability or inability to work.

- Pregnant employees would be entitled to the same job modifications provided for other employees who are similar in their ability or inability to work.

Under the NYC Pregnant Workers Fairness Act, employers must reasonably accommodate an employee for pregnancy and childbirth without requiring a disability.

EXAMPLE — EMPLOYEES WITH CAREGIVING RESPONSIBILITY

Employers are not required to give employees with caregiving responsibilities workplace accommodations, such as teleworking, modified schedules, or other benefits.

However, if an employer provides flexibilities to employees with children due to school closures, it must not treat employees differently based on sex or other protected characteristics.

EXAMPLE — EMPLOYEES WITH HIGH RISK FAMILY MEMBER

Employees seeking an accommodation to avoid exposing a family member who is at risk of severe illness from COVID-19 due to an underlying medical condition.

- The ADA does not require that an employer accommodate an employee without a disability based on the disability-related needs of a family member or other person with whom he/she is associated.
- An employee without a disability is not entitled under the ADA to telework as an accommodation in order to protect a family member with a disability from potential COVID-19 exposure.
- An employer may provide such flexibilities if it chooses to do so.
 - Employers should be careful not to engage in disparate treatment on a protected basis



TERMINATIONS

DURING COVID-19

TERMINATION — REFUSAL TO RETURN TO WORK

Only for Imminent Danger

- Employees only entitled to refuse to work if they believe they are in “imminent danger.”
- OSHA defines imminent danger as “any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately....”
- Ensure protective measures in the workplace comply with CDC guidance.

Employment Actions

- Offer paid leave if the employee qualifies.
- If non-essential employee, consider allowing teleworking or other accommodations.
- Termination, if necessary

TERMINATION — NO RETALIATION

Employers may not retaliate against an employee who complains that the company has not taken adequate safety and health measures or who has requested an accommodation.



QUESTIONS

RETURN TO WORK COVID-19 EMPLOYEE ISSUES

GNYADA WEEKLY DEALER WEBINAR SCHEDULE

THURSDAY'S AT 11:00 AM

Date	Topic	Presenter
June 25 th	OSHA Update	Craig Downey, KPA
July 9 th	Avoid COVID-19 Lawsuits	Russ McRory, Esq. Arent Fox
July 16 th	Cybersecurity	Erik Nachbahr Helion Technologies



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