

# REOPENING SAFELY FOR CUSTOMERS AND WORKERS

Virtual Town Hall

Presented by NM Deps of Economic Development, Workforce  
Solutions and the Small Business Development Center



# STATE AGENCIES. WHAT DO WE DO?

- OSHA- Enforces Workplace Safety & Health Regulations (NM Dept of the Environment)
- Dept of Health- Guidance For Health Standards
- Dept of Workforce Solutions- Workplace Training/Placement, Unemployment
- Dept of Economic Development- Job Creation
- SBDC- Business Assistance; Planning/Financing



# COVID SAFE PRACTICES REQUIRED FOR EMPLOYERS

- Limit operations to remote work to the greatest extent possible.
- Arrange Workplace to provide 6 ft of distance between individuals whenever possible (ground markings, one way arrows).
- Close common areas where people congregate whenever possible or modify to minimize contact (breakrooms, foyers, etc).
- Remote meetings when possible.
- Ensure all employees have facemasks and wear them except when eating, drinking, exercising, or for medical needs (requests can be made to NM DOH for masks).
- Train employees in daily cleaning and disinfecting protocol, hygiene and respiratory etiquette.
- Make handwashing, sanitizer, and other hygiene support available to employees.

# SCREEN EMPLOYEES EACH DAY BEFORE ENTERING WORK

Send employees home if they are experiencing the following symptoms:

- Fever
- Cough
- Shortness of Breath
- Sore Throat
- Headache
- Muscle Pain
- Chills
- Repeated Shaking with Chills
- Loss of Taste/Smell

Direct employees to obtain free testing through NM Dept of Health, and prohibit them from returning to work until cleared by NM DOH.

<https://cv.nmhealth.org/>



# RECOMMENDED BEST PRACTICES

The following strategies are suggested and can further assist your businesses in mitigating COVID-19 exposure.

- Communication plan with forums for answering employee questions.
- Appoint COVID-19 safe practices team/leader in workplace.
- Consider assigning vulnerable workers duties that minimize contact with other people (inventory, accounting, admin through telework). Examples- Older workers, asthmatic workers who cannot wear a mask.
- Retain Daily Log for last 4 weeks including log of all customers (date, name, phone #) who enter the workplace for contact tracing.
- Follow all HVAC maintenance. When possible, consult with HVAC engineer to improve ventilation.

# INDUSTRY SPECIFIC GUIDANCE

Guidance available for the following specific economic areas at:

<https://indd.adobe.com/view/f8c729a4-3094-4157-af47-b13eddea33f2>

- |  |                                   |                             |
|--|-----------------------------------|-----------------------------|
| -Retail  | -Hotels/Resorts/Lodging           | -Auto Dealers/Services      |
| -Restaurants                                   | -Golf Courses                     | -Medical Providers          |
| -Offices/Call Centers                          | -Tour Operators                   | -Salons/Spas/Tattoo Parlors |
| -Grocery Stores/Farmer's<br>Markets            | -Houses of Worship                | -Gyms                       |
| -Youth Programs                                | -Farm/Ranch/Dairy<br>Producers    | -Museums                    |
| -Manufacturers/Warehousing<br>/Food Production | -Vets/Pet Care                    | -Casinos                    |
|  | -Construction/Field<br>Operations | -Film/TV Production         |



# FAMILIES FIRST CORONAVIRUS ACT- PAID LEAVE

- *Two weeks (up to 80 hours) of **paid sick leave** at the employee's regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis*
- *Two weeks (up to 80 hours) of **paid sick leave** at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor*



# FAMILIES FIRST CORONAVIRUS ACT- PAID LEAVE CONT.

- *Up to an additional 10 weeks of **paid expanded family and medical leave** at two-thirds the employee's regular rate of pay where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.*
- **Covered Employers:** Public/private employers with fewer than 500 employees. Small businesses with fewer than 50 employees may qualify for exemption from the requirement to provide leave due to school closings or child care unavailability if the leave requirements would jeopardize the viability of the business as a going concern.
- **Eligible Employees:** *All employees of covered employers are eligible for two weeks of paid sick time for specified reasons related to COVID-19. Employees employed for at least 30 days are eligible for up to an additional 10 weeks of paid family leave to care for a child under certain circumstances related to COVID-19.*

<https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave>



# FFCRA TAX CREDITS FOR REIMBURSEMENT

- The FFCRA provides that employers subject to the EPSLA and the Expanded FMLA paid leave requirements are entitled to fully refundable tax credits to cover the cost of the leave required to be paid for these periods of time during which employees are unable to work (which for purposes of these rules, includes telework).
- Eligible Employers will report their total qualified leave wages and the related credits for each quarter on their federal employment tax returns, usually Form 941, Employer's Quarterly Federal Tax Return. Form 941 is used to report income and social security and Medicare taxes withheld by the employer from employee wages, as well as the employer's portion of social security and Medicare tax.

<https://www.irs.gov/newsroom/covid-19-related-tax-credits-for-paid-sick-and-paid-family-leave-overview>

# HIGH-RISK WORKERS SHOULD CONSIDER NOT RETURNING TO WORK

Workers must provide documentation from medical provider to be eligible for UI benefits under the “Good Cause” exemption. Below are qualifying conditions:

- 65 or older (no documentation needed)
- Chronic lung disease or moderate to severe asthma
- Serious heart conditions
- Immunocompromised: Includes: 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
- Severe obesity (body mass index [BMI] of 40 or higher)
- Diabetes
- Chronic kidney disease undergoing dialysis



# REPORTING UNEMPLOYMENT RECIPIENTS WHO DON'T HAVE GOOD CAUSE

UI recipients who do not have good cause for refusing to return to work are at high risk for immediately losing their benefits.

- Printable form located here:

[https://www.dws.state.nm.us/portals/0/DM/UI/Refusal\\_of\\_Work\\_Form\\_05\\_2020.pdf](https://www.dws.state.nm.us/portals/0/DM/UI/Refusal_of_Work_Form_05_2020.pdf)

- Good Cause can NOT be defined as:

- “I am making more in unemployment than comparable work”.
- “I am scared of COVID-19”

- Good Cause CAN be defined as:

- “I have a pre-existing condition, or live with someone with one, defined putting me at high risk with documentation from a medical provider”
- “My employer is not following COVID Safe Practices and I have proof”

# REOPENING NEW MEXICO'S ECONOMY IS A JOINT RESPONSIBILITY

Employers and job seekers play an equally vital role as businesses reopen. The process of providing services in compliance with public health orders will rely on good communication and consistent healthy practices.

Employer Responsibilities	Employee Responsibility
<ul style="list-style-type: none"><li>- Establish strategy for service deliver under public health orders</li><li>- Leverage resources to ensure adequate staff training</li><li>- Understand UI rules and responsibilities</li><li>- Understand laws pertaining to COVID-19 related leave</li><li>- Practice creative staffing patterns that address employee health conditions and family needs</li></ul>	<ul style="list-style-type: none"><li>- Understand UI rules and responsibilities</li><li>- Establish a plan for returning to work under public health orders</li><li>- Engage in training opportunities that mitigate risk for COVID-19 spread</li><li>- Leverage education and training funds to explore advanced work opportunities</li></ul>



# PPE RESOURCES

NMACI has partnered with our member company, Inverse Medical, to provide bulk purchases of Personal Protective Equipment (PPE) to ensure businesses have access to the equipment they need to remain open and keep their employees and customers safe. The PPE below is currently shipping within one business day of the order.

Disinfectant Spray

Face Masks

Gloves

No-Touch Thermometers

Hand Sanitizer

Multi-Purpose Alcohol

Wipes

Shop here: <http://acinm.chambermaster.com/store/>

Contact: Janae Amparan, [jamparan@nmaci.org](mailto:jamparan@nmaci.org)

# PPE RESOURCES CONTINUED

The [Emergency Supply Collaborative](#) is a partnership of many New Mexico Organizations originally created to match suppliers of medical supplies with healthcare providers. It has since added on the Back-to-Business Directory (link halfway down the homepage) listing websites to dozens of both in-state and out-of-state suppliers of various supplies that businesses may seek during the reopening of the economy. Items include:

- Face coverings
- Surgical masks
- Face shields
- Hand sanitizer

- Disinfectant and other cleaning supplies
- Gloves
- Digital thermometers



# RESOURCES TO MEET STAFFING NEEDS

- ALL HANDS- NM Department of Workforce Solutions COVID-19 program for employers who need workers now. Post jobs here:  
<https://www.dws.state.nm.us/COVID-19-Post-Jobs>
- Job Orders – direct recruitment
  - Applicant screening
- Virtual hiring events
- Staff Training
  - Job-specific skills
  - COVID-19 mitigation skills
  - De-escalation
- Job seeker training

# YOUR LOCAL PARTNERS

- Four Regional Workforce Development Boards
  - North, Central, Southwest, Eastern
  - <https://www.dws.state.nm.us/en-us/Workforce-Boards>
- More than 20 Workforce Connections Offices
  - <https://www.dws.state.nm.us/en-us/Office-Locations>
- Economic Development Department offer Community, Business & Rural Development Regions
  - <https://gonm.biz/community-development/#regionalRep>
- 19 SBDC offices across the state
- Two-year institutions of higher education
  - Working in partnership with DWS to address workforce development needs