

HR FORUM ON COVID-19



Managing People
in a Time of Crisis:
What Should Small
Businesses Do?

Session #2
April 1, 2020



YOUR HOSTS

CHAR MILLER, MA-OM

Founder & CHRO, Rocky Mtn Health Advocates

Talent Management Consultant, CompTeam

- In addition, Char founded HR with a Heart and helps individuals with career transformation. She helps organizations achieve company mission, vision, and goals with the best talent!
- In 2013, Char founded RMHA, a fast-growing consulting firm that provides strategic business consulting in talent management, organizational development, performance effectiveness, human capital management, executive leadership training and development.
- Char has strong HR experience as an influential, entrepreneurial and strategic thought leader designing organizational structure and framework for creating a culture of excellence, innovation, compassion, and ethics in large-scale highly matrixed healthcare, corporate, hospitality, non-profit and government organizations.



CompTeam is a compensation and talent management consulting firm.



YOUR HOSTS

SAM REEVE, CCP, GRP

Founder & CEO, CompTeam

- Sam's core focus is leading companies through transformational change by optimizing talent initiatives with reward programs to achieve long-term strategic objectives.
- Sam's diverse experience includes the design and optimization of performance-driven variable compensation plans for executive, sales and core employee populations of growing companies.
- Prior to founding CompTeam, Sam worked in compensation functions for notable firms such as BlackRock, McKesson and Automatic Data Processing (ADP).
- Sam is a global certified compensation consultant (CCP, GRP) with over 15 years of experience in Total Reward Strategies.



CompTeam is an HR consulting firm that implements pay and talent strategies that captivate the best candidates, retain top talent, and motivate employees.



YOUR HOSTS

DEBI CHERNAK, SPHR, SPHRi, SHRM-SCP

Founder & CEO, HR Cert Prep Pros & HRCPP Consulting Group

- › Debi excels at building and transforming cultures and creating the infrastructure necessary to scale and grow a business.
- › In 2017, she founded HR Cert Prep Pros to bring her passion for coaching and consulting to a broader audience of HR professionals and business leaders.
- › Debi has served as a senior HR executive and consultant for start-up & growth companies including IntelePeer Cloud Communications, Unisyn Medical Technologies, Aztek Networks, LiveWireNet, Summit HR Solutions, and Denver Executive Consultants.
- › Debi earned her BBA in Management, Marketing & Organizational Behavior from Loyola University in Maryland and her MEd in Organizational Performance & Change from Colorado State University.
- › She serves on the Board for BAHRA (Boulder Area HR Association) and as a volunteer & foster for the Evergreen Animal Protective League.



HR Cert Prep Pros Consulting Group guides and supports HR professionals and business leaders to accelerate their success.



HR CERT PREP PROS
CERTIFY ♦ COACH ♦ CONSULT

YOUR PANELISTS

TOBI ANDERSON

Strategic Consultant, Interact

- Tobi has been helping internal and external clients find new ways of working utilizing internal communication, organization development, change management, and technical solutions for more than 12 years.
- Tobi helps clients across industries to successfully implement and grow their digital workplace to meet their business objectives. Recent clients include Equinox, Levi Strauss & Co., Lush Handmade Cosmetics, and Zillow.
- She holds a Master's degree in Organizational and Professional Communication, with an emphasis on Organization Development and Training. She has also taught Management at the college level.



*Intranet software that connects your organization:
Transform how your business communicates.
Build a more informed and productive workplace.
Engage your employees.*

YOUR PANELISTS

LINDA RAD, MSM, SPHR, SHRM-SCP

HR & OD Consultant, Leadership Coach & Facilitator

- Linda works with organizations to facilitate positive culture change. She does this through leader and team coaching, emotional intelligence workshops, and engagement assessments, planning, and initiatives.
- Linda provides companies with customized approaches to increasing communication, connection and performance. Her approach is strength-based and empowering, building the leader and team.
- Linda's experience includes leadership in human resources, organizational development, strategic planning, employee engagement, coaching, and leadership development.
- Linda's education includes a BS in Human Resource Management, MS in Management & Organizational Leadership, and she is pursuing her Doctorate in Organizational Development with research in Emotional Intelligence. Her certifications are in HR, OD, EQ, and Executive Coaching.



Envision Leadership Consulting facilitates positive cultural change through consulting, coaching and customized facilitated leadership workshops.



YOUR PANELISTS

JOANNA BROWN

Founder & Consultant, Elevare Inc.

- Joanna leverages her 25 years in human capital, business development, and learning & development to bring her clients highly strategic consulting on organizational challenges their companies are facing.
- Her background includes 16 years of corporate-level HR expertise within the CPG industry with 4 years expanding her business acumen in a business development role.
- In her consulting practice, Joanna has worked in partnership with businesses ranging from small, local start-ups to large Fortune 500 and brand name businesses such as Weight Watchers, Microsoft, Lexus, DaVita, Infiniti, and AlloSource. Joanna formed the statutory Board of Directors for one of her clients and currently serves as its Chairman of the Board.
- She also serves on other non-profit and organizational boards and is passionate about supporting the community and philanthropic efforts that are near to her heart.



We are expert solutions strategists in organizational & executive development, people & process challenges, and learning.



YOUR PANELISTS

LYSSA HANSARD

CEO & Principal Consultant, Cura HR

- Lyssa founded Cura HR in 2010 with the vision of ensuring purposeful planning, investment and management of people programs for clients.
- Lyssa believes employers experience exponential change in people and results when HR operations are easy, and when leading edge best practices are used to design and implement programs and initiatives.
- Lyssa has come to know that the power of her team's alignment, passion, and talent differentiate their approach and outcomes and make a significant difference to the practice of HR.
- Prior to founding Cura HR, Lyssa worked in varying HR leadership roles at Level 3 Communications, MWH Global, and Quiznos Corporation. Her experience working for differing ownership models and industries made the transition to supporting a diverse client base, with distinctive needs and cultures, a fluid one.



Cura HR builds targeted strategies from full outsourcing, to program design, project and process management. Our processes are based on current best practices and are aimed at maximizing your Human Capital spend.



YOUR PANELISTS

AMY HARTMAN

Principal, Hartman Employment Law Practice LLC

- Amy has been practicing in the field of labor and employment law for her entire legal career. Prior to starting Hartman Employment Law Practice LLC, she was a partner at the Cooley law firm in Colorado and Seyfarth, Shaw in Chicago.
- Amy's vast litigation background has served to enhance her ability to counsel employers effectively in how to proactively manage sensitive situations and avoid litigation. Amy's practice includes a significant focus on counseling companies on employment matters related to emerging companies, financing, mergers, acquisitions, restructuring and other transactions, and drafting documentation related to these transactions.
- Amy also provides interactive training for managers and employees on preventing harassment in the workplace and a wide variety of workplace law issues. She conducts ongoing seminars for human resources professionals on such diverse topics as ADA and FMLA compliance, blogging and the right to privacy in the workplace, and telecommuting and other virtual workplace issues.



Hartman Employment Law Practice specializes in providing practical, business-oriented employment law advice and legal solutions for businesses in every phase of development.



AGENDA

- **Welcome & Introductions**
- **Crisis Communications—What Do Employees Need to Know Now?**
 - Tobi Anderson, Interact Software
- **EQ Skills for Leadership—Coaching Skills for Leadership**
 - Linda Rad, Envision Leadership Consulting
- **Conflict in Crisis—A Framework for Managing Friction in Difficult Times**
 - Joanna Brown, Elevare Inc.
- **Families First Coronavirus Response Act (FFCRA)**
 - Lyssa Hansard, CuraHR
- **Legal Update—Cutting Costs & the CARES Act**
 - Amy Hartman, Hartman Employment Law Practice LLC
- **Q&A**

Crisis Communications

What Do Employees Need to Know Now?



Presented by

Tobi Anderson, Strategic Consultant

interact

“

If leaders have a clear way forward, human beings are amazingly resilient. There is a documented "rally effect."

GALLUP

Jim Harter

Chief Scientist, Workplace Management & Well-Being



1

Communicate
clear plan of action
& provide regular
updates

2

Ensure
employees feel prepared
to do their job

3

Address employee
wellbeing



#1 - Communicate a clear plan of action & provide regular updates

- One source of truth
- Keep senior leaders visible
- Share the external messaging
- Be prepared to change your comms as the situation changes



2 - Ensure employees feel prepared to do their job

- Support staff in working from home and staying connected
- Keep information current, relevant, and readable
- Enable managers to keep their employees informed



#3 - Address employee wellbeing

- Use official sources of information
- Check and remind staff of your standard policies and procedures
- Remember who you are communicating to – and *listen*



Thank you!

For questions or more information....

Email: tobi.anderson@interact-intranet.com

Web: <https://interact-intranet.com>

Follow us [@intranetexperts](https://twitter.com/intranetexperts)

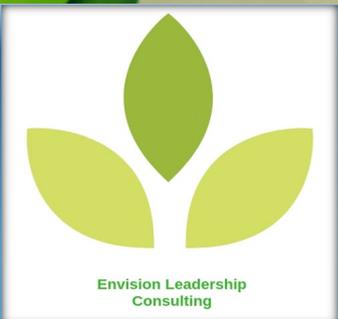


EMOTIONAL INTELLIGENCE & COACHING SKILLS

Essential Leadership during COVID-19

Linda Rad, HR & OD Consultant, Leadership & Team Coach,
Workshop Facilitator

Envision Leadership Consulting, LLC



SETTING THE STAGE

- Increase emotional intelligence skills
- Implement coaching practices to empower others
- Use three levels of listening
- Ask powerful questions



EMOTIONAL INTELLIGENCE



EMOTIONAL SELF-AWARENESS



EMPATHY



HEALTHY OPTIMISM

It's a wonderful thing to be optimistic.

It keeps you healthy and it keeps you resilient.

- Daniel Kahneman



LEVELS OF LISTENING

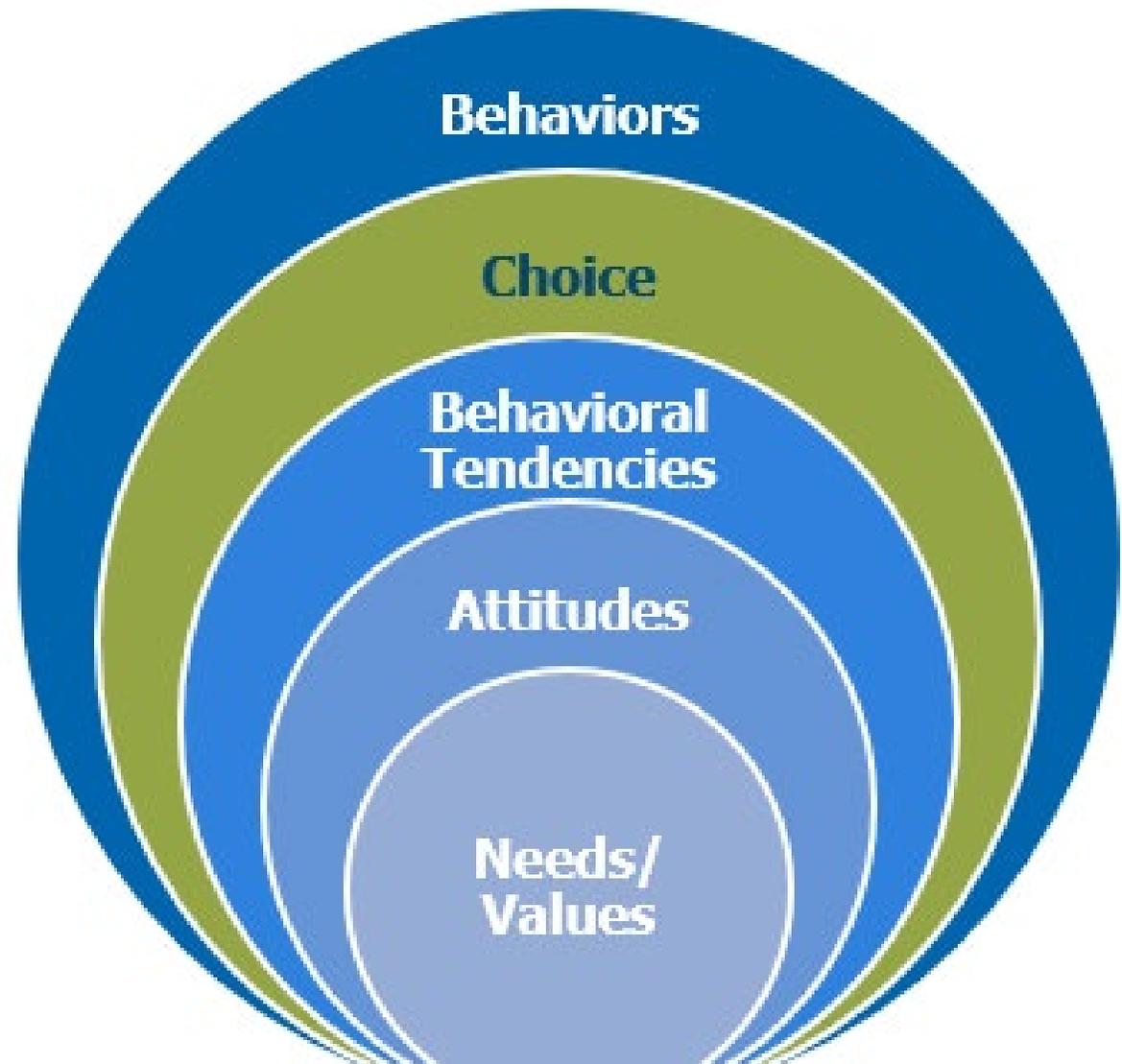
Level 1 – Internal Listening – Focus on myself

**Level 2 – Focused Listening – Focus on the other
(reflective listening)**

**Level 3 – Global Listening – Focus on other, self and
what is happening in the environment**



**Every behavior is
an expression of
a need**



ASK POWERFUL QUESTIONS

- 1. Open ended**
- 2. Use your heart and head**
- 3. Be curious**
- 4. Short questions**
- 5. Listen after asking**
- 6. Demonstrate empathy**
- 7. Do no judge (accept vs. agree)**

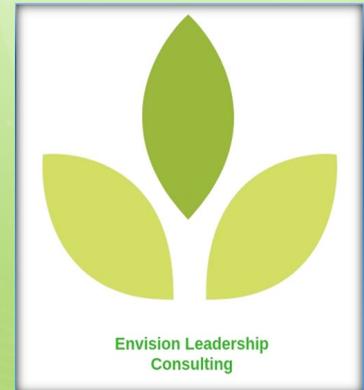


POWERFUL COACHING QUESTIONS

1. What's on your mind?
2. What's most important to you?
3. What's the real challenge?
4. What do you want?
5. If you are saying yes to this, what will you say no to?

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Envision Leadership Consulting can provide you or your team with coaching





ELEVARE

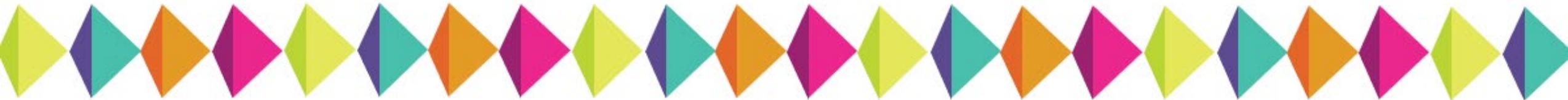
ELEVATING ORGANIZATIONS



Joanna Brown
Founder & Consultant

Conflict in Crisis

A Framework for Managing Friction
in Difficult Times



Why Conflict Arises During Crisis



Fear



Don't know
how to
cope



No clear
answers /
uncertainty



Posturing =
unhealthy
competition &
conflict

What to Do When Conflict Strikes

{ between 2 individuals }

1

Separate individuals in conflict

2

Encourage “cooling off” period

3

Meet individually to understand root of conflict

4

Emphasize common, mutual goals

5

Moderate (with buy-in) toward solution

3 Stages to Effectively Moderate Conflict



Set the Stage



Aim

Better understand the other's concerns and needs



Goal

Practice a method for conflict resolution (*not to resolve all the world's problems in one session*)



Structure

Moderate in a fashion that aims toward resolution

Ground Rules

Show
Respect

Don't
Interrupt

Trust the
Format

Listen
Intently

Practice
Maturity

Normal
Volume

Don't
Escalate

1

2

3

4

5

6

7

Be respectful to each other in every interaction during the moderation (and beyond!)

If you need to say something when someone is talking, take notes to remember what you want to discuss

Trust the format for moderation and resist the urge to “dump” on each other

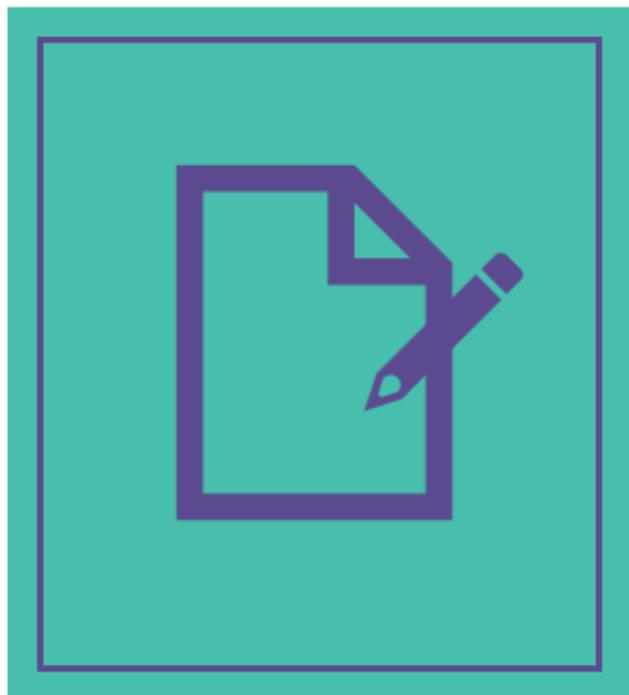
Listen to the other with the aim to understand their point of view

Come into the moderation with your most mature self

Work hard to keep your voice at a normal, unemotional level

Refrain from escalating emotions (i.e.: anger); instead, remain calm and professional

Moderation Format: Step 1



- Using a notepad:
 - Have each party write out their “grievances” with the other person
 - Use bullet-point format
 - It’s safe: no one will see their notepad

Moderation Format: Step 2



- Have each party review what they wrote down
- Ask themselves if there's anything on their list that is a little petty or judgmental, or just a preference for what they wish the other person was like
- Ask them cross off any of those things that are non-essential to getting to the root of the conflict

Moderation Format: Step 3



- Give 5-10 minutes for one person to air just one bullet point grievance
- Should be the one grievance that will be easiest or quickest to solve or fix
 - Gets to quicker solutions, demonstrating the process works in creating partnership versus conflict
- State what part they can take responsibility for and what they will do differently in the future

Moderation Format: Step 4



- Give 5-10 minutes for the other person to respond to the grievance following the process:
 - Repeating back (summarizing) what they think the person's grievance is
 - Acknowledging how that could negatively affect them
 - Clearing up any confusion or misinformation
 - Taking responsibility for their part of the resolution
 - Ask the other party if their offer is satisfactory to them

Moderation Format: Step 5



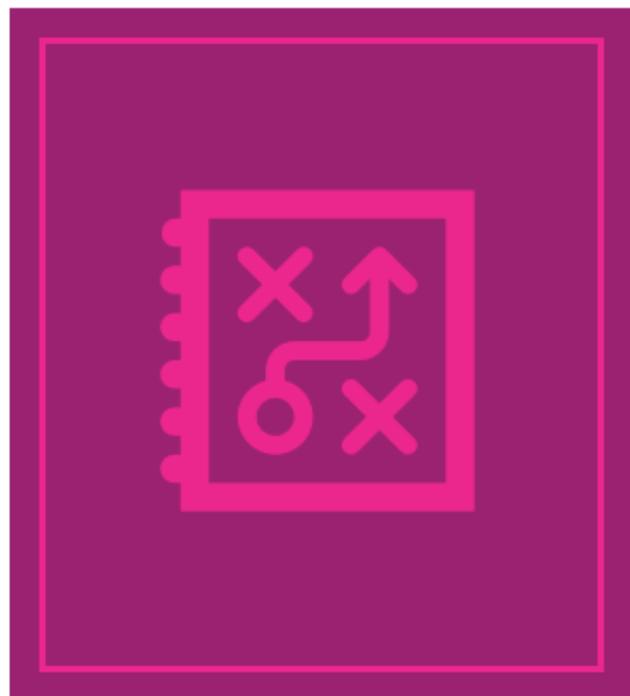
Repeat steps 3-4 allowing the other person to air a grievance

Moderation Format: Step 6



- Give 2-5 minutes for each person to write down:
 - Their commitments for what they will change or do differently
 - Deadlines for specific follow-up
 - Anything they learned that will help them in future situations
- Ask each to share what they wrote

Moderation Format: Step 7



- Follow-up with each individual in 2-3 days
- Find out how things are progressing
- Help keep them accountable to their commitments
- Offer any follow-up mediation
 - If same issue isn't resolved
 - To mediate another issue

Remember This...

CONFLICT DOESN'T HAVE TO END IN DISRUPTION



Good conflict management can result in better communication and partnership between all parties



ELEVARE

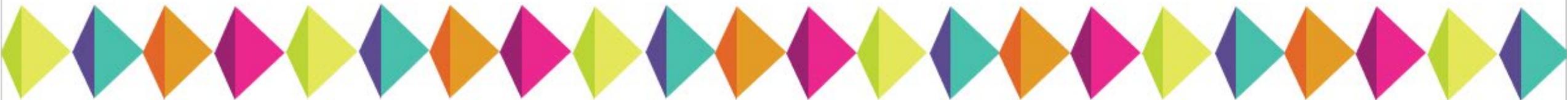
ELEVATING ORGANIZATIONS

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Families First Coronavirus Response Act (FFCRA)

HR Forum on COVID-19

April 1, 2020

FFCRA in Summary

April 1, 2020



December 31, 2020

Gives all Employers (ERs) with < 500 U.S. Employees (EEs) funds to provide employees with paid leave, either for the EE's own health needs or to care for family members.

< 25 EEs

- Generally excluded from *job restoration* requirement under expanded FML

< 50 EEs

- Exemption possible from both sick and expanded family medical leave only when due to a school or childcare closure

FFCRA in Summary

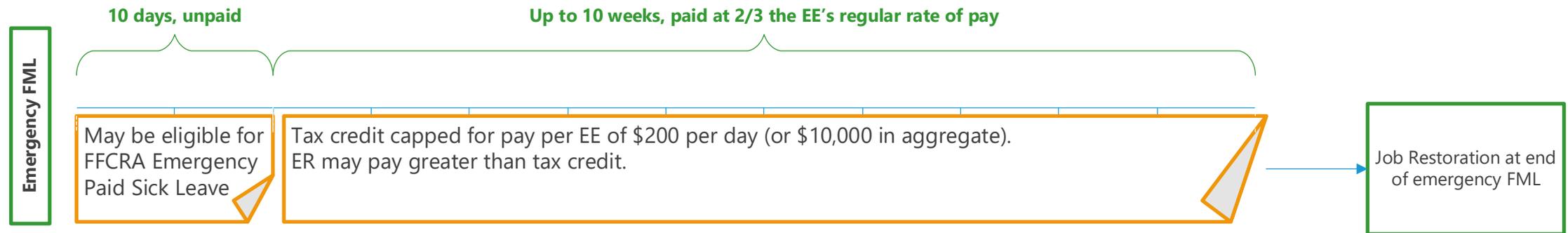
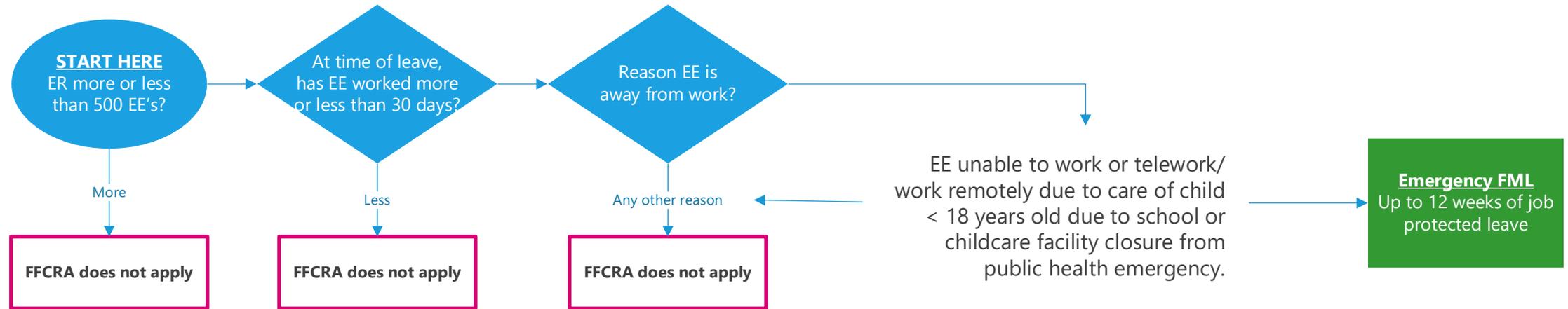
Emergency Family and Medical Leave (FML) Expansion

- Job protection for eligible employees under FMLA
- Tax credit for compensation under Emergency FML Expansion

Emergency Paid Sick Leave

- Tax credit for compensation under Emergency Paid Sick Leave

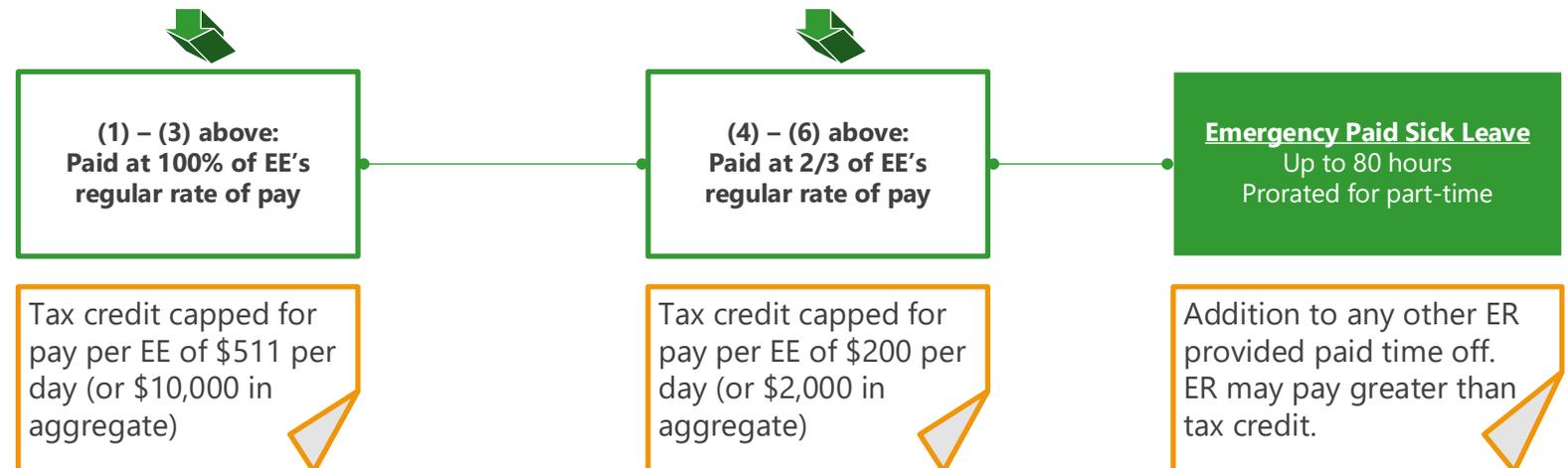
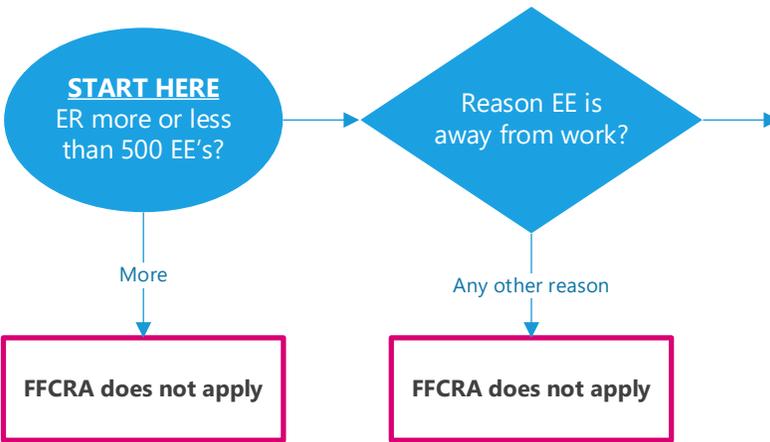
Emergency Family Medical Leave (FML) Expansion



Emergency Paid Sick Leave

EE unable to work or telework/ work remotely due to:

- 1) EE is quarantined or isolated by Federal, State or local order
- 2) EE advised by health care professional to self-quarantine due to concerns related to COVID-19
- 3) EE is experiencing symptoms of COVID-19 and seeking medical diagnosis
- 4) EE is caring for an individual subject to quarantine or isolation by Federal, State or local order or by direction of health care professional
- 5) EE is caring for child because of school or childcare facility closure
- 6) EE is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with Secretary of Treasury and Secretary of Labor



Employer Responsibilities

1. Communicate to Employees
2. Distribute/ Post DOL Poster
 - 'Employee Rights. Paid Sick Leave and Expanded Family and Medical Leave Under The Families First Coronavirus Response Act'
3. Define Request Process
 - Align with existing FML and PTO request processes
4. Confirm Tracking Mechanisms
 - Maximum FML benefit of 12 weeks, including emergency extension benefit
 - Payroll types and calculations, differentiate from all other paid time off
5. Plan for Reporting and Accounting Records for Quarterly Filing

FFCRA Employee Certification Requirements

- ER responsible for certification validation → *approach consistently*
- DOL Guidance: relevant documentation, to the extent permitted under the certification rules for conventional FML requests
 - Notices posted on a government, school, or day care website, or published in a newspaper, or an email from an employee or official of the school, place of care, or childcare provider
 - May need to approve based on an honor system → *recommend form*
 - EEs may not be able to get a Dr.'s note during this time
 - Without a record of dependents, difficult to document 'loco parentis' (responsibility for) care for a child under 18 years old
- ER establishes criteria to determine if an EE is unable to telework
 - In the absence of DOL criteria, determine *by position and job duties*

FFCRA Tax Credit

- Retain appropriate documentation and records of your payment for the sick leave or expanded family and medical leave wages.
- ERs are not entitled to a tax credit for any paid sick leave or expanded family and medical leave that is not required to be paid or exceeds the limits set forth.
- Consult Internal Revenue Service (IRS) applicable forms, instructions, and information for the procedures that must be followed to claim a tax credit, including any needed substantiation to be retained to support the credit.

Employer Templates and Resources

- Department of Labor: <https://www.dol.gov/agencies/whd/pandemic>
 - Posters
 - Fact Sheets
 - Announcements
- DOL FFCRA Questions & Answers:
 - <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>
- The Bill: <https://www.congress.gov/bill/116th-congress/house-bill/6201/>
- IRS Employer's Quarterly Federal Tax Forms:
 - <https://www.irs.gov/forms-instructions>

Questions?

Cura HR can help

Please connect with us for support and to discuss where you need HR partnership.

hello@curahr.com

curahr.com

Phone: (970) 578-0086

The Cura HR Team <http://curahr.com/team> is available for *free consultations*.
Contact us today!



*We provide HR outsourced services,
including payroll.*

Legal Update Cutting Costs and the CARES Act

Amy Hartman
Hartman Employment Law Practice LLC



Introduction

- Employment issues associated with implementation of employee related cost saving measures
- Relief available in new CARES Act of 2020



Reducing “Burn Rate”

- Modifying, reducing or eliminating benefits and programs offered to current employees
- Telecommuting Wage/Hour Issues
- Successfully implementing a furlough or reduction in workforce



Designate Exempt Employees as Non-Exempt

- Convert to non-exempt to schedule mandatory shutdown / furlough / work from home



Reduce Salaries – “Shared Sacrifice”

- Salary reduction v. salary deferral
- Give employees **choice** of cashing out accrued vacation or PTO to make up for decreased wages
- Carefully review all offer letters and executive employment agreements
 - Don't trigger Good Reason severance provisions



Work From Home Issues

- Reiterate Timekeeping Policies
 - ✓ Remind non-exempt employees, in writing, that timekeeping policies apply with the same force as before, including meal and rest breaks per state laws
 - ✓ Require certified timesheets
- Set and Maintain Work Schedules & Boundaries
- Requests for ADA Accommodations to At-Home Work Space



Furlough Me This?

- Intended to be temporary; think of it as an unpaid leave of absence
- Exempt Employees – must be full week and **NO WORK PERFORMED**
- Employees:
 - Remain on payroll
 - Continue health care and other benefit plans without triggering COBRA
 - STD/LTD? HSA/FSA? Check with carriers! **WHO PAYS PREMIUMS?**
- Use up accrued vacation or PTO (check state laws)
- Provide notice; include what benefits continue and for how long + still At-Will
- Furloughed and reduced hour employees are eligible for unemployment plus new enhanced unemployment benefits
- CARES Act relief for keeping employees on payroll



Preparing for a Reduction in Force (RIF)

- Prepare Business Case Document – Focus on Positions and Needs of Business Going Forward – Not Individuals
- Prepare Excel spreadsheet listing all affected & non-affected positions
- Analyze WARN issues
- Analyze Adverse Impact issues
- Prepare Severance Packages – Consider ERISA Plan
- What free/low cost assistance can be provided?
- Script consistent message to deliver to employees, media & key investors
- Coordinate timing of notice to affected and non-affected employees, media & key investors



Preparing for a Reduction in Force (RIF)

Federal WARN Act Requirements

- Applies only to companies with 100+ employees
- “*Mass layoff*” = reduction in force, over 30 (or in some cases 90) day period, affecting:
 - ✓ at least 33% of one site’s full-time EEs (50+ EEs must be affected)
- “*Plant closing*” (or partial closing) = 50+ EEs affected at 1 site
- Notice—must provide:
 - ✓ 60 days advance notice OR
 - ✓ Payment of back pay and all benefits in lieu of notice
- State “Baby” WARN Acts
- Unforeseen Business Circumstance
 - ✓ Caused by some sudden, dramatic, and unexpected action or condition outside employer’s control



Security / IT

- Consider all potential security risks
- Account for all Company property, including keys, access cards, computers, etc.
- Furlough Issues – Cutting off Access
- WFH issues
 - IP
 - Internet
 - Equipment



CARES ACT

- FFRCA – Paid Sick Time and Enhanced FML
- Enhanced Unemployment Benefits
 - Pandemic Unemployment Compensation (PUC) / \$600 per Week up to 4 Months
 - Pandemic Emergency Unemployment Compensation (PEUC) / + 13 Weeks (total 39 wks of UI in CO)
 - Pandemic Unemployment Assistance (PUA) / Self-Employed, Contractors
- SBA – Payroll Protection Program (PPP Loan) (2/15-6/30)—2.5 x avg monthly payroll costs
 - Group health care benefits during periods of paid sick/medical/family leave & insurance premiums;
 - Salaries (up to \$100,000), commissions, or similar compensations;
 - Payments of interest on mortgage or other debt obligations;
 - Rent/lease agreement payments and utilities
 - <https://home.treasury.gov/system/files/136/PPP%20Borrower%20Information%20Fact%20Sheet.pdf>
- Loan Forgiveness & Deferral (6 months)
 - Loan amounts may be forgiven for above payments made by the borrower during **8-week period** beginning on date of loan; can't use more than 25% for non-payroll costs
 - Forgiveness reduced if EEs terminated or salaries reduced > 25% and not reinstated by 6/30/2020

CARES ACT

- Economic Industry Disaster Loan (EIDL)
 - ✓ Advance of up to \$10,000 w/in 3 days even if loan not ultimately granted
 - ✓ Can have PPP loan + EIDL but not for same reason
 - ✓ No forgiveness
 - ✓ Ease of application for loans up to \$200,000



CARES ACT

- Deferral of Employer Social Security Contributions through December 31, 2020 → payable 50% in 2021 and 50% in 2022
- Employee Retention Credit Program
 - ✓ 50% credit up to \$10,000 per EE that is paid while either:
 1. The operation of the business was fully or partially suspended during any calendar quarter during 2020 due to orders from an appropriate government authority resulting from COVID-19, or
 2. The business remained open, but during any quarter in 2020, gross receipts for that quarter were less than 50% of what they were for the same quarter in 2019.



QUESTIONS?

THANK YOU

Amy Hartman

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<http://www.hartmanhrlaw.com/Articles.html>



HR FORUM ON COVID-19



Join us for Session #3
April 8, 2020

