

July 1, 2020

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## Feds' new guidance makes it easier to get PPP loans forgiven

■ *SBA issues application, plus more clarity on expenses*

Since the feds replenished the Paycheck Protection Program (PPP) in May, many more small employers have requested the forgivable coronavirus-relief loans. And now, the feds have issued a new round of guidance on what makes the loan forgivable.

### Forgiveness applications

On May 15, the Small Business Administration (SBA), which is administering the loans, released its 11-page loan forgiveness application ([tinyurl.com/SBA606](https://tinyurl.com/SBA606)).

Employers must fill out the application and submit it to the bank

that approved their loans, along with documentation to verify payroll and nonpayroll costs.

The bank then issues a decision to SBA within 60 days. The loans can be forgiven if an employer:

- follows the 75/25 rule, which is that 75% of the loan proceeds be used to cover payroll (up to \$100,000 per employee) and expenses for paid sick leave, health care and other benefits
  - uses the funds during an eight-week period, starting on the date of the loan
  - maintains the same average number
- (Please turn to PPP loans ... Page 2)*

**PAID TIME OFF**

## Firms need to review PTO policies, as days pile up

An increasing number (42%) of employers are making changes to their PTO, vacation and sick day policies, as employees are reluctant to take days off during the unstable times of the pandemic.

As unused vacation days pile up, some employers (16%) are requiring employees to take time off to reduce the year-end build-up, according to a Willis Towers Watson survey.

### 'Use it or lose it' policies

The Insurance Market in Laurel, DE, is reminding workers of their "use it or lose it" policy, since it's ruled out letting them carry over time.

But any policy needs to be clearly

communicated to workers. In a recent court ruling, a California employer with a "use it or lose it" policy was forced to pay a laid-off employee for accrued vacation time. This is because the policy wasn't in writing.

The court identified other factors to help firms draft an airtight policy:

- Identify the rights and obligations of both employer and employee, as well as the consequences of failing to schedule time off.
- Administer fairly, so it doesn't result in one employee working many hours with minimal time off while another works fewer hours and takes more time off.

**Info:** [tinyurl.com/PTO606](https://tinyurl.com/PTO606)

## PPP loans ...

(continued from Page 1)

of full-time equivalent employees for the eight-week period of the loan, and

- doesn't cut salaries of employees making under \$100,000 by more than 25%.

For employers that received the loan, kept their employees and used 75% of the loan for payroll and benefits, loan forgiveness is fairly clear. However, it gets more complicated for those employers that haven't been able to retain their employees.

### Forgiveness requirements

The SBA has released two new interim final rules addressing requirements for PPP loan forgiveness ([tinyurl.com/forgiveness606](https://www.tinyurl.com/forgiveness606)) and for loan review procedures ([tinyurl.com/review606](https://www.tinyurl.com/review606)).

Here are some of the key guidance pointers from those rules:

**Partial loan forgiveness:** If a firm

uses 60% of the loan for payroll and benefits and the rest for rent, they can still get forgiveness for most of the loan.

### When workers refuse to return:

An employer won't be subject to a reduction in the amount of loan forgiveness for an employee who refuses to return. This is a common problem due to the additional \$600 provided to those on unemployment under the CARES Act. But firms are required to alert state unemployment offices if someone refuses to return within 30 days of that rejection.

**Bonuses and hazard pay:** Employers are allowed to pay employees bonuses with the PPP funds, as long as their total pay during the eight-week period of the loan payout doesn't go over \$15,385.

**Alternative payroll period:** Firms can use an "alternate covered period," or an eight-week period that lines up with their payroll schedule. In other words, if the PPP funds come in June 17 and the next payroll is run June 21, then firms can start their eight-week period on June 21.

**Deadline to rehire employees:** Employers can restore forgiveness if they rehire employees and reverse reductions to salaries and wages for full-time equivalent employees by June 30, 2020.

### More forgiveness?

There are multiple bills being considered in Congress that could essentially forgive more PPP loans.

The House has passed a bill that would extend the loan forgiveness period to 24 weeks, change the 75/25 rule to 60/40 (aiming to encourage employers to keep more employees working), and push back the June 30 deadline to rehire workers. A separate Senate bill would do the same.

The Senate could also vote on a separate bill in the next few weeks that would double the loan forgiveness period to 16 weeks.

Info: [tinyurl.com/PPP606](https://www.tinyurl.com/PPP606)

## SHARPEN YOUR BENEFITS JUDGMENT

*This feature provides a framework for decision making that helps keep you and your company out of trouble. It describes a recent legal conflict and lets you judge the outcome.*

### Workers violated noncompete: Can firm get bonuses back?

"This is crazy," said Benefits Manager Betty Murphy to Company Attorney Jim Gannon, as he sat in her office. "What's the point of having a contract if no one's going to adhere to it?"

"I assume you're talking about Stephen Reynolds' sudden departure to start his own company," Jim said.

### Left, took clients with him

"Yes, of course," Betty replied. "He was a VP. He worked for us for 15 years. He should return the \$1.4 million in incentive payments he received in exchange for agreeing not to compete with our company for 30 months. He's taking clients from us.

"We need to file suit against Stephen for breaching his bonus contract, as well as the three executives he took with him. They all chose to sign the voluntary incentive plan to protect our company. Quite the contrary. They took four clients from us."

"Here's the thing," Jim cautioned. "That contract isn't a traditional noncompete, so I'm not sure it would hold up well in court. That incentive plan was created by the CEO just for the highly compensated employees, giving them a kind of stock interest in the company's growth."

"Well, our company's profits have taken a serious hit since Stephen left," Betty said. "And it won't be easy to replace employees of their caliber. We have to sue."

Betty's company did sue the four executives. Did the company win?

- *Make your decision, then please turn to Page 6 for the court's ruling.*



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# Mid-year open enrollment? Firms can make health plan changes during 2020

While it's optional for employers, many will likely opt to allow employees to make mid-year health plan changes since so many have had their lives upended in 2020, as the IRS gives the go-ahead in a new coronavirus-related ruling.

Normally, employees are prevented from changing their health insurance plans after the open enrollment period ends in December, unless a qualifying life event allows for such a change.

However, for all the employees who were blindsided by the coronavirus, the IRS is offering the option to employers, but only for 2020. The new IRS ruling ([tinyurl.com/IRS606](https://www.tinyurl.com/IRS606)) allows employees to make the following changes to their health plan:

- enroll in their employer's health plan, even if they'd previously declined
- switch health plans
- change from single to family coverage, or vice versa, and
- add more family members.

Many couples opt to be covered under one plan if they have children.

If, during the pandemic, one parent loses employment, "the cost of family COBRA is likely to be much more costly than changing to the working spouse/parent's employer-sponsored plan," said Julie Stone at HR consultancy Willis Towers Watson.

### Changes to FSAs too

Under the new IRS ruling, employers may also allow changes to health FSAs and dependent care FSAs (used to fund caregiving expenses with pretax dollars). Employees are allowed to enroll, drop coverage and increase/decrease payroll-deducted contributions in 2020.

While offering mid-year election changes does put more administrative burdens on Benefits pros, they have the option to allow any or all of these changes.

However, employers may want the flexibility of making changes to encourage reluctant employees to return to work, said Cynthia Cox, VP at Kaiser Family Foundation, a health research group.

Info: [tinyurl.com/midyear606](https://www.tinyurl.com/midyear606)

## \$ THE COST OF NONCOMPLIANCE

This regular feature highlights recent case settlements, court awards and fines against companies. It serves as a reminder to keep benefits policies in order.

### ■ Baker's out of dough after \$8.3M misclassification mistake

A baked goods giant misclassified workers who deliver its bread across the country as independent contractors and didn't pay them overtime, a violation of FLSA.

**What happened:** Flower Foods sets schedules and routes and determines pay for many of the thousands of drivers who pick up and deliver Wonder Bread, Nature's Own and other bread brands to retailers and food service customers throughout the country.

The workers argued they're Flower Foods employees, not independent contractors with control over daily activities. FLSA requires they be classified that way, therefore they must be paid for overtime. Flower Foods agreed to settle after three years in court.

**Result:** Flower Foods will pay \$8.3 million to 24 workers and has agreed to establish a review panel to resolve future contract disputes.

Info: [tinyurl.com/bread606](https://www.tinyurl.com/bread606)

### ■ Air ambulance firm flies into \$3M overtime storm

An air ambulance firm based overtime pay on hours worked in a pay period rather than a workweek, a FLSA violation.

**What happened:** Air Evac, which operates air ambulances in 15 states, required nurses, paramedics and pilots to work 84 hours (originally it was 120 hours) per pay period before earning overtime, even if they worked over 40 hours in a week. FLSA requires overtime for work over 40 hours in a workweek, regardless of pay period.

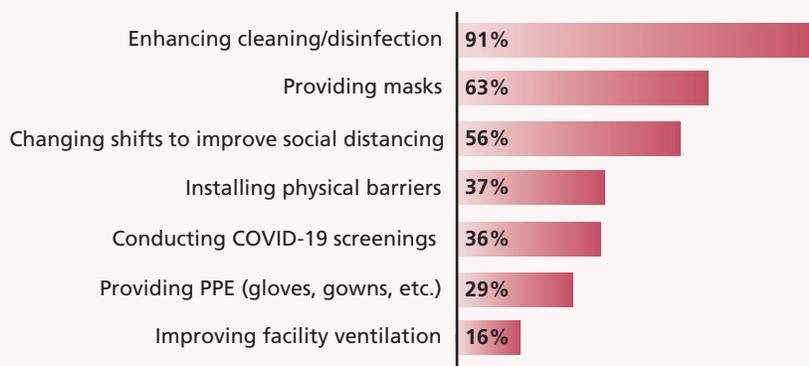
**Result:** Air Evac will pay \$2.95 million to over 400 current and former employees for unpaid overtime wages.

Info: [tinyurl.com/airevac606](https://www.tinyurl.com/airevac606)

### How are you protecting your employees from COVID-19?

#### Return to the workplace

What protective actions employers are taking



Source: Mercer

As firms grapple with coronavirus-related issues, only a third (36%) are sold on testing, with on-site temperature checks (75%) being the top choice.

## Intermittent FMLA leave under FFCRA: When firms must allow or can deny

For many benefits pros, intermittent FMLA leave can be burdensome, but now it's even more complex as to when to allow employees to take the incremental time off under the new Families First Coronavirus Response Act (FFCRA).

During the pandemic, the DOL is encouraging firms to be flexible in allowing employees who have children at home the intermittent time off.

However, business needs (such as covering shifts and having staff available to respond to customers) can outweigh employee concerns.

"Employers need to carefully evaluate and balance many important competing interests," said Marjory Robertson, senior counsel at Sun Life Financial.

Under the FFCRA, intermittent FMLA can be granted and taken in full-day increments, if the employer agrees, to an employee who is:

- teleworking, or
- physically at the workplace, but needs to care for a child whose school or place of care is closed

or whose child care provider's unavailable.

The FFCRA gives firms "significant leeway" to either approve or deny an intermittent schedule for a worker requesting leave, said Robertson. However, firms need to be consistent when denying leave and document the business reason for the denial to avoid any discrimination lawsuits.

For example, denying intermittent leave under FFCRA because an employee is nonexempt is reasonable because "exempt employees have more freedom to adapt their schedules to attend to personal needs," said Robertson.

### FFCRA leave vs. FMLA leave

Intermittent leave under FFCRA would be more predictable than under FMLA, which is allowed when it's necessary for a worker's own health or a family member's health condition. Under FFCRA, the reasons would most likely be known ahead of time and tend to be somewhat continuous, as in school or day care closures.

Info: [tinyurl.com/FMLAleave606](https://tinyurl.com/FMLAleave606)

### Employee surveys do more than measure engagement

Beyond just taking employees' "temperature" on changes to your health plan or adding new perks, surveys can help Benefits pros create engagement.

And research shows employee engagement translates directly to organizational success.

Whether you've just announced an across-the-board pay raise or had to cut a popular perk, asking workers how they're feeling shows you value their insight and opinion.

### Know what you're measuring

Here are two basic, but critical, survey suggestions to help you translate employees' responses into action and keep engagement high.

#### First, ask yourself questions.

Before you even start designing a survey, ask yourself this key question: *What do we mean by engagement?*

You need a clear understanding of how an engaged employee's behavior benefits your company and core mission. How should they treat superiors, colleagues or clients? Are they always working to improve their teams?

You don't need an academic or technical-sounding definition of engagement. If it's simple and easy to understand, you'll be clear about what to measure and improve on.

**Be clear.** Clarity is also a must for Benefits' surveys. That means both clear questions and transparency about what your goals are.

If employees don't understand why you're asking, they'll be guarded about their answers. Then your data will be shaky and decisions will be flawed.

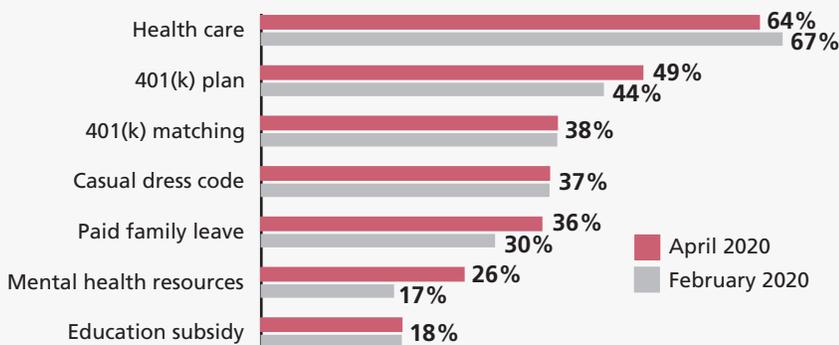
Share what you want to accomplish (change health plan, add voluntary benefits, implement new PTO policies, etc.) and why – and employees will be forthcoming.

Info: [tinyurl.com/surveys606](https://tinyurl.com/surveys606)

### What benefits do employees want now?

#### Benefits & perks job seekers are looking for

Post-pandemic vs. pre-pandemic



Source: 2020 Job Seeker Nation Report by Jobvite

Benefits must keep up to accommodate employees' needs. Offering more personalized packages and choosing providers to streamline the process is key.

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# WHAT WORKED FOR OTHER COMPANIES

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**O**ur readers come from a broad range of companies, both large and small. In this regular section, three of them share success stories you can adapt to fit your needs.

## 1 **Employee-led resource groups have big impact**

The health and well-being of our associates is of the utmost importance to us, especially now during the pandemic. Our 10 employee-led business resource groups are an important support system and help shape our culture of inclusion.

To ensure they can still serve their core purpose remotely, we've provided them with educational information and resources. We've also given them guidance on leading during challenging times, exercises to help promote team dialogues, and

resources to help families navigate the blending of work and life during the pandemic.

### Community service days

Volunteering is a big part of the resource groups. To encourage associates to get involved, we offer a Volunteer Paid Time Off Program for U.S. employees. This gives them eight hours of paid time off a year to participate in community service during a regular workday.

As associates look for a sense of connection and ways to make an impact during

the pandemic, we've provided a list of virtual volunteer opportunities.

In late 2019, we launched a volunteer rewards program. We make a donation to an associate's charity of choice for each hour of volunteering outside of regular work hours.

During this time of uncertainty, as the workforce adapts, the role business resource groups and volunteerism serve has really been underscored.

*(Aisha Thomas-Petit, Chief Diversity, Inclusion and Corporate Social Responsibility Officer, ADP, Roseland, NJ)*

**REAL  
PROBLEMS  
REAL  
SOLUTIONS**

## 2 **Reduced our time-to-hire in a niche industry**

We had a broken recruiting system. Our application process was time-consuming and not unified across the country, with some hiring managers still using paper applications.

We were losing out on some potential high-quality employees, who make up the foundation of our business. Nearly 90% of our technicians spend the majority of their time in the car traveling to different customer locations. This made sourcing these type of candidates and

setting up interviews nearly impossible.

We needed a new recruiting system that was more convenient for people who are mobile. We looked at recruiting software and decided to go with Jobvite because it helped us streamline the process.

### Targeting candidates

With its "Engage" feature, we could source high-quality candidates, as well as target specific audiences, like veterans. The "Text" feature helped

us communicate faster. It really sped up the process for the candidates and our recruiters.

We drastically reduced time-to-hire by double digits, as well as increased the number of applicants per job posting by 20%. This led to hiring more high-quality employees and even bringing on 1,200 new employees in a single year.

*(Tony Suzda, Senior Manager of Talent Acquisition & Talent Strategy, Dent Wizard International, Bridgeton, MO)*

## 3 **Paying workers to unplug, go on vacation**

With employees struggling to balance 24/7 work demands with constant communication interrupting time off work, we wanted to give our employees a financial incentive to power down.

But with one caveat: They can't do any work while on vacation. No emails, work calls, etc. This tends to cause employee burnout.

Encouraging and empowering our employees to unplug is really

important for their well-being.

That's why we implemented this new retention program, which was our CEO Bart Lorang's idea. He was riding a camel next to the pyramids while trying to solve a work problem and asked himself, "Oh my gosh, what am I doing?" So he really understands the importance of unplugging.

### Employee development

After a year of employment, employees receive a \$7,500 bonus so they can take a vacation. Ensuring

we're providing an awesome employee experience is a priority. The most important step is to plan in advance by having a group of employees as backup so they have permission to unplug. And it's good for employee development to learn things you don't do every day.

When people come back from vacation, we hear things like "I'm rested, and ready to dive back in and excited to tackle the challenges ahead."

*(Michelle Warren, VP of Human Resources, FullContact, Denver, CO)*

## RETURN TO WORK

### EEOC: Accommodating at-risk workers

As employers direct their remote staffs to return to the workplace, many are trying to maneuver through the individual needs of some of their at-risk employees. However, they're not obligated to provide them accommodations unless they pose a direct threat, says the EEOC.

In new pandemic-specific guidance ([tinyurl.com/EEOCguide606](https://www.tinyurl.com/EEOCguide606)), the EEOC reiterates an employer's normal obligations for reasonable accommodations while imparting new measures they should take now.

#### 'Direct threat' standard

First, employers need to understand the definition of a "direct threat" – the standard employers must meet in order to take any adverse action (reassignment, change of job duties, etc.) against employees who are at higher risk for the coronavirus.

**COVID-19 screenings.** Firms can take temperatures or make coronavirus-related inquiries before allowing staff to enter the workplace "because an individual with the virus will pose a direct threat to the health of others," says the EEOC.

But the process must be consistent for every employee. Employers must

screen at-risk employees (age 65+, diabetics, those with asthma, etc.) the same as all other staffers.

Since the ADA protects employees with disabilities, employers may not exclude a high-risk employee from the workplace or take any action against them unless their disability poses a direct threat to their health or the health of others, says the EEOC.

**Direct threat assessment.** Employers will need to conduct an individual assessment of an employee's medical condition and their ability to perform their job, along with the severity of the pandemic in their geographical area.

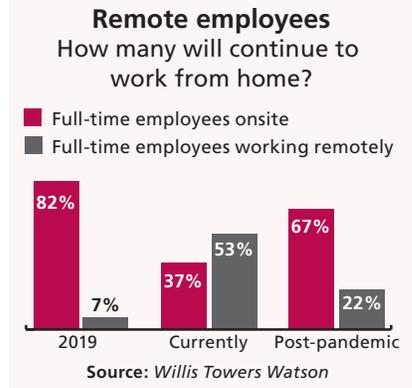
Employers also need to assess if the threat can be eliminated by temporarily modifying a work schedule or reassigning them to a different job that allows remote work. Otherwise, that employee wouldn't be considered a direct threat unless accommodating them poses undue hardship on the firm, says the EEOC.

#### Accommodation requests

If an at-risk employee requests an accommodation, the EEOC says a firm is allowed to discuss:

- how the disability creates a limitation

## WHAT BENEFITS EXECS SAID



Firms are embracing remote workers, expecting to have three times as many post-pandemic as last year. Each employer will need to carefully assess if it's a long-term strategy that works for them.

(Each issue of WNB&C contains a current survey to give benefits officers insight into what their peers nationwide are thinking and doing.)

- how an accommodation will enable them to continue performing their essential job functions, and
- whether another accommodation could solve the issue.

An employer can also request additional medical documentation if a particular accommodation isn't reasonable. The EEOC recommends employers not only offer additional PPE (masks, gloves, etc.) and erect physical barriers, but be creative and flexible in offering accommodations.

Info: [tinyurl.com/EEOC606](https://www.tinyurl.com/EEOC606)

## SHARPEN YOUR JUDGMENT – THE DECISION

(See case on Page 2.)

Yes, Betty's company won. The former employees failed to comply with the conditions of the incentive plan and were ordered to pay back the incentive payments.

The employees "elected to participate" in the incentive plan in exchange for "loyalty and protection" of the company, said the court. The terms of the voluntary incentive plan, which barred the executives from acts of disloyalty, were breached.

The employees argued the conditions for payment were "legally unenforceable" and their former employer failed to show proof they breached the conditions.

However, the court disagreed. The company drafted the incentive plan as a way to promote its long-term growth. And the contract explicitly stipulated the conditions:

"continuing loyalty and protection" of the company's interests for 30 months following their separation, said the court.

#### Analysis: Ensure prohibited behavior is clear

As this case shows, a firm can potentially impose stricter requirements with a voluntary incentive plan than they can with an ordinary noncompete agreement.

Unlike typical noncompete agreements that only benefit employers, the voluntary incentive agreement didn't have to be reviewed for reasonableness under state law, which typically applies to employment contracts.

Whether an employer chooses to administer a noncompete or an incentive agreement, it should take the time to make sure contracts are 100% clear on the behavior and actions specifically prohibited.

Cite: *Allegis Group Inc. v. Jordan*, No. 18-1769, U.S. Ct. of App., 4th Circ., 2/27/20. Note: Dramatized for effect.

## Employee workshops led to an enhanced communications strategy

■ Now we can share video content and run polls

Due to our extremely varied workforce spread across two countries – the U.S. and the U.K. – it’s tricky designing a one-size-fits-all communications plan.

We keep our detailed benefits information and forms on our intranet and constantly add benefits-related content on our blog and social media. There’s a steady stream of new info, and we want all 450 employees to be up-to-date on the latest benefits changes. But with employees working varied shifts and in different time zones, they miss messages from time to time.

### Engaging employees

That was the impetus for us to work seriously on maximizing employee engagement by improving our internal communications strategy.

Our team set out to understand employees’ perceptions of what communication challenges they’d faced in the past. And to consider how we could address them in the future.

To gather employee impressions and opinions, we set up workshops

**People react well to visual communications.**

with a selection of people from around the business. We made sure to include a range of roles and departments. That was the only way to find out what’s important to different groups and to understand what was needed in different locations.

In addition, we surveyed the entire company to ask how employees like

to receive communications: What did they want to hear more about? What could we do less of?

Looking at data from these sessions helped us to enhance our internal communications strategy.

### Flexible platform

We now use the Slack collaboration platform to reach employees. It includes instant messaging and links to email, scheduling and other apps to help us communicate. Messages can be global, restricted to a department or project team, or tagged to specific individuals.

That’s particularly helpful for engaging with the different needs of employees split across two countries. We also use Slack to share video content, and the platform itself can run feedback tools, such as polls.

### Visual communications

We know from our survey that super-long, text-heavy communications aren’t well digested, and that people react well to visual communications. We also try to avoid duplicating content so employees don’t have to sift through too much information to find key messages.

Effective communications are a key part of keeping an offering fresh and appealing. Never over-promise, listen to what your employees are energized by and keep it fresh.

While the perks and benefits offerings may not be updated frequently, we often promote current benefits initiatives, such as wellness weeks, and share employee survey results and action plans as a result of the survey.

*(Annalise Silver, Senior Internal Communications Manager, MVF, Austin, TX)*

### Case Study:

**WHAT WORKED, WHAT DIDN'T**

## TEST YOUR KNOWLEDGE

### ■ DOL firms up OT rules on fluctuating schedules

Uncertainty around restarting business operations makes understanding the DOL’s new fluctuating workweek rule critical. Do you know what is, isn’t allowed?

Calculating overtime and allowing bonuses for workers with fluctuating schedules is now changed.

Test your knowledge: Decide whether the following statements are *True* or *False*. Then check your responses against the answers below.

1. Nonexempt workers who are paid a set salary, but whose weekly work hours vary, aren’t eligible for bonuses.
2. Employers must pay workers with fluctuating hours time-and-a-half for work over 40 hours in a week.
3. Employers must include any hazard pay or other premiums in calculating workers’ OT pay.

## ANSWERS

- Answers to the quiz**
1. *False*. The revised rule authorizes offering bonuses, hazard pay and other premiums to workers whose weekly pay is set but whose hours and regular rate can vary from week to week.
  2. *False*. Nonexempt workers who agree to a set wage regardless of hours worked are only entitled to half their regular wage for overtime. Reason: They’re already paid the regular rate for all hours worked in a week, including hours over 40.
  3. *True*. The DOL clarifies that bonuses, premium payments, commissions and hazard pay on top of fixed salaries are allowed with fluctuating workweeks. Employers must include such variable compensation when establishing an employee’s regular rate to calculate OT pay.
- Info: [tinyurl.com/fluctuate606](https://tinyurl.com/fluctuate606)*

## Free COVID-19 screening app to help firms re-open

While employers decide whether to conduct temperature checks or blood tests as employees head back to work, here's another coronavirus-screening option: UnitedHealth and Microsoft have teamed up to create a new app that alerts employers about workers with COVID-19.

ProtectWell will screen employees for coronavirus symptoms, then notify employers of the results. If someone is exhibiting symptoms, they will be directed to get a test. Employers will be notified of results, and UnitedHealth will ensure medical information remains confidential.

ProtectWell is being offered free of charge to employers.

Info: [tinyurl.com/ProtectWell606](https://tinyurl.com/ProtectWell606)

## DOL OKs digital delivery for retirement plan docs

The DOL is lifting some administrative burdens off employers still recovering from pandemic-related disruptions. As per a new DOL ruling, feds are now allowing them to issue retirement plan disclosures electronically.

Employers are required to notify employees about this new ruling, which is effective July 27, 2020, and provide information on how to access any correspondence.

Employees can still opt to receive paper disclosures.

Info: [tinyurl.com/DOL606](https://tinyurl.com/DOL606)

## CDC: New office guidelines for masks, desk shields, etc.

As states begin to allow employers to open up their workplaces, the Centers for Disease Control and Prevention (CDC) issued new guidelines on May 27 on how to open up their offices safely to prevent the spread of the coronavirus.

Besides encouraging mask wearing, hand sanitizing and staggering work schedules, the new CDC guidelines

advise employers to:

- keep desks six feet apart or erect plastic shields around desks
- use floor markings to encourage distancing, and
- bar seating in common areas.

Info: [tinyurl.com/CDCoffice606](https://tinyurl.com/CDCoffice606)

## New coronavirus relief bills may offer COBRA subsidies

Since the CARES Act failed to provide employers COBRA subsidies, an employer-provided healthcare advocacy group is trying to help.

The Alliance to Fight for Health Care is urging Congress to subsidize emergency payments to help workers who lost their jobs during the pandemic. It's asking the feds to pay for 90% of COBRA premiums for those employees and provide payroll tax credits for employers.

There are also two new coronavirus relief bills making their way through Congress – the HEROES Act and the Health Care Protection Act – that would subsidize COBRA payments for six months.

Info: [tinyurl.com/COBRA606](https://tinyurl.com/COBRA606)

## IRS releases new HDHP, HSA limits for 2021

While it may be hard to think about anything not pandemic-related, the IRS has given employers something else to consider: New 2021 limits for HSAs and high deductible health plans (HDHPs).

Here are the maximum contribution limits:

- HSAs: \$3,600 for single (up \$50 from 2020), \$7,200 for family (up \$200), and
- HDHPs: \$7,000 for single (up \$100), \$14,000 for family (up \$200).

Reminder: COVID-19 testing and treatment are now considered qualifying expenses for HSAs, according to an earlier IRS ruling.

Info: [tinyurl.com/HDHP606](https://tinyurl.com/HDHP606)

## HOT WEBSITES

### ■ More benefits, less burden

My Benefit Express helps firms offer more lifestyle benefits (pet insurance, auto insurance, legal assistance, etc.) – at no cost – through payroll deductions.

Click: [tinyurl.com/benefits606](https://tinyurl.com/benefits606)

### ■ Free mental health support

Mental wellness app Headspace is offering a "Weathering the Storm" collection of guided meditations and exercises free to employers and their employees during the pandemic.

Click: [tinyurl.com/headspace606](https://tinyurl.com/headspace606)

### ■ Meals for remote workers

Meal subscription platform Freshly launched Freshly for Business to help employers feed their remote staffers with free or subsidized meals (up to 12 a week).

Click: [about.freshly.com/business](https://about.freshly.com/business)

If you have a benefits-related question, email it to Lynn Cavanaugh at: [lcavanaugh@hrmorning.com](mailto:lcavanaugh@hrmorning.com)

## LIGHTER SIDE

### ■ Ghosting a job interview paid off for this candidate

On his way to a job interview, Fredd Jordan was feeling lucky. His hopes were high that he'd get the job, and he stopped off at a convenience store to buy some scratch-offs.

Turned out it was his lucky day. No, the North Carolina man didn't win the job (apparently he was a no-show), but he did have a pretty big hit on a lottery ticket, turning \$5 into \$200,000. "I was happy," said Jordan, as he picked up his \$141,501 in winnings (after state and federal tax withholdings) at lottery headquarters.

But it's safe to say Jordan shouldn't push his luck and try to reschedule the interview. Is there any chance a recruiter, who got ghosted, would ever reschedule?

Click: [tinyurl.com/lotto606](https://tinyurl.com/lotto606)