

# THANK YOU TO OUR RESOURCE PARTNERS!



**MISHRM**  
MICHIGAN COUNCIL OF SHRM

## PLATINUM



## GOLD AND SILVER



# Speakers

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# Consumer Credit Union

[Click here to access our We're Here For You resources](#)

Resources Include:

- Consumers Credit Union's employee return to work plan
- Wellness resources
- Member and community resources



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## Return-to-Work Checklist

for Employers Reopening  
Their Businesses



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# Return-to-Work Checklist

## for Employers Reopening Their Businesses

In anticipation of federal and state restrictions lifting as COVID-19 cases and deaths decrease, employers should start planning their employees' return to work now. Employers must continue to follow the CDC, WHO, and state guidance to maintain a safe workplace while also complying with multiple employment laws.

The following are general considerations for employers who are strategizing their return to work. Note that each employer and industry is different and will need a specifically tailored plan. Please contact your Dinsmore attorney for more information and for help enacting that plan.

# Social Distancing

- ❑ **Consider staggering the times when employees return.**
  - As an example, an employer could start with only first-shift employees returning for the first two weeks and then the second-shift employees returning for the next two weeks.
- ❑ **Maintain teleworking and/or flexibility with employees' schedules.**
- ❑ **Continue to hold meetings virtually.**
- ❑ **Rethink holding any in-person events with mass gatherings and consider hosting events virtually or rescheduling.**
- ❑ **Increase physical space between employees and visitors in the workplace.**
  - As an example, have a minimum number of individuals who may enter a breakroom, conference area, or lobby.
  - Place physical markers in heavily trafficked areas to keep people six feet apart.
  - Place physical barriers to the extent necessary.
  - Rearrange work spaces to permit greater social distancing.
  - Consider whether furniture and work equipment can be reconfigured to facilitate social distancing.
  - Develop protocols for elevator use.
- ❑ **Limit the number of visitors by conducting business virtually.**
- ❑ **Stagger break and lunch times and plan for longer break times to accommodate the social distancing measures.**
  - Permit employees to leave the facility during meals and breaks to increase social distancing.
- ❑ **Discourage social practices that violate social distancing rules, such as handshakes.**
- ❑ **Retailers should consider providing alternative points of sale and no-touch payment options.**
- ❑ **Implement clear shields/barriers for employees whose work prevents them from being physically distant from customers/clients, such as cashiers and bank tellers.**



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# Cleaning, Protection & Hygiene

- ❑ **Place proper handwashing protocol posters in all common work areas and in restrooms.**
  - Be flexible with employees' breaks to allow for frequent handwashing.
- ❑ **Include additional sanitation measures for the facility, especially in common areas and for frequently touched surfaces or shared equipment.**
- ❑ **Require employees to disinfect common surfaces following use as appropriate (for example, in microwaves).**
- ❑ **Provide hand sanitizer, disinfecting wipes, and proper disposal in all common areas and at work stations where employees cannot leave to wash their hands between interactions with the public.**
- ❑ **Encourage employees to use masks or approved facial coverings and gloves and provide them if able.**
  - If employers permit employees to use their own, provide clear expectations on what is appropriate.
  - In some jurisdictions, masks are required for employees returning to work.
- ❑ **Ensure employees are trained on proper use of PPE.**
- ❑ **Continue to encourage employees to observe infection-control practices, such as regular handwashing, coughing, and sneezing etiquette.**
- ❑ **Coordinate with facility maintenance to increase air exchanges in facilities.**



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# Employee & Visitor Screening

- ❑ **Institute safe screening practices for both employees and visitors prior to entrance into the facilities.**
  - Place conspicuous messaging preventing entrance if sick and provide alternatives for the visually impaired.
  - Ensure there is an option in Spanish and/or other languages.
  - Create practices to ensure that hourly, non-exempt employees are compensated for health screening time if required under federal, state, or local law.
- ❑ **Mandate that employees with symptoms stay home from work and follow employer call-in procedures.**
- ❑ **Implement temperature checks upon entrance in a safe and confidential manner.**
- ❑ **For certain industries, such as health care, where specific guidelines are recommended, follow federal, state, and industry guidance for monitoring, including testing employees for COVID-19.**
- ❑ **Be mindful of privacy concerns and any necessary accommodations.**
- ❑ **Consider suspending or reconfiguring security practices that require touching frequently touched surfaces, such as PIN-entry devices, thumbprint scanners, time clock stations, and in sign-in books.**





# Policies

- ❑ Review and update attendance, leave-of-absence, Family Medical Leave Act, and PTO policies to prepare for COVID-19 absences.
- ❑ Ensure that a policy and procedure is in place for processing Families First Coronavirus Response Act leave requests and recouping available tax credits.
- ❑ Create a policy or procedure for when employees diagnosed with COVID-19 or suspected of having COVID-19 can return to work.
- ❑ Review and update any teleworking and accommodation policies or procedures.
- ❑ Develop and implement procedures to track any positive cases to provide proper notification for those exposed and to prevent further spread.
- ❑ Update procedures for reporting any safety issues.
- ❑ Review time-keeping procedures to ensure they allow for social distancing and adequately recording working time.
- ❑ Ensure employees understand these updated policies.
- ❑ Review and update safety policies and clearly communicate new rules and procedures to employees in writing.
- ❑ Require training on updated safety procedures for employees.
- ❑ Train supervisors on how to monitor compliance with and enforce new rules and procedures.
- ❑ Have employees acknowledge receipt of training, rules, and procedures.



# Other Considerations

- ❑ **Stay aware of continuing restrictions from federal, state, and local public health organizations and remain compliant with public health orders.**
- ❑ **Develop a strategy for workers who decline to return to work or need additional time off.**
  - There are implications under the National Labor Relations Act, the Americans with Disabilities Act, Occupational Health and Safety Act (and state equivalents), labor laws, and others employment laws.
  - Employers should also be mindful of laws against unemployment fraud. In some circumstances, employees may decline to work because they are earning more benefits on unemployment than in their normal position. Employers must inform unemployment if work is available and the employee refuses to return for an unexcused reason.
- ❑ **Be mindful of responsibilities under the Payroll Protection Program and other support programs for returning employees to work.**
- ❑ **Prepare to follow the interactive process for accommodation requests under the Americans with Disabilities Act or state equivalent regarding returning to work and/or any of the safety measures.**
  - Accommodations may include PPE, remote work, alternative scheduling, alternate work locations, alternate work assignments, increased social distancing, and leaves of absence.
- ❑ **Ensure the extra safety precautions do not violate wage and hour laws.**
- ❑ **Create a plan for when employees may resume business travel.**
- ❑ **Be mindful of anti-discrimination and anti-retaliation laws when returning employees and addressing safety issues.**
- ❑ **Prepare a contingency-operation plan to address an increased outbreak or spike in infections as restrictive measures are loosened.**
- ❑ **Be cognizant of rights and obligations under collective bargaining agreements.**
- ❑ **Encourage employees to raise questions or concerns and designate a task force member to engage in dialogue with employees.**



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**Executive Briefing**



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# Purpose

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1. Get the Upper-Hand or at least Get-Even;
  2. Anticipate and prepare for frivolous claims;
  3. Hire right to avoid getting fooled; and
  4. Terminate the jokers before they trick you again.
  5. But first...we *wish* we were joking – **COVID-19**

# Game Changer: COVID-19 Overview

## → Flagging Employment Laws Impacting Pandemic Issues

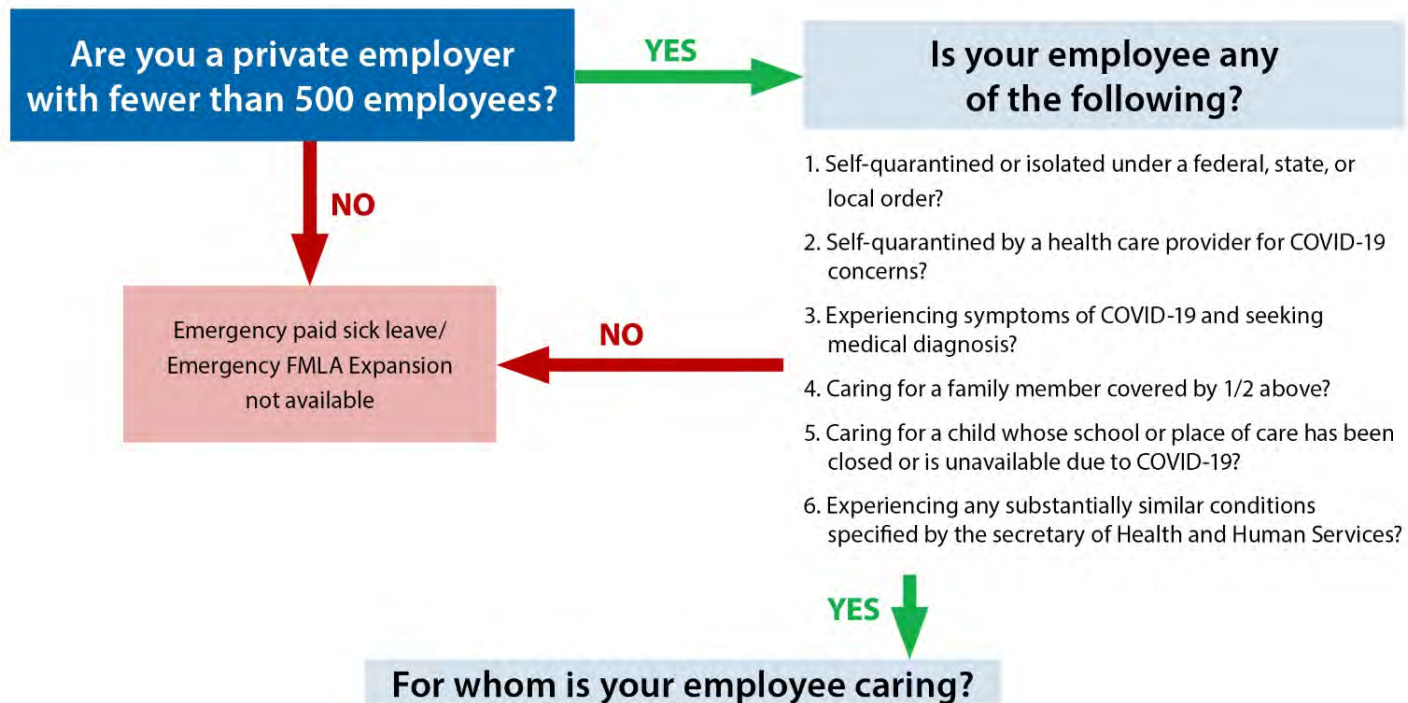
- Family Medical Leave Act (FMLA)
- Michigan PAID Medical Leave Act (PMLA)
- American With Disabilities Act (ADA)
- Fair Labor Standards Act (FLSA)
- Workers' Compensation Laws
- Issues Unique to Unionized Businesses
- OSHA's Guidance for Employers

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## Families First Coronavirus Response Act (FFCRA)

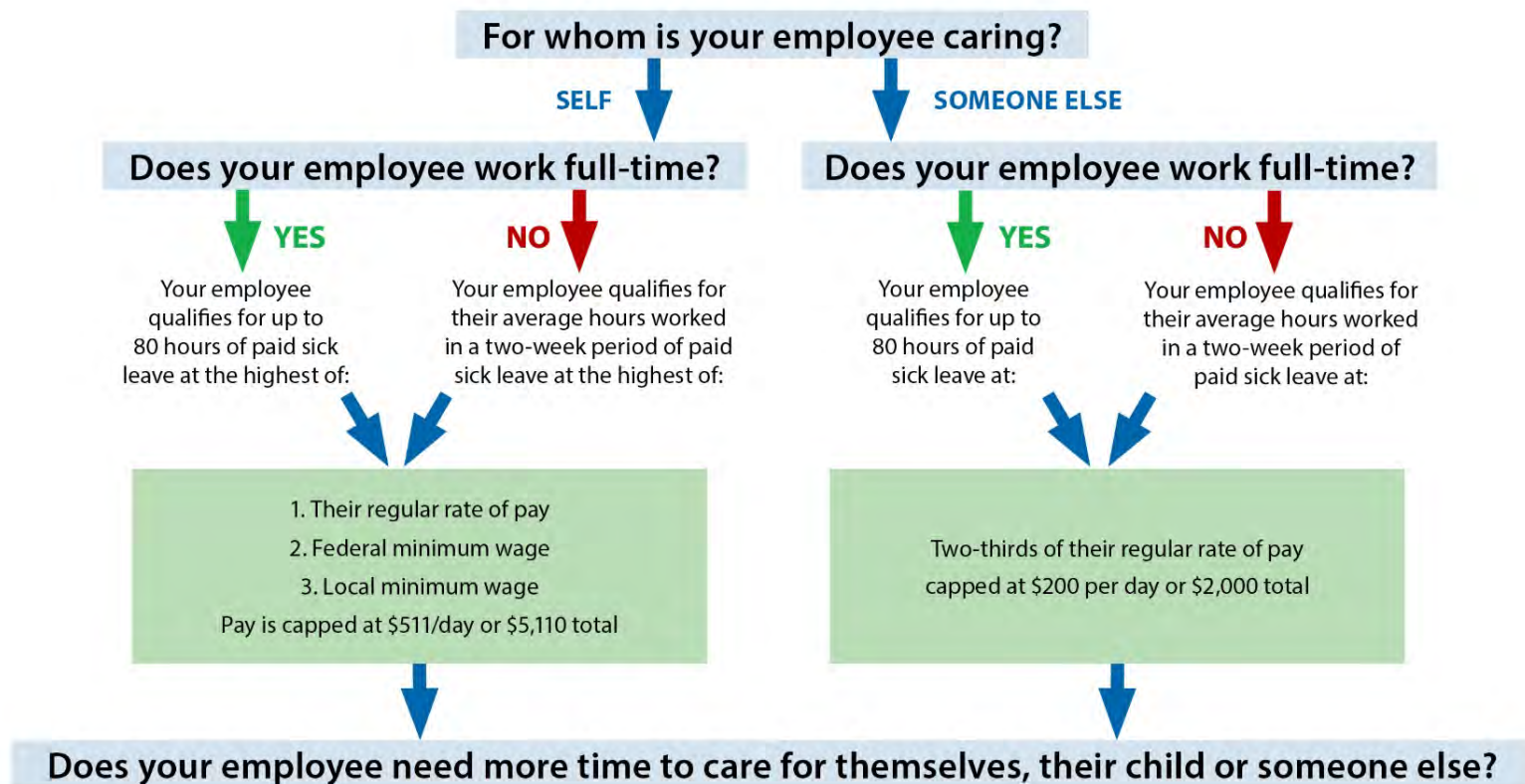
- The Families First Coronavirus Response Act (FFCRA), which will become effective on April 1, 2020 and end on December 31, 2020, requires almost all employers with less than 500 employees to provide “emergency paid sick leave” and new FMLA leave for a “public health emergency” related to COVID-19.
- Surprise.....Exceptions!

# Do your employees qualify?

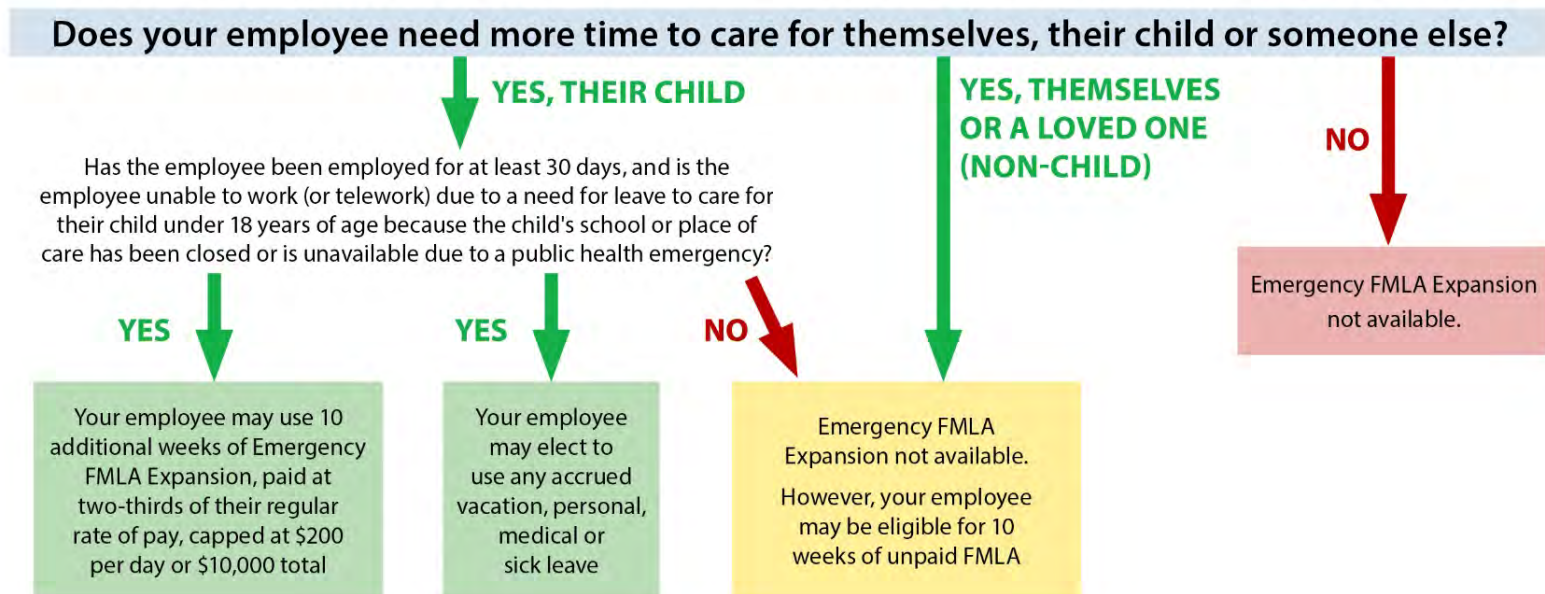




# Do your employees qualify?



# Do your employees qualify?



# Families First Coronavirus Response Act (FFCRA)

## Emergency Paid Sick Leave

- Generally, the Act provides that covered employers must provide to up to 2 weeks (80 hours) of Emergency Paid Sick Leave to employee that are be unable to work or telework due to a need for leave because:
  - The employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
  - The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
  - The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
  - The employee is caring for an individual that is under self-quarantine;
  - The employee is caring for his or her son or daughter if the school or place of care has been closed or the child care provider is unavailable due to COVID-19 precautions; or
  - The employee is experiencing “any other substantially similar condition specified by the secretary of Health and Human Services in consultation with the secretary of the treasury and the secretary of labor.:
- The Emergency Paid Sick Leave applies to all employees, regardless of length of service. Full-time employees receive 80 hours of emergency paid sick leave and part-time employees receive a proportionately similar amount, based on the average number of hours they work in a two-week period.
- FMLA: an additional 10 weeks at 2/3 pay for employee caring for his or her son or daughter if the school or place of care has been closed or the child care provider is unavailable due to COVID-19 precautions.

## Doesn't Seem to Ever Apply!

### Recent DOL Guidance:

- **If my employer closed my worksite before April 1, 2020 (the effective date of the FFCRA), can I still get paid sick leave or expanded family and medical leave?**
- No. If, prior to the FFCRA's effective date, your employer sent you home and stops paying you because it does not have work for you to do, you will not get paid sick leave or expanded family and medical leave but you may be eligible for unemployment insurance benefits. This is true whether your employer closes your worksite for lack of business or because it is required to close pursuant to a Federal, State, or local directive. You should contact your State workforce agency or State unemployment insurance office for specific questions about your eligibility. For additional information, please refer to <https://www.careeronestop.org/LocalHelp/service-locator.aspx>. It should be noted, however, that if your employer is paying you pursuant to a paid leave policy or State or local requirements, you are not eligible for unemployment insurance.

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## Doesn't Seem to Ever Apply!

### Recent DOL Guidance:

- **If my employer closes my worksite on or after April 1, 2020 (the effective date of the FFCRA), but before I go out on leave, can I still get paid sick leave and/or expanded family and medical leave?**
- No. If your employer closes after the FFCRA's effective date (even if you requested leave prior to the closure), you will not get paid sick leave or expanded family and medical leave but you may be eligible for unemployment insurance benefits. This is true whether your employer closes your worksite for lack of business or because it was required to close pursuant to a Federal, State or local directive. You should contact your State workforce agency or State unemployment insurance office for specific questions about your eligibility. For additional information, please refer to <https://www.careeronestop.org/LocalHelp/service-locator.aspx>.

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## Emergency Order -2020-21: Stay Home, Stay Safe

- Requires Michigan residents to shelter in place, to the extent possible
  - Don't be fooled, there are a TON of exceptions!

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## Planning for COVID-19 Outbreak in the U.S.

- **The extent of a pandemic in the US from COVID-19 is unknown, but employers are wise to plan to respond in a flexible way to varying levels of severity and be prepared to refine their business response plans as needed.**
- **Consider how best to decrease the spread of acute respiratory illness & lower the impact of COVID-19 in their workplace in the event of an outbreak in the US. Identify & communicate objectives, which may include one or more of the following:**
  - a) reducing transmission among staff
  - b) protecting people who are at higher risk for adverse health complications,
  - c) maintaining business operations, and (d) minimizing adverse effects on other entities in their supply chains.

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## Tricks to Have in Your Arsenal!

- **FFCRA Policy**
- **Notices to employees regarding exposure, closures etc.**
- **Furlough and layoff letters**
- **Requests and certifications for FFCRA leave**
- **Remote work policy**
- **“Essential Worker” Letters**



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## Top 10 ways to get the Upper-Hand or at least Get-Even

when hiring, managing,  
disciplining, and firing ...

1. **Discrimination, Harassment, & Retaliation**
2. **Medical Leave & Disability Accommodations**
3. **Misclassification of Employees**
4. **Minimum Wage**
5. **Successor Liability**

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## Top 10 ways to get the Upper-Hand or at least Get-Even

when hiring, managing,  
disciplining, and firing ...

6. Employee Handbooks
7. National Labor Relations Act
8. Affordable Care Act
9. Unemployment Insurance Agency
10. Whistleblower Protection Act

# Questions?

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Accomplish m<sup>^</sup>ore.<sup>SM</sup>

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## Key takeaways



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1

Trion relieves the stress and burden of managing HR administration alone. Let us help you navigate all new HR changes that seemingly emerge daily and often with little notice.

2

Trion's service-and-technology infrastructure creates efficiencies and streamlines HR tasks. We can help you manage team members as they transition to working remotely.

3

We share employer risk, reducing your exposure and creating stability for your organization. We take the guessing out of HR. Let us be your go-to source for when-needed information.

4

Our size provides clients better benefits and HR services available typically to only much-larger corporations. We know that -- now more than ever -- revenue really matters to you and your organization.

5

We value our clients as partners and offer scalable solutions to grow with your business. We represent clients all throughout the United States servicing several thousand employees and can assist your business no matter how large or small.

# KEYSER

## Our Agency

**At Keyser, we love fine print and taking care of people. We care for our customers like no one else. We pour over the details — reading all the fine print — so we can match you with the best the industry has to offer. We create solutions that leave you safe to rethink risk.**

As an independent insurance agency we have relationships with multiple top-rated carriers, which enables us to always act with your best interests in mind. We develop customized solutions that help you protect your business, home, automobiles, personal property and more.

### Different Approach

Our approach is different than most. We take time to listen, ask questions, read the fine print, and recommend the best solutions for you.

### Better Solutions

Keyser's process and its resulting strategies are customized to meet your unique needs. We have a broad range of offerings to take care of what's most important to you — at work and at home. We're the agent of record for many of our personal insurance clients' businesses, as well as their employee benefits partner.

By the way, our team is available to you 24 hours a day, 7 days a week, 365 days a year. We promise to respond to your emergency call within 30 minutes or we'll make a donation to the nonprofit organization of your choice. Our agency makes lots of charitable donations, but we're proud to say we've never made one for this reason.

**It's simple. We dare to be different. We dare to be Keyser.**

### Keyser Contacts

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## **Employee Benefits**

We'll help you provide a benefits package that balances trends with best practices and the claims you experience. Innovation is top of mind, resulting in multi-channel strategies that promote wellness, educate your employees about the positive impact wellness can make on their health and finances (not to mention your workplace culture), and achieve high-value perception of the benefits offered.

## **Human Resources Consulting**

There are many variables to the human resources equation, but always two constants: humans and resources. Our team includes HR generalists and employee benefits, legal and compliance experts who can help provide guidance and solutions to achieve your business goals. From benchmarking and employee engagement surveys, to policy and handbook design, leadership development, team building and more, we can help you maximize your human resources initiatives (or lack thereof) and not only protect your business, but take it to the next level.

## **Commercial Insurance**

We'll learn as much as we can about your business so we can develop coverage solutions that help you effectively minimize and manage risk, resulting in a strategic business advantage. We'll be your advocate before, during and after a claim.

## **Surety**

Placing and servicing surety can be a complicated process. Our knowledge of the construction industry and experience working with contractors of various specialties and sizes will help us design the best surety program for you. We're in this together, so we'll educate you and keep you informed every step of the way.

## **Personal Insurance**

The process — and it is a process — of deciding on the right insurance coverage can be overwhelming. A small difference between one policy and another can make a big difference when you have a claim. We'll evaluate your unique situation so we all have a clear picture of your needs and goals. Then we'll use what we learn and what we know to bring you the very best the industry has to offer, and some peace of mind too.

# Employee Benefits

**At Keyser, we love fine print and taking care of people. We pour over the details — reading all the fine print — so we can design the best benefits packages the industry has to offer. Innovation is always top of mind, resulting in strategies that educate employees, promote health and wellness, achieve high-value perception of the benefits offered, and help everyone manage costs.**

## Advocacy

One of the most valuable services we offer is our Client Advocate Service, which gives your employees access to people who can help answer questions about their benefits when they don't have access to you. Keyser Client Advocates are available 24 hours a day, 7 days a week, 365 days a year to help with:

- Benefit and health care plan questions;
- Claim questions and audits;
- Plan dispute resolution;
- ID card replacement;
- How to locate a physician;
- Prescriptions and more.

## Communication and Education

Keyser will partner with you to achieve high-value perception of the benefits you offer and educate employees about how using their benefits wisely keeps health care costs down. We can provide tools — customized and branded for you — like employee benefits guides, benefits website and mobile apps.

## Compliance

Keyser's employee benefits team includes an in-house compliance officer who is the agency's principal resource for federal and state compliance and regulatory issues. As Keyser's general counsel, the compliance officer facilitates regular compliance meetings, communications and updates; responds to compliance questions; and provides guidance regarding changes in federal and state laws.

## Cost Management

Keyser will partner with you to craft an innovative employee benefits plan that helps manage costs. We offer:

- Health and wellness program design, consultation and support;
- Plan design;
- Funding strategy;
- Population health strategy;
- Pharmacy benefit management;
- Policy renewal meetings;
- TPA request for proposal and evaluation;
- Reporting procurement and analysis;
- Annual benchmark report and analysis; and more.

## Employee Benefits

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Enhance your Employee Benefits



# HealthBridge Improves Access & Affordability

- Employee benefit - complements the employer's health plan
- Covers all medical in-network out-of-pocket expenses
- Helps employees and their dependents manage balances due after insurance with a single statement and consumer-friendly repayment terms
- No enrollment forms – guaranteed issue to everyone enrolled in the health plan



# HealthBridge In Six Easy Steps

Member receives medical care from HealthBridge Network Provider

1

6

Members manage accounts with online portal, mobile website, paper statement, or by phone

Insurer processes claim, pays the provider and sends HealthBridge the member liability

2



5

Member repays HealthBridge over 24 months:

- 10% discount on balances paid in full at any time
- 90-day interest free period
- 7% annual, fixed, interest rate

HealthBridge pays the provider what you owe for copay, deductible and coinsurance – upfront & on your behalf

3

4

Member receives single monthly statement



# Boost the Value of Your Health Plan

46% of Americans cannot cover a \$400 emergency.

HealthBridge is a new and differentiated employee benefit offering that helps make healthcare more affordable and accessible. HealthBridge pays the healthcare provider quickly for covered medical copayments, deductibles and coinsurance. Members receive a single monthly bill that they can either pay in full at a discount, or over time in affordable monthly installments.

HealthBridge perfectly complements your health insurance offering and is tailor-made to work with your benefits program. This employee benefit gives financial security to employees and their family members when seeking care.

We look forward to making healthcare more affordable, accessible and less confusing for your employees and their families.



For more information, please contact 800.931.8890 or [contactus@myhealthbridge.com](mailto:contactus@myhealthbridge.com)

[myhealthbridge.com](http://myhealthbridge.com) • P.O. Box 888284, Grand Rapids, MI 49588

**provides financial and emotional safety net** through guaranteed and flexible payment options.

Employees can get the care they need with the confidence that they can pay for it.

**enhances member billing experience** reduces complexity of payment following care.

Members are provided with consolidated monthly statements and an easy-to-use on-line member portal for simple account management and payments.

**reduces absenteeism** employees who are more likely to access care are healthier and less likely to miss work due to illness.

64% of patients report skipping care due to high out-of-pocket costs.





# HEALTHCARE MISSION

***Let's use our collective influence  
to demand better...***

The Economic Alliance for Michigan (EAM) seeks to use the collective voice of Michigan's purchasers to serve as catalysts for change to ensure appropriate access to high quality, cost-effective healthcare.



## Recent activities

### ***Constant Communication with State and Federal Leaders and Policymakers***

- Cost sharing
- Access to Testing
- Price gouging/hyper inflation
- Return to work policies
- Funding of hospitals and primary care
- Accountability of Federal funds to healthcare
- Payment reform
- Surprise billing
- Supply chain
- Information sharing

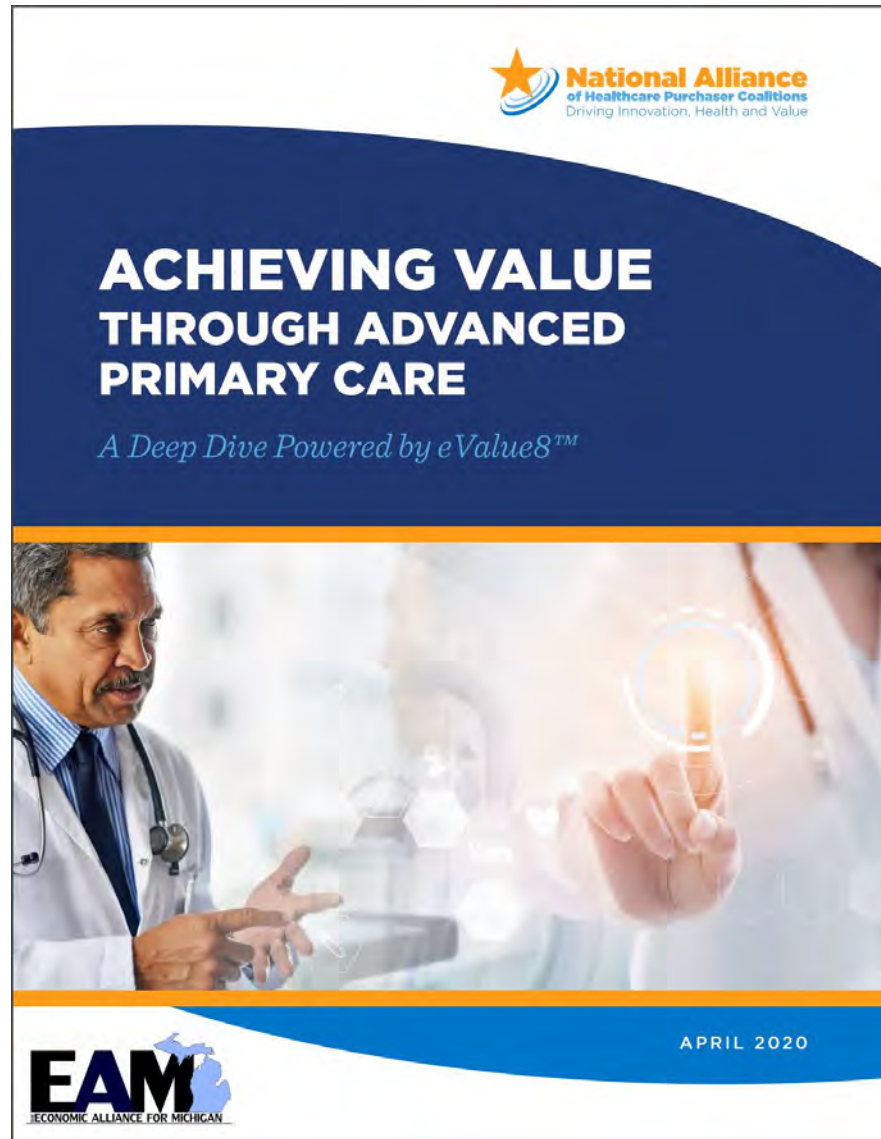


## Recent activities

### ***Webinars for employers to learn how to respond to COVID-19***

- Changes in benefit design***
- Using Choosing Wisely***
- Social Determinants***
- Addressing Mental Health and Wellbeing***
- Pivoting to the “New Normal”***
- Returning to work structure and policies***





## The Value of Advanced Primary Care

We define APC as primary healthcare structured to deliver increased value for both patients and purchasers when it encompasses the seven key attributes: (1) Enhanced Access for Patients; (2) More Time with Patients; (3) Realigned Payment Methods; (4) Organizational & Infrastructure Backbone; (5) Behavioral Health Integration; (6) Disciplined Focus on Health Improvement; and, (7) Referral Management.

Primary care is a key cornerstone to any purchaser's healthcare strategy. Based on the numbers alone, it presents a great opportunity not only to initiate early treatments, but also to establish a continuous relationship with patients before, during and after an acute episode or in management of chronic conditions. Over 80% of patients with common chronic conditions (diabetes, high blood pressure, asthma) access primary care<sup>2</sup> and it is the most common gateway for downstream referrals to specialists and other healthcare providers.

## Advanced Primary Care: Definitions of the Seven Key Attributes

Purchasers are essential to improving the value of primary care; APC will not take root unless purchasers demand and pay for it. The opportunity is great — potentially saving 15% or more of overall healthcare spend. The following key attributes can support purchasers to identify areas within their healthcare delivery approach that need to be addressed.

- ▶ **Enhanced Access for Patients** – Access to primary care is a critical first step to establishing a pathway for ongoing, coordinated, high-value care and reducing the chance of unnecessary visits to emergency care facilities. For patients, enhanced access to primary care includes care when they need it, (e.g., outside of normal business hours or over the weekend) and without a hefty price tag.
- ▶ **More Time with Patients** – When physicians can spend more time with individuals, it encourages better patient engagement, improves identification of social determinants that can impact their health, and underpins continuity of care over time. APC practices need to overcome communication challenges so patient needs and preferences can be incorporated into treatment plan development and continuity of care.
- ▶ **Realigned Payment Methods** – Realigned payments need to support and incentivize patient activation, case and care coordination, and accountability for health outcomes as well as downstream referrals.
- ▶ **Organizational & Infrastructure Backbone** – Organizational infrastructure (leadership, training, commitment to quality improvement (QI), staff and IT) is the backbone of primary care practice and is an overarching driver of APC and patient satisfaction. In many ways it is foundational to support a provider practice to move toward and sustain APC.

<sup>2</sup> Medical Expenditure Panel Survey (MEPS), 2014, reported by Robert Graham Center (2018), p. 16.





## Upcoming events

***May 4 5-6pm National Alliance Town Hall  
Population Health Strategy During COVID-19***

***May 8 12-3pm EAM Friday Forum  
- Community Oncology Alliance  
Modernizing Payment Models in Oncology***

***- Dr. Bruce Sherman  
Impact of Cost sharing on  
Healthcare Utilization***



# Elizabeth Robinson

## HAP Medicare Field Agent

Licensed and certified Medicare Insurance Agent



- Consider changes in staffing due to economic impacts of COVID-19
  - Employees who are aging into Medicare
  - Employees who are looking at early retirement
- Establish a resource for Medicare-related info
- Provide in-person or virtual presentations tailored to your organization's or employee's needs

**Direct Phone – 248-443-1131**

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