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COVID-19 AND THE EMPLOYER AND EMPLOYEE RELATIONSHIP

Employment and labor law are now facing this most unusual and unknown situation in modern history. Employees are faced with decisions if they do not work how will they live. What rights and benefits do they have? Employers are dealing with layoffs, cutbacks and actual business closing. They question:

- 1) If operating what safety rules do they follow and how can they protect the employee.
- 2) The use of employee protective equipment is not new. OSHA has many regulations. Employers should supply sanitizers, face masks, outer protective clothing, gloves.
- 3) Meetings should involve proper spacing and follow federal and state guidelines.
- 4) Employers should be aware and sensitive to the employees who question and complain about the employer safety rules, if any. Employers should be sensitive and realize these employees can be what the law describes as WHISTLE BLOWERS.
- 5) Listen to and respond to employee questions, issues and complaints. Document these discussions.
- 6) Be careful and understand groups of employees have rights to discuss and meet with their employer on or off hours or agreed to time. They are considered under the law concerted activity or the same as a union.
- 7) You should also be sensitive to employees may feel the need to unionize. There are many things you can do to help alleviate the need for a union. For example office memos discussing safety and health rules and offer protective equipment . Ask employees for suggestions. See attached union discussion.
- 8) If employees are on layoff, send periodic memos on what you are doing to get business back and any information that help them when staying at home. They should, if practical, be informed about the layoff in person or in small groups.

REMEMBER THEY ARE STILL YOUR people when on layoff.

QUESTIONS CALL JOSH WEINER, 973-631-6020 OR PAUL WEINER, 973-615-6666.