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VIRTUAL



THE HOSPITALITY LAW  
CONFERENCE SERIES 2.0

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# Common COVID-19 Misunderstandings That Could Place Your Company at Risk

# Returning Exposed Employees to Work Too Early

- Employees with direct exposure to COVID-19
- Negative test results do not control
- 14 day quarantine for employees since their last direct exposure to a confirmed or suspected COVID-19 case [“6-15-48”]

# Miscalculating the Appropriate Quarantine Period

- The 14 day quarantine period does not begin until the last day the employee was directly exposed [“6-15-48”] to the spouse/household member, being released from isolation.
- Ultimately, employee may miss 24 days of work (instead of 14) – if directly exposed every day until the spouse/household member is released from self-isolation.
- If employee exposed on days 1-10 – quarantine period does not begin until day 10.



# Mishandling EPSL and EFMLA Situations

- Covers private sector employers with fewer than 500 employees
- Emergency Paid Sick Leave – 80 hours paid for 6 reasons
- Emergency Family and Medical Leave – up to 12 weeks of job-protected leave paid at 2/3 pay
  - School and child care unavailable only
- Cannot require employee to use PTO/vacation/sick pay before EPSL/EFMLA

# Assuming That Wearing Face Coverings Trumps the “6-15-48” Analysis

- CDC recommends wearing masks and some states mandate it
- Whether employee is wearing mask – does not change “6-15-48” analysis
- You should quarantine any employee who meets the “6-15-48” analysis

# Mishandling Guests Who Refuse to Wear Masks

- Understand you are permitted to require employees and guests to wear masks
  - Be Proactive
  - Train your staff
  - Reasonably accommodate guests with medical conditions
  - Delicately deal with guests who refuse to comply
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