

Subject	FW: Webinar Recording - Transitioning Back to Work
From	Amy Miller
To	Juvenile Probation Counties
Cc	
Sent	Thursday, May 7, 2020 3:04 PM
Attachments	

Good Afternoon –

I'm forwarding this email from CMIT for those who were not able to attend yesterday's webinar with Sheila Gladstone and those who did attend and wanted to go back through again to review some of the details. I hope you all are having a great day!

From: Antonia Johnson <Antonia.Johnson@tdcj.texas.gov>

Sent: Thursday, May 7, 2020 8:36 AM

To: 'cscd-directors@www.cjad.tdcj.state.tx.us' <cscd-directors@www.cjad.tdcj.state.tx.us>

Subject: Webinar Recording - Transitioning Back to Work

Chiefs,

Below please find the link for the recording of yesterday's webinar Transitioning Back to Work hosted by Sheila Gladstone. Please note that you will need to register to view the recording. A copy of the power point presentation is also attached for your reference.

Recording Link: <https://attendee.gotowebinar.com/recording/8869371480883501326>
attendee.gotowebinar.com

Best,

Antonia Johnson

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Transitioning Back to the Workplace

Guidance during COVID-19
Pandemic

Webinar sponsored by the
Correctional Management
Institute of Texas

Sheila B. Gladstone

Lloyd Gosselink Rochelle & Townsend, P.C.
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Lloyd
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ATTORNEYS AT LAW

CSCD Webinar

May 6, 2020

LG Employment Law team cell phone numbers

- During this shelter in place period:
 - Sheila Gladstone: (512) 970-5815
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Governor's Executive Order GA-18

- Issued 4/27, effective 5/1-5/15 Phase 1 on reopening Texas
- Probation departments already essential business
- Overrides more restrictive local orders

Issued along with Texans Helping Texans Report

- 60+ pages prepared by Strike Force to Open Texas
<https://gov.texas.gov/uploads/files/organization/opentexas/OpenTexas-Report.pdf>
- Provides new safety protocols and checklists for employers – DSHS **minimum protocols**
[file:///C:/Users/sbg/Downloads/AllEmployers%20\(1\).pdf](file:///C:/Users/sbg/Downloads/AllEmployers%20(1).pdf)
- Employers advised to “review, print out, and follow” the recommendations
- Post individual guidelines

“As we begin to open Texas, we must continue to follow these critical health guidelines:

- Stay home if you can.
- Wash hands often and for 20 seconds, or use hand sanitizer with at least 60% alcohol.
- Cover coughs and sneezes with a tissue, then throw the tissue away.
- Avoid touching your eyes, nose, and mouth with unwashed hands.
- Disinfect surfaces, buttons, handles, doorknobs, and other places touched often.
- Avoid close contact with people who are sick.”

- Minimum recommended protocols:
 - Train employees on cleaning, hygiene and coughing
 - Screen entering employees and send home if:
 - Cough, shortness of breath, chills, shaking, muscle pain, headache, sore throat
 - Loss of taste/smell
 - Diarrhea
 - 100+ fever
 - Known close contact with person with lab-confirmed virus
 - Don't let back until
 - Seven days have passed since symptoms first appeared, and 3 days since recovery, or dr's release indicating other diagnosis
 - 14 days after exposure to lab-confirmed person

Checklist for employers, con't

- Employees must wash hands upon entering
- 6 feet social distancing
 - If not possible, rigorously practice other measures – face coverings, hand hygiene, cough etiquette, cleanliness
- Don't provide meals unless individually packaged
- “Consider” requiring face coverings
- Regularly disinfect regularly touched surfaces
- Disinfect items outsiders touch
- Make hand sanitizer, wipes, soap and water readily available
- Place visible signage for everyone about hygiene practices

Thoughts on probation services

- Continue work at home if it works for employee's job, even for partial days, to reduce workplace proximity
- Establish alternate work times/days to allow social distancing
- Continue to have meetings via video conference
- Install 6-foot marker/possible plastic shield around receptionist
- Screen probationers and other visitors, and decide on requiring face masks, hand washing, etc.
- Place hygiene guidelines where all can see
- Determine what services can be without face-to-face visit, such as drive-through or drop box for payments

- Consider providing face masks at work
 - More readily available now
 - Non-medical masks
- Communicate to employees workplace precautions you are taking before they return to work, to relieve fear
- If someone gets sick and recommended precautions were not in place, there could be liability, DSHS citations, and bad PR

- May want to use Texas Commission on Jail Standards recommendations
 - Screen all entering
 - Limit movement of residents inside facility
 - Consider limiting outside work, if court allows
 - Food service sanitation (trays, cups, utensils)
 - Screen residents before kitchen/laundry work tasks
 - Provide masks
 - Inform residents of hygiene rules, and provide them with cleaning supplies for multiple daily cleaning of toilets, tables, phones, etc.

Consider “retreat” plan

- Plan for multiple re-starts and a return to work from home
- Expect that a resurgence may cause rules to cycle from less to more to less to more strict

- Keep all COVID-19 records in separate medical file, including temperature logs/screening
- Can tell public health authorities of employee cases
- Coworkers?
 - EEOC clarified anonymity required
 - Question employee on close contacts at work, and then let those know that a coworker with virus identified them
 - Coworkers will figure it out quickly
 - Getting employee's permission solves this

- Don't force employees 65+ or with medically documented vulnerable health issues back to work
- Either provide work from home, or place on unpaid leave status after PTOs exhausted
- New temporary unemployment eligibility-4/30/20
 - Employees unpaid/partially paid because refused to return to workplace for age or medical vulnerability will get unemployment even though they refused available work.
 - As reimbursing employers, better to offer work from home rather than paying unemployment
 - Still not eligible for FFCRA 80 hours paid emergency leave for this reason

Lay-offs and Furloughs and Unemployment

- Furlough keeps the employee employed, but no pay (or partial furlough/partial pay)
- Lay-off ends employment
- ERS: furlough more than 10 hrs/week, only part-time (50% premiums) available. COBRA if full-time furlough
- Eligible for unemployment if lost pay, whether partial or full
 - General rule of thumb – not worth applying for unemployment for less than 25% reduction
 - BUT federal \$600/week kicks in with any reduction
 - Currently expires July 31
 - Lower paid employees may prefer furlough to work

Communicate reasons for considering furlough/layoffs

- Example:
 - We will do everything we can to avoid this
 - We had 49 new defendant placements in April – our average is 670
 - There will be no court hearings other than for those currently in jail until at least June 1
 - Our collections in March and April were \$_____ and \$_____. Our normal monthly collections are \$_____
 - ____% of our budget is based on collections

Communicate options and consequences

- Offer choices if available
- Unemployment options
- Vulnerable employees and unemployment
- Effect on benefits

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THANK YOU!