

Dealer Advisory

April 21, 2020



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A regularly updated "**Coronavirus Toolkit**" is available within the MADA website. From the [home page](#), go to the *FAQ* tab and select *Coronavirus Toolkit* or [click here](#).

While **Michigan showrooms are still closed to customer traffic**, dealers should begin planning how to reopen in a manner consistent with CDC guidance. Your re-opening should also clearly display to your employees and customers that you have their health, safety and general concerns in mind. Fisher Phillips has created a detailed back-to-business FAQ that dealers should review.

BEYOND THE CURVE: Post-Pandemic Back-To-Business FAQs For Employers



As we look toward life after the worst of the COVID-19 coronavirus pandemic has passed, business recovery will be paramount. This includes assessing business operations, bringing employees back to work, and ensuring a safe workplace. Even if these steps are further in the future for some employers than others, the time to begin thinking about these issues is now, because with these next steps comes a whole new set of labor and employment challenges.

Following are just some of the many questions and answers addressed in the Fisher Phillips new FAQ document.

Workplace Safety

- Can an employee refuse to return to work if a shelter-in-place order is lifted?
- After shelter-in-home orders are lifted, can I take an employee's temperature at work to determine whether they might be infected?
- Can employers in the United States refuse an employee's request to wear a medical mask or respirator?

Human Resources Considerations

- If we terminated employees instead of laying them off or furloughing them, how do we go about re-hiring them? What should the application process include?
- In a panic, we allowed remote work without a policy or procedure. Now that things have calmed down, should we be more formal about remote work?

FFCRA Paid Leave and Emergency Leave

- Does the Families First Coronavirus Response Act (FFCRA) still apply to my rehired employees?
- We are "ramping back up" and having employees again report to the worksite. However, some employees are saying they want to continue to work from home because they are scared to be in a work environment. Do we have to let them work from home?

There are many other questions covered in the Fisher Phillips FAQ, including sections on general return to work principles, wage and hour, benefits/taxes and unemployment compensation. **Please review the complete FAQ [here](#).**

Additional resources from the federal government:

- [Opening up America Again guidelines](#)

- [CDC guidance](#)

Other Items to Consider When Business Reopens

Fisher Phillips has also released additional resources and guidance. Please see the following legal alerts for more information.

- **Apr. 20** -- [What Employers Can Learn From The First FFCRA Interference And Retaliation Lawsuits](#)
- **Apr. 20** -- [5 Steps To Reopen Your Workplace, According To CDC's Latest Guidance](#)
- **Apr. 20** -- [4-Step Plan For Handling Confirmed COVID-19 Cases When Your Business Reopens](#)
- **Apr. 20** -- [Attendance Bonuses During COVID-19 Rebuilding Can Lead To Unintended Legal Consequences](#)
- **Apr. 17** -- [Reminder: Conduct An Adverse Impact Analysis Prior To Any COVID-19 Reductions In Force](#)
- **Apr. 17** -- [Labor Department Issues USERRA Guidance For Employers During COVID-19 Pandemic](#)

We anticipate additional guidance soon from Governor Whitmer on Michigan's reopening. As we hear more, we will continue to keep dealers updated. Please feel free to contact DADA at (248) 643-0250 or MADA at (800) 292-1923 if you have any questions.

*This advisory has been prepared in conjunction with
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