



Parkside Financial

BANK & TRUST



Back to Business: Navigating Return to Workplace Challenges

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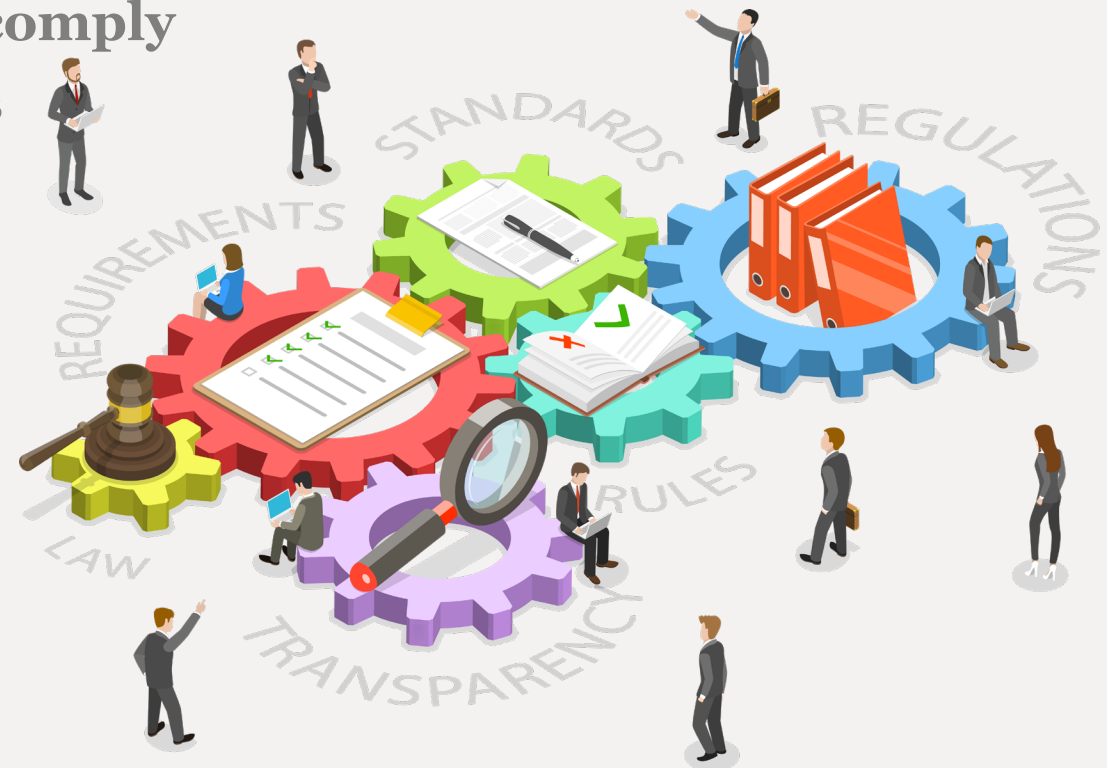
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Re-Opening Your Business: Guidelines vs. Mandates

- Distinguish between laws and guidance
- Laws are mandates; businesses **MUST** comply
 - Federal and state paid leave requirements
 - Anti-discrimination rules
 - Emergency orders

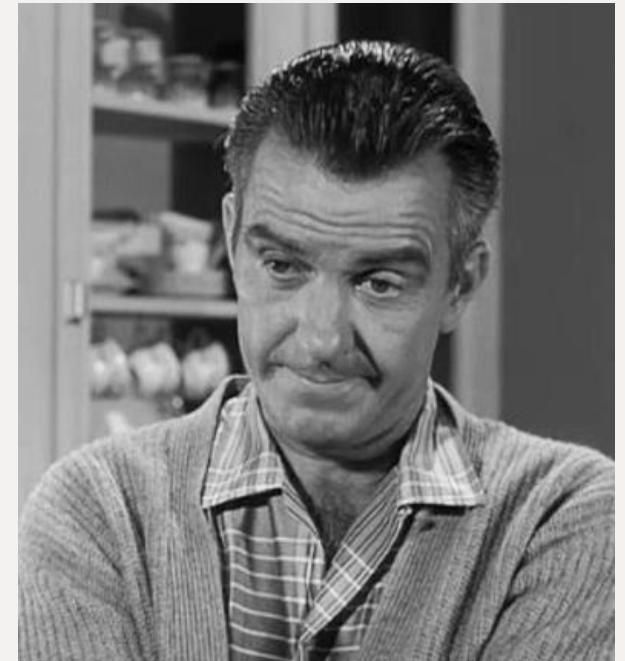


Re-Opening Your Business: Guidelines vs. Mandates

- **Federal & state agency guidance materials establish “best practices” and may indicate how an agency will interpret legal requirements**
 - CDC Guidance
 - OSHA Guidance
 - EEOC Guidance
- **Following guidance may be discretionary, but failure to do so can present risks**

Are you discriminating or accommodating? /

- **An employer must abide by anti-discrimination and anti-retaliation laws in making employment decisions in a reopening**
 - Utilize objective criteria in decision-making if feasible
 - Seniority, etc.
 - Comply with CBA or other recall policies
- **Avoid paternalistic decision-making**
 - Age
 - Disability status
 - Race
 - Associational status



Are you discriminating or accommodating? /

- **Disparate Treatment Discrimination** (Intentional)
- **Disparate Impact Discrimination** (Unintentional)
 - Does application of neutral criteria disproportionately impact a protected group?
 - “Job related and consistent with business necessity” defense

Accommodating “High-Risk” Employees /

- CDC definition of “High-Risk” includes: age 65+, chronic lung disease, moderate to severe asthma, serious heart conditions, diabetes, kidney disease, severe obesity, etc.
- Consider providing reasonable accommodations for high-risk employees:
 - Modified work schedule, alternate location, elimination of marginal duties, barriers
 - Consider a leave of absence. Is employee FMLA eligible?
 - Require doctor’s note



Non-Essential Doesn't Mean Unimportant ✓

- **Non-essential does not mean not valuable and in many cases, does not mean not working.**
 - Team members working from home, even if less hours, can contribute a significant amount to the organization.
 - Leaders treat team members uniquely
 - Opportunity to re-evaluate
 - Consider “A Players” or those with potential for more responsibility
 - Who needs more structure?
 - Recommend using terms like “Remote Team” and “On-The-Ground Team”



Non-Essential Doesn't Mean Unimportant /

- **Legal rights under employment laws generally do not depend on “essential” or “non-essential” status**
- **Failing to address the needs of “non-essential” workers could drive those employees to look for help elsewhere, e.g., government agencies and labor unions**

Whistleblowers in the Workplace

- **Leaders should practice A.I.M.**
 - Analyze the problem
 - Involve the team
 - Move and manage
- **Understand the problem and response rationally**
 - **Plan to have a whistleblower**

Remember!!!

Whistleblowers are not the problem!
Your priority is the safety of the team.

Whistleblowers in the Workplace

- **An employee who complains about unsafe working conditions or failure to comply with legal obligations may be a “whistleblower” protected by anti-retaliation provisions**
 - OSHA
 - NLRB
 - Workers Compensation Act
 - Public policy exception to the employment at will doctrine
- **Protect against harassment based on national origin**
 - “Chinese Virus”
 - “Wuhan lab accident”
 - “Chinese government withheld information”



Leading Through the Crisis /

- **Opportunity for Employee Development**
 - Developing virtual meeting comfort
 - We are all human
 - Flatten the hierarchy
 - Hone in the attention
- **Habits of strong leaders**
 - Mindfulness, meditation, gratitude, fitness and healthy eating
 - Connect with your network
 - Establish media consumption rules and balance news inputs
 - Schedule “worry time”
 - Understand what is within your control and what is not
- **Regularly check in with yourself.**

Morale Amidst Uncertainty or Lay-Offs /

- **Regularly check in with teams**
 - Listen
 - Acknowledge feedback and feelings
- **Communication! Communication! Communication!**
 - Keep your team informed. Be transparent.
 - Be honest about what you do and DON'T know
 - Provide resources and encourage self-care
 - Establish a communication structure: daily email, regular virtual meetings
 - ANY communication is welcome
 - Consider what message you want to send
 - Communicate safety precautions and LISTEN to what they need
 - Physical and psychological health



Your Parkside Partner /

- **Keeping ALL Our Employees Safe**
 - Protecting our on-the-ground team, and access to our lobby, by keeping our remote team at home
 - Determined based on office related responsibilities, ease of work from home, personal responsibilities, medical conditions and more
- **Frequent Communication**
 - Weekly All Employee Conference Call
 - Regular on-going emails with information on plans, procedures and frequently asked questions



Your Parkside Partner /

- **In-Office Requirements**
 - Daily documented self health screening
 - Practice social distancing between workstations and in common areas
 - Limiting visitors
 - Minimize employee in-person meetings; set conference room max capacities
 - Encourage use of PPE, including gloves and masks
 - Access to hand sanitizer and disinfectant
 - Regular professional sanitation and deep cleaning
- **Additional Precautions**
 - No work related travel
 - Imposing case-by-case travel precautions, including 14-day quarantines when necessary



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Thank You

**Additional questions can be
directed to info@pfbt.com.**



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