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The Departments of Labor (DOL) and Health and Human Services (HHS), and the Treasury Department have provided guidance in the form of 14 frequently asked questions (FAQs) regarding the Families First Coronavirus Response Act (FFCRA), the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), and other health coverage issues related to COVID-19.

The guidance states that the FAQs “answer questions from stakeholders to help individuals understand the law and benefit from it, as intended.”

Pennsylvania Employers Must Provide Unemployment Comp Information to Employees

Pennsylvania has amended its unemployment compensation law to include a requirement that employers notify employees who are being “separated from employment” about the specific process for obtaining unemployment compensation benefits.

The Act is amended by adding Section 206.1, Unemployment Compensation Benefit Notification by Employers, which states that “Each employer, whether or not liable for the payment of contributions under this act, shall provide notification of the availability of unemployment compensation to the employer’s employees at the time of separation from employment.”

The required elements of the notification are then detailed. The notice requirement is permanent.
Benefit Plan Sponsors
Extended COVID-19 Relief

The Department Of Labor’s (DOL) Employee Benefits Security Administration (EBSA) in conjunction with the Treasury Department, the Internal Revenue Service (IRS) and the Department of Health and Human Services (HHS), issued Disaster Relief Notice 2020-01, tax and labor regulations that extend many of the statutory and regulatory deadlines that apply to retirement and group health plans.

The relief applies to actions or filings beginning March 1, 2020 and continues until 60 days after the end of the COVID-19 national emergency or such other date specified by the DOL.

The Notice applies to disclosures and notices for plan participants and beneficiaries required to be furnished by Title I of the Employee Retirement Income Security Act (ERISA) or other DOL jurisdiction.

The Notice requires that plan fiduciaries act in good faith and furnish all required disclosures and notices as soon as administratively practicable under the circumstances. The notice clarifies that a “good faith” effort to deliver required communications can be made with electronic means (including electronic mail, text messaging, or continuously available websites) where the plan fiduciary reasonably believes that the intended recipients will have ready access to the electronic communication.

OSHA Adopts Revised Enforcement Policies for Coronavirus

The Occupational Safety and Health Administration (OSHA) has adopted two revised policies (Updated Interim Enforcement Response Plan for Coronavirus Disease 2019) for enforcing its requirements relating to COVID-19.

First, the agency is increasing in-person inspections at all types of workplaces. It will continue to prioritize COVID-19 inspections and will utilize all enforcement tools.

Second, it is revising its previous enforcement policy for recording cases of coronavirus. Under OSHA’s recordkeeping requirements, coronavirus is a recordable illness, and employers are responsible for recording cases of the coronavirus, if the case: is confirmed as a coronavirus illness; is work-related as defined by OSHA regulations; and involves one or more of the general recording criteria such as medical treatment beyond first aid or days away from work.
Healthcare Council of Western Pennsylvania is a strategic partner with health care providers and affiliated organizations, enabling them to realize their mission while maintaining their status as economically viable entities.

Visit:  [http://www.hcwp.org](http://www.hcwp.org)  
Call: 1-800-704-8434

The guidance emphasizes that employers must make reasonable efforts, based on the available evidence, to ascertain whether a case of coronavirus is work-related. Recording a coronavirus illness does not mean that the employer has violated any OSHA standard.

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**EEOC Delays EEO Data Collections Due to COVID-19**

The Equal Employment Opportunity Commission (EEOC) has announced planned changes to the EEO-1 filing process. Due to COVID-19, it intends to file a notice in the Federal Register to delay collection of the 2019 EEO-1 report this year and to collect both 2019 and 2020 data in the first quarter of 2021.

While the agency requires approval on the timing for collecting the 2019 and 2020 EEO-1 reports, the expectation is that this will happen in the first quarter of 2021.

The action would give businesses a welcome relief during these uncertain times, but employers may want to tabulate their 2019 EEO-1 data soon.

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**OSHA Issues COVID-19 Guidance for Nursing Homes and Long-Term Care Facilities**

The Occupational Safety and Health Administration (OSHA) has issued a one-page guidance titled [COVID-19 Guidance for Nursing Home and Long-Term Care Facility Workers](https://www.osha.gov/Publications/COVID-19GuidanceNursingHomeLT.pdf).

The advisory lists several steps employers in these industries can take to reduce the risk of worker exposure to COVID-19.