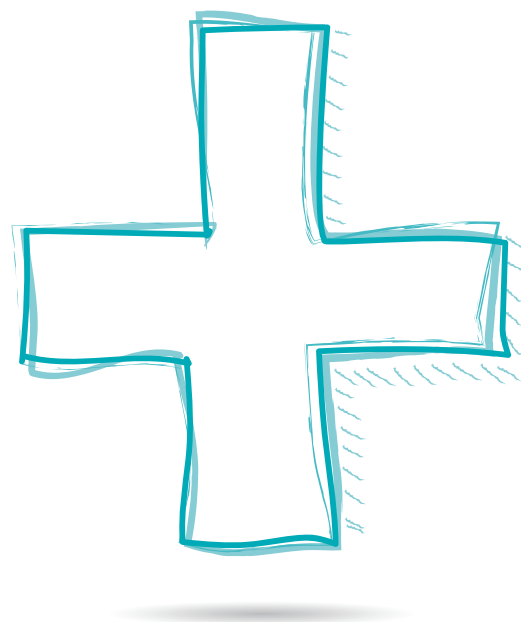


# Special Report:

# Littler COVID-19

# Flash Survey Report

March 2020



## Executive Summary

The novel coronavirus (COVID-19) has created a host of challenges for employers while accelerating fundamental shifts already underway in the workplace. As the pandemic's many lasting implications for the workplace and the way we work begin to emerge, Littler surveyed more than 900 employers, based in North America and with operations around the world, on their concerns and the actions they have taken during the first few weeks of our new reality.

The survey results reveal employers navigating far-ranging and thorny challenges – from operational considerations related to closures and staffing shortages to keeping employees safe and managing morale to making tough decisions related to compensation and providing leave to those unable to work.

### Leave and Sick Pay Issues

Determining whether to pay employees during periods of absences is a concern for 89 percent of respondents, and 85 percent are adjusting sick leave policies or providing additional paid time off or are considering doing so. In verbatim responses expressing their concerns, the most common theme among employers related to how to handle employees who cannot perform their jobs remotely and those who must care for children out of school or others who are sick. Some employers spoke of equitable treatment of employees, including an HR leader who expressed worry over “how to handle employees when work at home is not an option,” and an in-house lawyer who identified his greatest area of confusion as how to treat fairly “those with kids who get to telecommute and others who remain required to report to work.”

These issues have only grown in prominence since the survey was fielded in mid-March, with federal laws in the U.S. now providing paid leave to employees and several major companies introducing new paid-time-off policies and benefits to support employees.

### Employee Safety

Nearly all respondents (93 percent) are concerned about ensuring that workplace conditions and policies comply with applicable safety and health regulations. The vast majority are taking practical steps to keep their employees safe, including communicating on hygiene practices and prevention measures (98 percent) and deep cleaning workplaces (62 percent). Even as the Trump administration was just starting to recommend stricter social distancing measures and states were beginning to institute stay-at-home orders, respondents were already restricting travel (83 percent), canceling meetings (78 percent), imposing quarantines for potentially affected employees (62 percent) and encouraging remote work (59 percent) – and many others were at least considering taking these actions.

### Discrimination Issues

Employers have a duty to provide safe workplaces, but there are some limitations on their ability to respond, including being careful to avoid discrimination against employees. Most respondents were extremely to moderately concerned (44 percent) or somewhat to slightly concerned (39 percent) about unintentionally discriminating against members of a protected class or giving rise to discrimination claims. However, this issue ranked lowest in the list of concerns posed to respondents and 17 percent indicated not being concerned at all, suggesting that this is an area that employers should continue to be mindful of in this rapidly evolving situation.

## Furloughs and Temporary Closures

The need to temporarily close offices, factories or stores if an employee or customer tests positive for the virus ranked as the top concern among respondents with 96 percent expressing concern. And this concern is only exacerbated with stay-at-home orders now in place across several U.S. states.

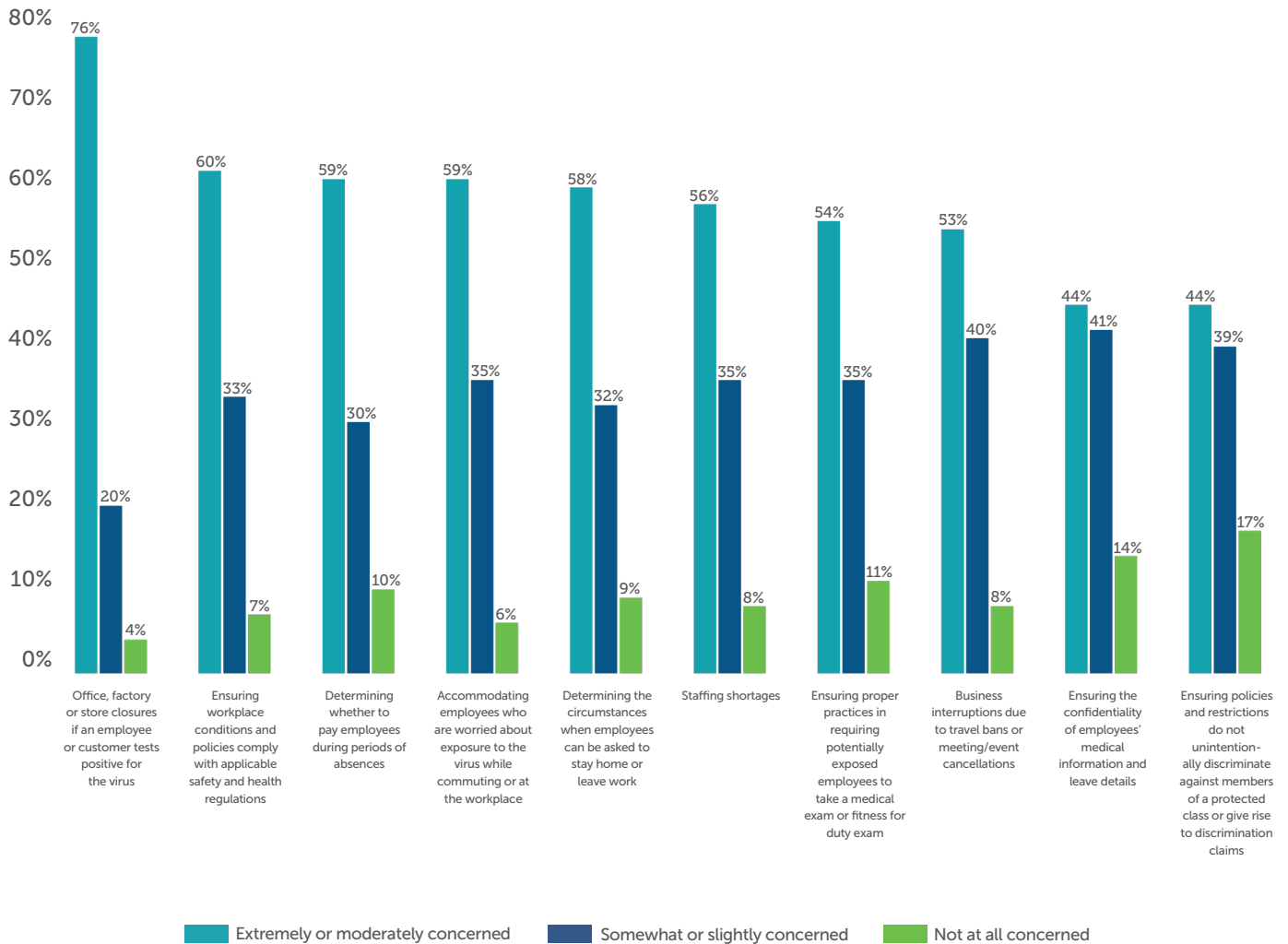
With regard to actions taken in response to the virus, only 5 percent of respondents said they have implemented furloughs or short-term layoffs, although 43 percent were considering it. The remaining 52 percent did not indicate that these were actions they were taking or considering. However, it's important to note that many U.S.-based respondents took the survey in mid-March before the U.S. Department of Labor reported later in the month that unemployment claims rose to record highs – a fact that shows the rapidly-evolving nature of the situation along with the depth of the economic toll of COVID-19.

## Employee Morale

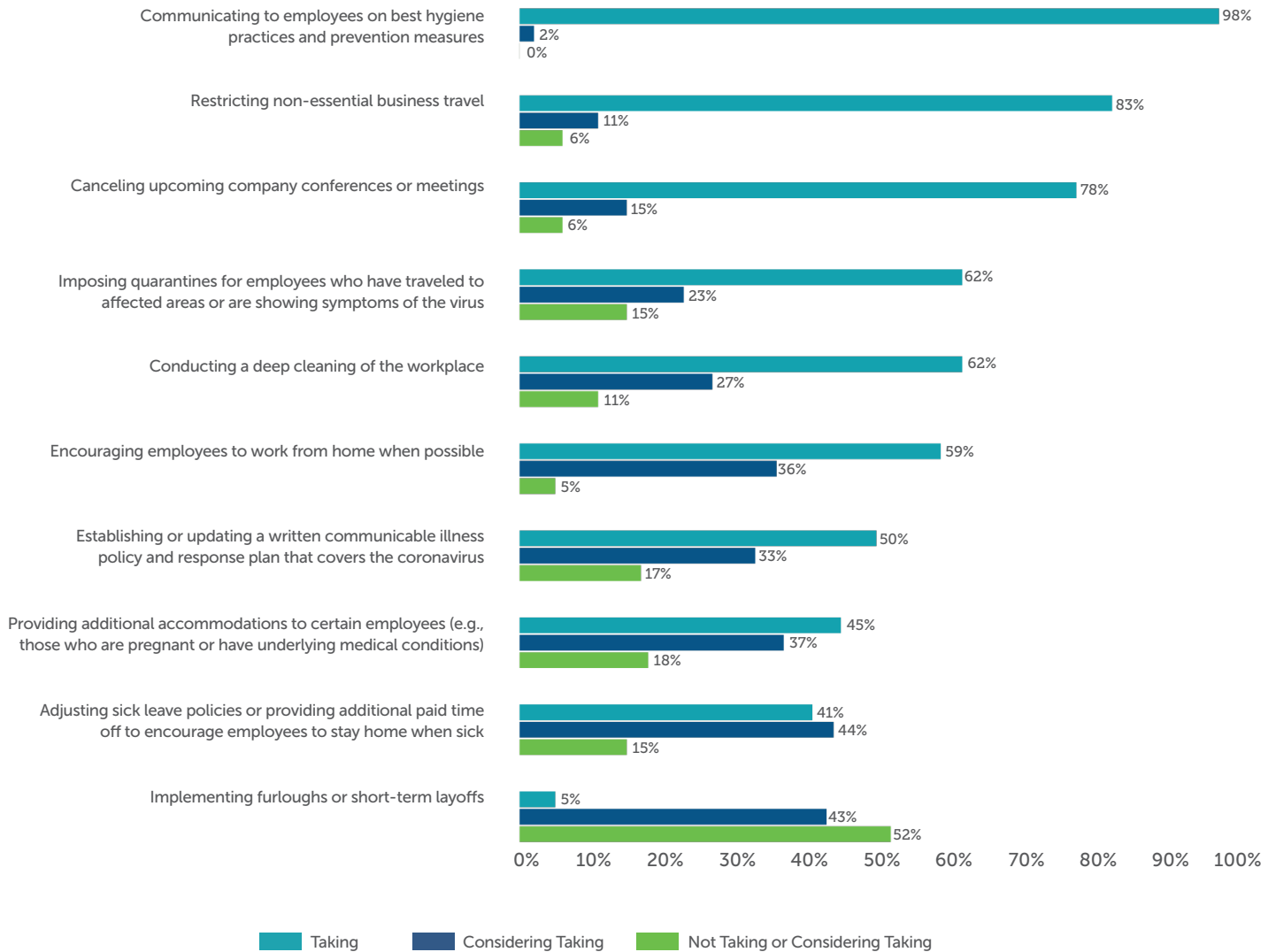
With the workplace itself and connections with co-workers a defining part of many individuals' lives, several respondents indicated that managing employee morale and mental health, as well as trying to keep employees calm, were top of mind. One in-house lawyer mentioned the delicate balance of "giving the right amount of concern and attention without causing panic" and an HR Director indicated grappling with "how to address employee anxiety over concerns regarding the virus." As employees continue to be impacted in numerous ways, both personally and professionally, providing resources and support to help them cope will likely continue to be a focus of progressive employers, alongside managing a slew of other legal and operational issues.

The full charts follow on pages 3-4, along with the methodology and demographic breakdown of respondents on page 5.

To what extent is your organization concerned about the following workplace implications of the coronavirus outbreak?



Which of the following actions is your company taking in response to the coronavirus to protect employees and prevent workplace exposure?



## Methodology and Demographics

From March 12-25, 2020, 912 professionals completed the Littler COVID-19 Flash Survey via an online survey tool. Nearly all respondents (98 percent) said their organizations have operations in the United States and a fair portion also indicated having operations in Canada (26 percent), Europe (26 percent), Asia (20 percent), Mexico (16 percent), South America (15 percent), Australia (13 percent), the Middle East (12 percent) and Africa (7 percent).

### Respondents included:

- Human resources professionals (54 percent)
- General counsel/in-house attorneys (38 percent)
- C-suite executives or other professionals (8 percent)

### Companies represented were of a variety of sizes:

- More than 10,000 employees (18 percent)
- 5,001 to 10,000 employees (9 percent)
- 1,001 to 5,000 employees (18 percent)
- 501 to 1,000 employees (14 percent)
- 101 to 500 employees (28 percent)
- 1 to 100 employees (13 percent)