

Littler COVID-19 Survey Reveals Top Employer Concerns and Workplace Implications

Littler, the world's largest employment and labor law practice representing management, has released the results of its COVID-19 Flash Survey Report. The survey, completed by more than 900 employers based in North America and with operations around the world, gauged their key concerns and actions in response to the pandemic.

The results reveal employers navigating far-ranging and thorny issues – from dealing with 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.

“COVID-19 has created a host of challenges for employers while accelerating fundamental shifts already underway in the workplace,” said Alka Ramchandani-Raj, a leader of Littler's COVID-19 Task Force. “As the pandemic's many lasting implications only begin to emerge, it's encouraging that employers are moving quickly to take a range of actions in response to this rapidly evolving situation.”

Leave and Sick Pay

Nearly nine out of 10 respondents (89 percent) are concerned about determining whether to pay employees during absences related to the coronavirus. Further, 85 percent reported adjusting their sick leave policies or providing additional paid time off, or were considering taking these actions. A common theme expressed by respondents 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.

“Companies already facing a patchwork of employee leave laws must now also comply with requirements to provide additional paid leave from measures passed in response to the pandemic. And many companies are implementing new policies and benefits to support employees during this difficult time,” said Melissa Peters, a leader of Littler’s COVID-19 Task Force. “The current regulatory environment and the novel nature of this virus give rise to several complex and nuanced questions about how to manage leaves of absence entitlements triggered by COVID-19.”

Employee Safety and Morale

The majority of respondents (93 percent) are worried about ensuring that workplace conditions and policies comply with applicable safety and health regulations. The most common steps taken in response were communicating hygiene practices and prevention measures (98 percent), restricting travel (83 percent) and canceling meetings (78 percent). Several survey respondents also said they were grappling with how to address employee anxiety and how to find the right balance in responding appropriately without panicking employees.

“Even before officials were starting to recommend stricter social distancing measures and states were beginning to institute stay-at-home orders, our survey respondents were taking several steps to keep their employees safe,” said Brad Hammock, co-chair of Littler’s Workplace Safety & Health Practice Group and a leader of the firm’s COVID-19 Task Force. “At the same time, with the workplace a defining part of many individuals’ lives, managing employee morale and mental health, as well as providing resources and support to help them cope, is understandably top of mind with employers.”

Additional Concerns and Actions Taken

- The need to temporarily close offices, factories or stores if an employee or customer tests positive for the virus ranked

as the top worry among respondents with 96 percent expressing concern.

- Only 5 percent reported that their companies had implemented furloughs or short-term layoffs and another 43 percent were considering it. However, many U.S.-based respondents took the survey in mid-March before record-high unemployment claims were reported by the U.S. Department of Labor.

- Most respondents (83 percent) noted concern about inadvertently discriminating against members of a protected class or giving rise to discrimination claims in their COVID-19 response. However, avoiding discrimination against employees ranked lowest among employers' concerns, with 17 percent reporting not being concerned at all.

The Littler COVID-19 Flash Survey Report was completed by 912 respondents, mainly HR professionals (54 percent) and in-house counsel (38 percent), between March 12 and March 25. Companies represented were of a variety of sizes and nearly all (98 percent) operate in the U.S., with a fair portion also operating in Canada (26 percent), Europe (26 percent), Asia (20 percent) and Mexico (16 percent), among other regions.

View the full report here:
https://www.littler.com/files/littler_covid-19_flash_survey_report.pdf

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