



LOBBY SERVICES

PHASE II CHECKLIST

The Montana Credit Union League has developed this Checklist to assist credit unions as they enter Phase II of Montana's Directive related to COVID-19. This Checklist identifies some best practices each Credit Union should consider as they navigate Phase II.

This Checklist may be updated periodically as more information emerges about COVID-19 from the State of Montana, the CDC, or other agencies. These recommendations should be implemented based on your Credit Union's understanding of governmental regulations and individual circumstances.



GENERAL GUIDANCE

- Employees should check themselves for symptoms prior to reporting to work, and must stay home if experiencing symptoms.
- Employees must have their temperature checked upon reporting to work. If an employee records a temperature higher than 100.4, the employee will be asked to return home.
- Employees will be asked to complete a Symptom Screening Questionnaire upon arrival to work.
- Encourage voluntary participation in surveillance testing and contact tracing.
- Follow CDC Sanitation protocols.



SOCIAL DISTANCING & PPE

- Maintain six feet of physical distance between employees, members, and visitors.
- Close common areas (break room, restrooms) and/or enforce strict social distancing protocols by limiting the number of people in those spaces.
- Encourage employees, members, and visitors to wear masks.
- Require hand washing and/or use of hand sanitizer after each member served. Place hand sanitizers throughout the lobby and at each work station.
- Consider a barrier (plexiglass) between employees and members for lobby services.
- Limit the number of members inside the lobby at any given time.



EMPLOYER POLICIES

- Utilize drive-up or remote services to the extent possible.
- Consider special accommodations for the high risk population.
- Continue to encourage employees to telecommute when possible.
- Establish a safe process for receiving supplies and deliveries.
- Inform your employees and members of your COVID-19 policies and procedures in advance.
- Post signage in your lobbies encouraging social distancing and proper hygiene.
- Tape off lines, inside and outside the Credit Union, where members should wait in line.
- Discontinue any and all snack and beverage offerings.



TRAVEL

Effective June 1, 2020 the provisions of the Governor Bullock's Directive requiring quarantine for non-work-related travel in Montana is no longer in effect.

While employers may be inclined to continue implementing travel restrictions despite the expiration of the Directive regarding travel, implementing these types of travel restrictions is not recommended. Generally speaking, it is improper for an employer to limit or otherwise restrict an employee's *lawful* off duty conduct. By instituting a mandatory quarantine following an employee's lawful domestic travel outside of Montana, this could be viewed as an adverse employment action. Therefore, we do not recommend Credit Unions institute a prohibition on an employee's domestic travel. That said, employees should be urged to use common sense when travelling, especially to high risk areas as indicted by the CDC and WHO.

Employers may continue to ask employees about their travel on Symptom Screening Questionnaires. Employers may also implement policies requiring employees who travel outside of Montana to telecommute following their return. This policy should be written and distributed to employees. However, we understand that not all employees can telecommute.

What can or should an employer do if a teller, or other employee who cannot telecommute, travels outside of Montana?

We recommend that no "adverse employment action" be taken against this employee. An adverse employment action could include:

- termination
- pay decrease
- taking away supervisory responsibilities
- reassigning work duties
- excessive criticism of work

Therefore, an employer could:

- Allow the employee to return to work and closely monitor his or her symptoms;
- Create a temporary job which allows the employee to telecommute during a quarantine period;
NOTE: the job cannot be seen as punishing, demeaning, or a temporary demotion
- Ask (but not require) the employee to submit to a COVID-19 test and pay the employee until he or she receives the results; and/or
- Require the employee to quarantine but pay the employee his or her full pay;
NOTE: this approach is not recommended and may result in employees voluntarily travelling outside of Montana in order to receive a "paid vacation" when they return.

ADDITIONAL CONSIDERATIONS

Testing. We have received a number of inquiries asking if employers can require employees to produce a negative COVID-19 test prior to reporting and/or returning to work. The Americans with Disabilities Act (ADA) requires that any mandatory testing be "job-related" and "consistent with business necessity." The EEOC has indicated that mandatory COVID-19 testing is permissible during the pandemic; however, it must be applied in a nondiscriminatory manner which likely means that all employees must be tested when entering the workplace, not just certain employees. Typically these tests are administered on-site. Practically speaking, unless a Credit Union has access to reliable on-site testing for all employees, any COVID-19 testing for employees would have to be voluntary.

Please note that guidance surrounding Phase II as well as federal regulations and guidelines is constantly changing and evolving. We encourage Credit Unions with questions to reach out directly to Fiduciary Risk Management (FRM).

Finally, Montana Credit Union League will be hosting a Webinar with Fiduciary Risk Management to go over the Checklist and answer any questions you may have. Details regarding the Webinar are forthcoming.

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