




COVID-19

UPDATE:
May 11, 2020

**Coronavirus / COVID-19
Response Team**


MILLER 
JOHNSON
Attorneys

1

MILLER 
JOHNSON
Attorneys

**COVID-19 and the Fair
Labor Standards Act
Questions and Answers**

»» Rebecca Strauss

MILLER 
JOHNSON
Attorneys

The materials and information have been prepared for informational purposes only. This is not legal advice, nor intended to create or constitute a lawyer–client relationship. Before acting on the basis of any information or material, readers who have specific questions or problems should consult their lawyer.

3

Question

We laid off employees.

Now some want to volunteer for us.

Is that ok?

4

Question

Leaders want to reduce each employees per week to save on payroll, instead of laying off (more) employees.

Can we pay employees less if they work a partial week?

Question

Can we require exempt employees to take PTO (or leave without pay) during times we are closed, or when we are open?

Question

Can we ask an employee to perform work outside the employee's normal job description?

Question

Can we require an employee(s) to work from home?

Question

Do we have to employees the same hourly rate, or salary, if they work from home?

Question

Do we have to pay employees who are not able to work from home?

Question

We need to bring on temporary employees from a staffing agency.

Are we liable if the temps are not paid correctly under the FLSA?

- New rule effective March 16!

Question

We are returning to work at our facility and want to bring back as many employees as possible.

Can we reduce employee hourly wages from the wage rates before the pandemic?

Can we reduce salaries?

Question

We are paying a bonus to employees who work in-person.

How does that impact overtime rates?

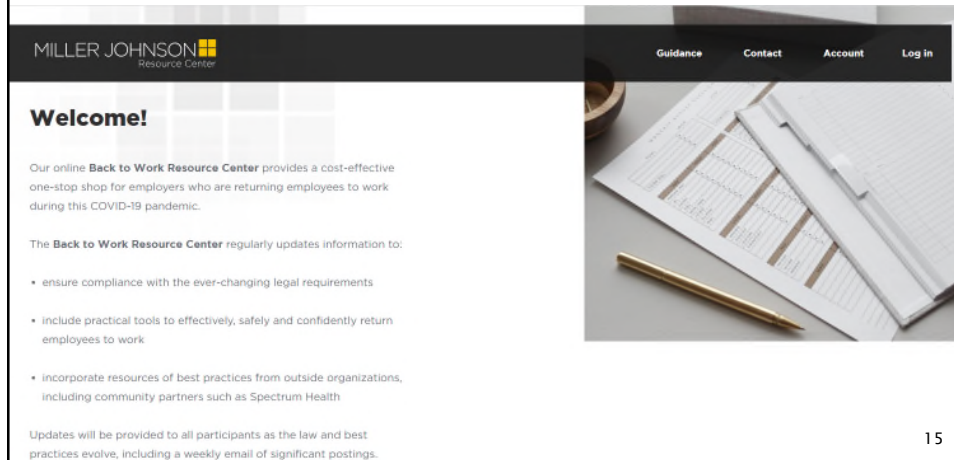
Question

As we bring employees back for in-person work, we are requiring COVID-19 related training.

Do we need to pay employees for that time?

Miller Johnson Back to Work Resource Center

<https://resources.millerjohnson.com/>



MILLER JOHNSON
Resource Center

Guidance Contact Account Log in

Welcome!

Our online **Back to Work Resource Center** provides a cost-effective one-stop shop for employers who are returning employees to work during this COVID-19 pandemic.

The **Back to Work Resource Center** regularly updates information to:

- ensure compliance with the ever-changing legal requirements
- include practical tools to effectively, safely and confidently return employees to work
- incorporate resources of best practices from outside organizations, including community partners such as Spectrum Health

Updates will be provided to all participants as the law and best practices evolve, including a weekly email of significant postings.

15



MILLER JOHNSON
Attorneys



Rebecca Strauss

269.226.2986
straussr@millerjohnson.com

millerjohnson.com

45 Ottawa Ave SW
Suite 1100
Grand Rapids, MI 49503

100 W Michigan Ave
Suite 200
Kalamazoo, MI 49007

16