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ADA

- “Long COVID”
- High-risk employees
- Anxiety Disorders
  
- Remote work as reasonable accommodation?



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FMLA

- FFCRA Expiration
  - Emergency Family and Medical Leave Act (“EFMLA”)
  - Retaliation
  - May still have potential claims
  
- COVID Absences
  - Intermittent leave



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VACCINE MANDATES

- Supreme Court Vaccine Mandate Cases
  - rejected OSHA Rule for all employers over 100
  - Upheld rule for healthcare where received federal funds
  
- Nationwide stay for federal contractors



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EEOC Guidance on Mandatory Vaccines



- Employers may make getting the COVID vaccine a mandatory requirement for return to the workplace
- Employers still need to comply with the provisions of the Americans with Disabilities Act for medical conditions and accommodations requirements for religious reasons

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Florida Vaccine Mandate Limitations

- Florida Statutes prohibit blanket vaccine mandates
  - Must allow exceptions
  - More exceptions than EEOC requires
  - Questions of whether federal law overrides the state statute for health care workers



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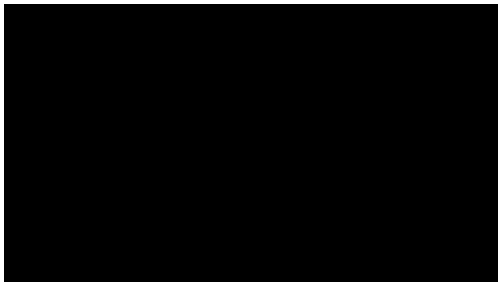
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Office Space

<https://youtu.be/jKYivs6ZLZk>



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“The Great Resignation”

- Workers are quitting at historic rates
- Employee shortages
  - Increased wages
  - Increased benefits
- Demands for different work environment
  - Surveys show majority of employees want remote work option



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The New Normal

- Hybrid work
- Remote work
- Flex schedules
- Demand for “i-deals”



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Remote Work Issues

- Workers’ Comp?
- FLSA: on/off clock work
- Responsiveness
- Other “interests”
  - Childcare substitute
  - The “side hustle”



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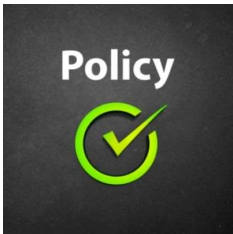
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Remote Work Plan



- Need a written plan
  - Get input from leadership
  - Consider staff input
- Application: Consistency
  - All supervisors comply
  - Technology
  - Engagement

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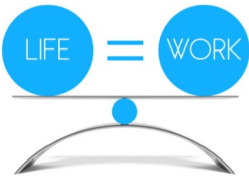
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Remote Work Implementation

- Consistent Application of Plan
- Use of Technology
- Employee Engagement
  - On-boarding
  - Retention/Social
  - Work/life balance



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