COVID-19

How Pandemic Response Mistakes Could Cost Employers Real Money
But first…

American Fidelity Administrative Services, LLC does not provide tax or legal advice. While we’re happy to provide you with this general information, given the complexity of these rules, we encourage you to contact your tax or legal counsel about how the requirements apply to your specific plans or situation.
Glossary of Acronyms

- IRS – the Internal Revenue Service
- ACA – the Patient Protection and Affordable Care Act
- FFCRA – the Families First Coronavirus Response Act
- EPSL – Emergency Paid Sick Leave
- FMLA – the Family and Medical Leave Act
- COBRA – the Consolidated Omnibus Budget Reconciliation Act of 1985
- HIPAA – the Health Insurance Portability and Accountability Act
COVID makes everything harder. Don’t make it worse.
Here’s what you can’t control.

• Economic fallout from shutdowns and stay-at-home orders
• Reduced tax revenue
• Budgetary uncertainty
Here’s what you can.

• Leave of absence lapses
• ACA missteps
• Ineffective communication
COVID + Leave
The Land Before COVID

Leave was already a big deal.
The Land **Before** COVID

And governments were taking a closer look.
The Land Before COVID

Federal Times

Paid parental leave takes shape under new OPM regulations

The act enables federal employees to substitute 12 weeks of paid leave for the same amount of time of unpaid leave authorized under the Family ...

19 hours ago
Enter the Virus

Federal Court Invalidates Major Aspects of DOL’s Rule, Expanding FFCRA to More Workers

In March 2020, Congress enacted the Families First Coronavirus Response Act (FFCRA), which provided emergency paid sick leave (EPSL) ... 12 hours ago
COVID + Leave

- COVID leaves under FFCRA
  - Hot topics
    - More employees expected to take advantage of COVID-related leave this fall
      - Your employees' kids may not be going back to school for quite some time
    - Those employees can access expanded FMLA rights
  - How will you fill in the gaps?
    - Temporary appointments
    - Floating subs
    - Other solutions?
COVID + Leave

- COVID leaves under FFCRA
  - Hot topics
    - Employees don’t feel safe coming back to work
      - Underlying medical condition
      - High risk
      - May have disability
Do you use the **red** folder system to administer leave?
COVID + ACA
Penalties are coming.

Most errors hinge on changes in status.

• Did you lose the person responsible for ACA reporting?
• Did you see more retirees?
• What about layoffs, furloughs, reductions in hours?
New Rules

• Do you have more people on COBRA?
• Did your employees get coverage from the Marketplace?
• Did you make changes to your S125 plan?
Chaos + Increased Enforcement = Reporting Disaster

• Further Complication
  • New Codes

• Knowing What We Don’t Know
  • Deadline extension?
  • Good faith effort?
Develop Winning Communications
CORONAVIRUS

I GUESS WE'RE ABOUT TO FIND OUT WHICH MEETINGS COULD HAVE BEEN EMAILS AFTER ALL
Group Meetings In Person

• Challenging/potentially impossible with safety measures
• Pretty stale
• Sadly, not easily replaced by email
Now is the time to experiment

• Virtual calls/Zoom
• Videos
• Infographics
• Podcasts
Key Messages

Key messages are the foundation on which all of your communications are built.
Your communications should be:

• Strategic
• Targeted
• Concise
• Compelling
Strategic

• MUST align with your overall organizational goals.

• Should reflect organizational values
Targeted

- Tailored to audience
- Relevant to their interests
- Flexible
- Varied in depth of information
Compelling

• Communications should contain meaningful information that prompts your employees to act.
• Use clear and understandable language to prompt employees to consider new information, adopt new practices, or make other changes.
Effective communication in action

• Digestible chunks
  • Low doses
• Multiple formats
• Repetition
Consider:

- What is my key message?
- What portion of my workforce am I communicating to?
- Is this key message relevant to them, and is the communication method effective for them?
- Did I use strong visuals to impart my key messages?
- Could I reduce the number of word without losing any critical data?
- Have I presented this key message in a diverse range of media?
AFcomply®

Tracking and Reporting Made Easier

• Consulting Team Provides
  • Initial session to review ACA requirements and your specific needs;
  • Training and ongoing support on the AFcomply® system;
  • Assistance and support in understanding data needs and retrieving required data for various reporting and filings;
  • Expert guidance tailored to the unique needs of the workplace; and
  • Hands-on support throughout the year, to assist with any questions you may have.
Penalty Risk Assessment

• Online questionnaire designed to identify areas of potential risk of penalty related to workforce changes, offers of coverage and affordability considerations.

• Results based on completed answers delivered via email in an easy to understand graphic.

• Brief discussion to answer any questions related to results and to identify potential resources needed.

• bit.ly/penaltyriskassessment
Questions?

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