

Safe and Sound for the Holidays



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This holiday season, nonprofits face conditions unlike any other year. Along with traditional year-end stresses, many face employee relations questions that include nuanced issues related to staff *and* mission safety. The NRMCC team wants to support you as you serve and support your community, whether it's the county or town in which you're based or an international community extending your reach around the globe. We offer the following tips to help your team and your mission stay safe and sound during the holiday season.

Note: Please understand that the issues discussed below can raise complex issues and this article is not meant to be legal advice. You should consult with experienced legal counsel before you implement any new policies and procedures related to COVID.



Staying Safe & Sound for the Holidays

Don't Tiptoe Around Travel

Exercise equality. Employers may ask staff to disclose travel plans, require COVID tests for returning team members, and request a self-quarantine period after travel. Apply expectations evenly to team members at all levels.

Know before you go! Share resources with staff about COVID related travel advisories.

Flexibility for festive flyers. Encourage self-quarantining for staff when returning home from out-of-area travel and offer flexible leave for employees with on-site responsibilities.

Temperature Checks? Proceed with Caution

Temperature screenings are a **fallible system** that can provide a **false sense of security**.

Temperature screenings are a **medical exam & subject to the ADA** and other regulations.

If you are not required to conduct temperature checks consider this 3-step screening:

1. Ask employees to **self-screen for COVID-19 symptoms daily**.
2. **Don't penalize staff for self-reporting!** Thank them.
3. Stay up-to-speed on current notification protocols.

Keep Holiday Health Top of Mind

Offer, don't ask. Leaders can use time during touch-base meetings to share personal accounts that may help erase the stigma of admitting struggles with anxiety and depression.

Focus on the positive. Take time to remind staff of how far we've come; let that momentum carry your nonprofit through the winter.



Anticipate Reluctance about the Return to Work

Look in the mirror. Thoroughly examine positions and their duties and responsibilities. Is on-site presence a preference or a necessity?

Understand why. Engage in a candid conversation. Understanding 'why' can arm leaders with important information.

Anchor with compassion. If separation is necessary, treat departing employees with gentleness, caring, and compassion.

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Nonprofit Risk Management Center
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Don't Tiptoe around Travel

Year-end and the holidays are typical travel-heavy times. While nonprofit boards often convene to discuss and approve next year's budget and plans, many employees make plans to visit friends and family to re-connect and celebrate. Despite continuing bans on business-related travel, some staff are likely planning to infuse their holidays with frequent flyer festivities. Instead of invoking envy and warm congratulations, hearing of a colleague's travel plans may raise fear and worry. What can, and should, nonprofit leaders do to ensure the safety of their workplaces when team members *choose* to travel?

❄️ Don't Tiptoe Around Travel ❄️

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- **Exercise equality.** Employers may ask staff to disclose travel plans, require COVID tests for returning team members, and request a self-quarantine period after travel. If you do so, however, it's essential that these expectations apply to *all* team members. Do your policies indeed apply to everyone? Is anyone—including your CEO or Chief Development Officer—given a 'pass'? When that happens, it sends a terrible, dispiriting message to the frontline staff and middle managers who bring your mission to life. Despite the sign in your lobby or slogan on your website, does rank or status in your nonprofit matter when it comes to rules and expectations? It *should not matter* when it comes to human resource policies and practices that guard the health and safety of your people. It is a best practice to follow policies uniformly and respect the guidance of CDC, state, and local public health agencies regarding restrictions on specific destinations (or "hot spots").
- **Know before you go!** Consider adding resources to your employee portals, shared drives, or online team boards that catalog state requirements for travelers. For example, share information on whether tests or self-quarantines are required when arriving at your destination or when you return home.
- **Flexibility for festive flyers.** Let employees know that you encourage self-quarantining when returning home from any out-of-area travel. If employees worked on-site before traveling and their regular duties

are “remote-friendly,” be sure that travelers know that they should work from home during a 10-14-day isolation period. For team members whose roles require on-site and in-person contact with colleagues and clients, offer flexible leave. And if you do, make sure you’re offering that flexibility to junior—as well as senior—members of the team.

Resources:

[CDC Travel Planner](#)

[American Red Cross: Coronavirus: Planning Holiday Travel? Here’s What to Know](#)

Temperature Checks: Proceed with Caution, if at all



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If you are not required to conduct temperature checks consider this 3-step screening:

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3. Stay up-to-speed on current notification protocols.

A low-grade fever has been one of the key symptoms of the novel coronavirus. Therefore, you might be tempted to institute workplace screenings for employees working in-person at on-site locations. Some states recommend the practice of temperature checks for staff members. However, temperature screenings are a fallible system that can provide a false sense of security. Some individuals who have a fever *won't* have COVID-19, and some individuals who don't have a fever *are positive* for COVID-19.

Instituting organization-wide temperature checks requires more planning than simply purchasing an infrared forehead thermometer! Checking an employee's temperature is a 'medical examination,' and the information derived from the exam is 'protected health information.' Make sure you have a plan to guard the protected health information of team members *before conducting any medical examinations*, including checking temperatures.

Did you know that the ADA requires all medical information about an employee be stored separately from the employee's personnel file? As a reminder, it is a best practice to consult with legal counsel regarding whether to conduct on-site health screenings and request their guidance—specific to your nonprofit's circumstances—on protecting staff privacy in the process.

If you have not been advised or are not required to conduct temperature checks, consider this 3-step alternative approach with staff whose duties require them to be on-site.

1. First, ask employees to **self-screen for COVID-19 symptoms**. Explain that you're counting on each

team member to do this—and stay home if they have symptoms of the virus—in order to guard the well-being of your entire team.

2. Next, **do not penalize staff who self-report that they have COVID-19 symptoms**; thank them for doing the right thing to protect others by staying home.
3. Finally, **make sure you are up-to-speed on current notification protocols**. For example, the current, recently revised CDC definition of close contact for the coronavirus is “someone who was within 6 feet of an infected person for at least 15 minutes starting from 2 days before illness onset (or, for asymptomatic clients, 2 days prior to positive specimen collection) until the time the patient is isolated.” If an employee tests positive, you should inform persons who were within close contact of the employee—per the above definition—that they should quarantine for 14 days before returning to work. It is not necessary to reveal the name of the person who has tested positive.

Resources:

[EEOC – “What You Should Know About COVID-19...”](#)

[Frequently Asked Questions about COVID-19, updated December 2, 2020.](#)

Anticipate Reluctance about the Return to Work

Early in the pandemic, many organizations shuttered their office doors and shifted as many employees to remote work as possible. However, as time has progressed, organizations have been able to reopen and resume services. In some cases, nonprofit leaders have been met with pushback from employees regarding return-to-work policies.

It’s important to keep in mind that some positions are well suited for remote work, while others require staff to be present on-location. For jobs whose duties don’t translate to a virtual setting, where hands-on tasks are essential, in the absence of an employment contract or collective bargaining agreement that deems otherwise, most organizations are well within their legal rights to terminate staff members who refuse to return to work. When a situation like this presents, it is difficult and disheartening. However, leaders should strive to balance the safety of their nonprofit’s mission and compassion for team members’ trepidation.



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- **Look in the mirror.** When facing reluctance to return, an important step is to take a second look at the position and its duties and responsibilities. Can the work be done remotely, or is it the manager's preference that team members be on site? If the work can be done effectively on a remote basis, consider permitting the reluctant employee to remain safely at home.
- **Understand why.** When employees are reluctant to return to work, it's important to engage in a candid conversation about *why*. Understanding why a team member doesn't want to return to work can arm leaders with important information. When anxiety and fear are present, these emotions can often be assuaged by educating staff about precautions and steps that the organization has taken to keep the team, clients, and visitors safe. Listening to staff's concerns may uncover extenuating circumstances, and you may be able to reach an agreement on a safe and practical alternative to the original plan.
- **Anchor with compassion.** If the time comes that you must exercise your right to end an employee's relationship with your organization because of their unwillingness to return to a physical work location, remember to anchor your conversation with compassion. Treat any departing employee with the gentleness, caring, and understanding you would want to receive under similar circumstances.

Resource:

[EEOC's Q&A Technical Assistance](#)

Keep Holiday Health Top of Mind

Holiday travel and communing with friends and family are often a welcome relief or natural stress relievers. As we enter the season of "togetherness," everyone will be grappling with the necessity of being apart for the health and safety of loved ones. An important reminder to nonprofit leaders is that this devastating fact will affect everyone, some more than others. And some of your staff may be terribly impacted by the reality of losing a loved one to COVID-19 or another cause. Support during this holiday season is essential!



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- **Offer, don't ask.** Struggling team members might not feel comfortable talking about their mental health or mixed emotions around the holidays. Consider using time at the beginning or end of a touch-base meeting to share your own struggles and remind staff of your organization's resources for employees in need. The connection with your personal story will help to eliminate the stigma often felt regarding depression and anxiety.
- **Focus on the positive.** Seven months ago, many organizations wondered how they would weather this storm. Take time to remind staff how far we've come, the accomplishments we've made, and use that momentum to carry your nonprofit through the winter.

Melanie Herman is the Executive Director, and Whitney Thomey is a Project Manager at the Nonprofit Risk Management Center. Melanie and Whitney welcome your questions and feedback about staying safe and sound during the holidays at Melanie@nonprofitrisk.org, Whitney@nonprofitrisk.org, or 703.777.3504.