DON'T LET THE CORONAVIRUS

KILL YOUR JOB:

SURVIVAL GUIDE FOR EMPLOYEES

WENZELFENTONCABASSA P.A.

Employee Rights Attorneys

YOU HAVE RIGHTS

WENZEL FENTON CABASSA, P.A. NEVER STOPS FIGHTING FOR EMPLOYEE RIGHTS.

We are a technology driven law firm and we are fully operational remotely to help protect Florida employees. We have assembled this survival guide to provide you vital information on the various issues you may be facing as an employee during this critical time.

We wish you and your family well, and we want you to know we are here if you need us.

DON'T LET THE CORONAVRUS KILL YOUR JOB:
YOU HAVE RIGHTS

The Coronavirus (COVID-19) pandemic has changed the world as we know it, both at home and in the workplace. To protect employees during this national crisis Congress passed the Families First Coronavirus Response Act ("FFCRA"), which takes effect April 2, 2020.

It requires most employers to provide employees with expanded family and medical leave as a result of the COVID-19 epidemic. An employer may not fire or discipline an employee who takes paid sick leave under the new law. Employers who violate the FFCRA are liable for back pay, liquidated damages equal to the amount of back pay, and attorneys' fees and costs.

What rights do I have under the FFCRA?

Generally speaking, the FFCRA requires that private employers with less than 500 employees must provide the following to employees:

- Two weeks of expanded family and medical leave, at the employee's regular rate of pay, where the employee is unable to work because the employee is quarantined and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
- Two weeks of expanded family and medical leave, at two-thirds the employee's regular rate of pay, because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine, or to care for a child whose school is closed; and,
- Up to an additional 10 weeks of expanded family and medical leave at two-thirds the employee's regular rate of pay where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school is closed.

What private employers are "covered" and must follow the FFCRA?

All private employers with fewer than 500 employees must follow the new law. Small businesses with fewer than 50 employees may qualify for an exemption to the FFCRA.

What public employers must follow the FFCRA?

As explained by the Department of Labor, "most employees of the federal government are covered by Title II of the Family and Medical Leave Act, which was not amended by the FFCRA, and are therefore not covered by the expanded family and medical leave provisions of the FFCRA. However, federal employees covered by Title II of the Family and Medical Leave Act are covered by the paid sick leave provision."

Are all employees of private employers covered by the FFCRA eligible?

- Generally speaking, yes. Provided, however, that employers with over 500 employees are not presently covered by the FFCRA.

Do I have to give my employer notice?

You should try. When leave under the FFCRA is "foreseeable", employees should give advanced notice; and,
Once leave is taken under the FFCRA, employers are permitted to require employees to follow "reasonable notice procedures" in order to continue receiving protection under the FFCRA.

What specific Coronavirus-related reasons qualify as a reason for leave under the FFCRA?

- If the employee is caring for a child whose school or place of care is closed;A government quarantine or isolation order related to the Coronavirus;
- A "health care provider" has told an employee to self-quarantine for reasons related to the Coronavirus;
- An employee is experiencing Coronavirus symptoms and is seeking a medical diagnosis;
- An employee is caring for an individual subject to a government quarantine or isolation order;
- An employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

HOW IS MY PAY CALCULATED
WHEN I'M ON LEAVE UNDER FFCRA?

- Employees whose leave is related to caring for a child whose school or place of care is closed are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to $200 per day and $12,000 in the aggregate over a 12-week period;

- Under most other FFCRA leave scenarios unrelated to school closings, employees taking leave under the FCRA are entitled to pay at either their regular rate or the applicable minimum wage, whichever is higher, up to $511 per day and $5,110 in the aggregate over a 2-week period;

- Other scenarios (but also unrelated to school closings) allow for employees taking leave are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to $200 per day and $2,000 in the aggregate over a 2-week period.

Once the FFCRA goes into effect on April 2, 2020, if you think your rights under the FFCRA have been violated, call us immediately for a free consultation.

FLORIDA PRIVATE WHISTLEBLOWER'S ACT

WHAT PROTECTIONS DO FLORIDA WORKERS HAVE?

What protections do Florida workers have for objecting to, or refusing to participate in unsafe working conditions in violation of a law, rule, or regulation? What if your employer fails to comply with the new Families First Coronavirus Response Act ("FFCRA")? The Florida Private Whistleblower's Act, § 448.102, Florida Statutes ("FPWA") is one such protection provided to Florida employees.

The FPWA protects employees against retaliation for engaging in certain protected behavior and states the following:

An employer may not take any retaliatory personnel action against an employee because the employee has:

1. Disclosed, or threatened to disclose, to any appropriate governmental agency, under oath, in writing, an activity, policy, or practice of the employer that is in violation of a law, rule, or regulation. However, this subsection does not apply unless the employee has, in writing, brought the activity, policy, or practice to the attention of a supervisor or the employer and has afforded the employer a reasonable opportunity to correct the activity, policy, or practice.
2. Provided information to, or testified before, any appropriate governmental agency, person, or entity conducting an investigation, hearing, or inquiry into an alleged violation of a law, rule, or regulation by the employer.
3. Objected to, or refused to participate in, any activity, policy, or practice of the employer which is in violation of a law, rule, or regulation.

§ 448.102, Fla. Stat.

What qualifies as a law, rule, or regulation under the FWPA

You may be wondering what exactly qualifies as a law, rule, or regulation under the FPWA. A "law rule or regulation" includes any statute or ordinance or any rule or regulation adopted pursuant to any federal, state, or local statute or ordinance applicable to the employer and pertaining to the business." § 448.101(4), Fla. Stat.

The William-Steiger Occupational Safety and Health Act of 1970 ("OSHA") is of particular importance in light of the Coronavirus ("COVID-19") pandemic. OSHA was created "to

assure…every working man and woman in the nation safe and healthful working conditions…" 29 U.S.C. § 651(b). While there are no specific OSHA standards that explicitly address COVID-19, there are other regulations that could apply to employers as a result of the COVID-19 outbreak.

For example, you may find that your employer is failing to comply with OSHA regulations concerning personal protective equipment. In certain situations, OSHA requires that "[p]rotective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, shall be provided, used, and maintained in a sanitary and reliable condition wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact." 29 C.F.R. § 1910.132. Additionally, you may find that your employer is forcing you to work in unsafe working conditions. Pursuant to the General Duty Clause, OSHA requires that employers "furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees." 29 U.S.C. § 654(a)(1).

Also, the new FFCRA, effective April 2, 2020, provides certain protections to employees who need leave as a result of the COVID-19 outbreak, as outlined in a previous section of this eBook. You may find that your employer is failing to comply with the FFCRA – if you object to this violation, and are terminated as a result, you would be protected as a whistleblower.

These are just a few examples of violations that may arise from the COVID-19 crisis, and is not intended to be an exhaustive list of issues that employees may face in the workplace. If you have been terminated after engaging in any protected activity outlined in the FPWA, you may be entitled to damages.

CONCERTED ACTIVITY

PUBLIC HEALTH OFFICIALS HAVE CALLED ON ALL AMERICANS TO WORK TOGETHER AS A COMMUNITY TO RESPOND TO THE CORONAVIRUS (COVID-19) PANDEMIC.

Public Health officials have called on all Americans to work together as a community to respond to the Coronavirus (COVID-19) pandemic. Public officials have made difficult decisions requiring non-essential persons to "shelter at home." But many employees are called on to report to work under conditions which present health and safety concerns.

Under the National Labor Relations Act (NLRA), nonsupervisory employees in unionized and non-unionized settings may have the right to refuse to work in conditions they believe to be unsafe. The NLRA is a federal law administered by the National Labor Relations Board. Covered employees are protected under this law if they engage in "concerted activity for the mutual aid and protection of coworkers" whether or not they are represented by a union.

What conduct is protected?

Specifically, the NLRA protects an employee from retaliation for engaging in "concerted activity" that is taken for "mutual aid or protection." Conduct is "concerted" under the NLRA if it is engaged in "with or on the authority of other employees" (i.e. two or more) and "not solely by and on behalf of the employee himself," "where individual employees seek to initiate or to induce or to prepare for group action," or when "individual employees bring truly group complaints to the attention of management." Concerns expressed by an individual employee "which are the logical outgrowth of concerns expressed by a group" may also be concerted.

Conduct is for "mutual aid or protection" when the employees are seeking "to improve terms and conditions of

employment or otherwise improve their lot as employees." Thus, a refusal by two or more employees to accept an assignment based on a safety-related fear related to COVID-19 may be protected concerted activity. Remember though that under the NLRA, the refusal must be reasonable and based on a good faith belief that working conditions are unsafe. To refuse to work, non-union employees should have a "reasonable, good-faith belief" that working under certain conditions would not be safe. Notably, the NLRA protects employees if they are "honestly mistaken." There is a separate analysis under Section 502 of the NLRA for unionized employees. In that context, a concerted refusal to work over safety concerns is protected if the assignment is "abnormally dangerous." Unionized employees must have a "good faith belief" supported by "ascertainable" and "objective evidence" that there is an "abnormally dangerous" working condition. Refusal to work in this context is protected, even if there is a "no strike" clause in the relevant collective bargaining agreement and such employees may not be permanently replaced. Another potential issue arises when a single employee refuses to accept an assignment purportedly because he or she is fearful about exposure to COVID-19. In such a case, there may be an argument that this does not involve concerted activity. Single employee conduct may be deemed concerted if it is determined that employee is forward a group complaint.

Examples of concerted activity

When employees band together (or an employee speaks up on behalf and with the consent of others) and:

- Refuse to work without masks.
- Request permission to wear masks even if company policy prohibits the use of masks in the workplace
- Refuse to work unless their workspaces or work environment is sanitized, particularly if someone in the workplace has been sick or symptomatic of the COVID-19 virus.
- Refuse to work with co-workers who appear to be sick or with co-workers who refuse to wash their hands or otherwise observe social distancing guidelines
- Refuse to work in positions where they come into contact with the public and the public fails to adhere to social distancing guidelines, such as distancing in line, and the employer fails to take steps to enforce the restrictions.
- Protests over other employees being sent home without pay, or in violation of the law (including the newly passed Families First Coronavirus Response Act ("FFCRA")

WHO IS PROTECTED UNDER THE NLRA?

The NLRA does not cover the following employees:

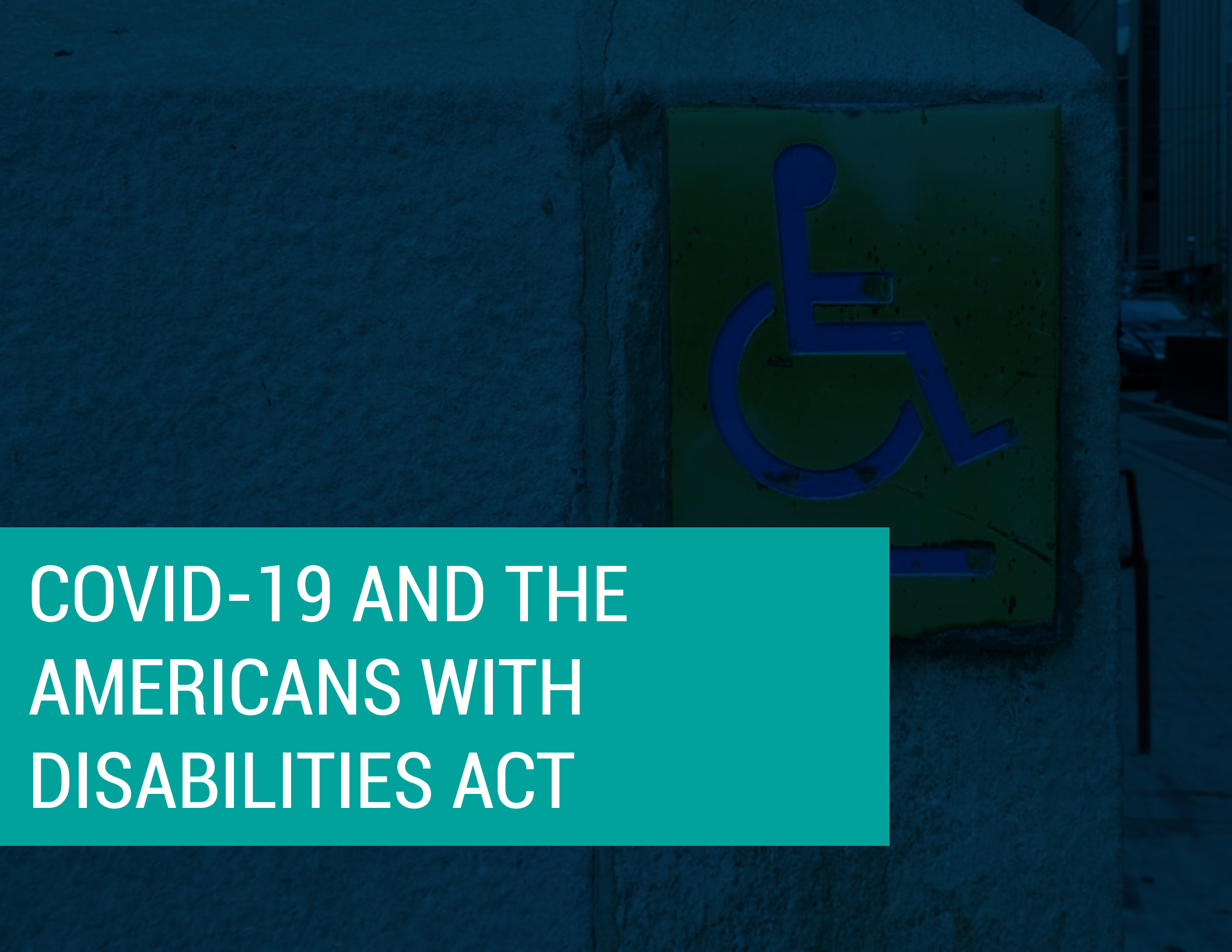
- Agricultural workers
- Domestic Servants
- Any individual employed by his parent or spouse
- Independent contractors
- Supervisors
- Employees employed by an employer subject to the Railway Labor Act
- Most government employees

The NLRA covers most private employers but does not extend to most government employers or employer's subject to the Railway Labor Act.

What are your remedies for a violation of the NLRA?

The Employer may be ordered to reinstate you to your prior position if you have been terminated. You may be awarded back pay, lost benefits and other costs as part of a "make whole remedy."

If you believe you have been disciplined, terminated or otherwise suffered an adverse employment action as a result of your concerted activity related to your terms and conditions of employment, we encourage you to contact us to discuss your rights.



COVID-19 AND THE AMERICANS WITH DISABILITIES ACT

THE AMERICANS WITH DISABILITIES ACT (ADA) IS A BROAD LAW PASSED IN 1990 THAT PROTECTS THE CIVIL RIGHTS OF PEOPLE WITH DISABILITIES.

An employer's ADA responsibilities to individuals with disabilities continue during a pandemic. For times like these, it's important to highlight the ADA's protections for employees which cover:

1. Requiring reasonable accommodations for employees with disabilities;
2. Excluding people with disabilities from the workplace for health and safety reasons; and
3. Disability-related inquiries and medical examinations.

Who does the ADA protect during a pandemic?

First, to be covered, an individual must have a qualified disability. Being "disabled" under the ADA means that you have an illness that substantially limits one or more major life activities, such as caring for oneself, performing manual tasks, breathing, and other activities that could be affected if you have COVID – 19. Temporary conditions like COVID – 19 may, in some cases, be considered a disability under the ADA if it substantially limits one or more major life activities. Additionally, if an employer "regards" an employee with COVID-19 as being disabled, the ADA may apply.

Other medical conditions, such as autoimmune disorders, cancer treatment, or pulmonary and respiratory diseases, which substantially limit one or more major life activities, will also trigger the ADA's coverage. And while the employee may not have needed an accommodation before, the employee may need to telework or restrict their travel.

The ADA's "association" provision protects employees from discrimination based on their known relationship or association with a person with a disability. While the ADA does not require an employer to make accommodations for an employee to care for someone with a disability, it does prevent the employer from treating employees differently due to their association with a disabled person.

Can I ask to work from home?

The EEOC's "Pandemic Preparedness in the Workplace & the Americans with Disabilities Act" states, "In addition, employees with disabilities that put them at high risk for complications of pandemic influenza may request telework as a reasonable accommodation to reduce their chances of infection during a pandemic."

A "reasonable accommodation" is a change in the work environment that allows an individual with a disability to have an equal opportunity to apply for a job, perform a job's essential functions, or enjoy equal benefits and privileges of employment.

If you have a disability that makes you high-risk for COVID-19, you may want to request the ability to work from home as a reasonable accommodation or to refrain from travelling to locations or gatherings where the risk is greater. Furthermore, for severe cases of COVID-19 that substantially limit one or more major life activities, an employee may want to request an ADA-protected leave of absence in order to care for themselves.

Your employer could deny the request if it would be an "undue hardship," such that the accommodation creates significant difficulty or expense for the employer, taking into account the nature and cost of the accommodation, the resources available to the employer, and the operation of the employer's business.

Can my employer require me to stay home?

> *"Based on guidance of the CDC and public health authorities as of March 2020, the COVID-19 pandemic meets the direct threat standard. The CDC and public health authorities have acknowledged community spread of COVID-19 in the United States and have issued precautions to slow the spread, such as significant restrictions on public gatherings. In addition, numerous state and local authorities have issued closure orders for businesses, entertainment and sport venues, and schools in order to avoid bringing people together in close quarters due to the risk of contagion. These facts manifestly support a finding that a significant risk of substantial harm would be posed by having someone with COVID-19, or symptoms of it, present in the workplace at the current time. At such time as the CDC and state/local public health authorities revise their assessment of the spread and severity of COVID-19, that could*

affect whether a direct threat still exists."

– from the Equal Employment Opportunity Commission's "Pandemic Preparedness in the Workplace & the Americans with Disabilities Act".

A "direct threat" is "a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation." Due to the above statement from the EEOC, employers may have sufficient objective information to reasonably conclude that employees will face a direct threat if they contract COVID-19.

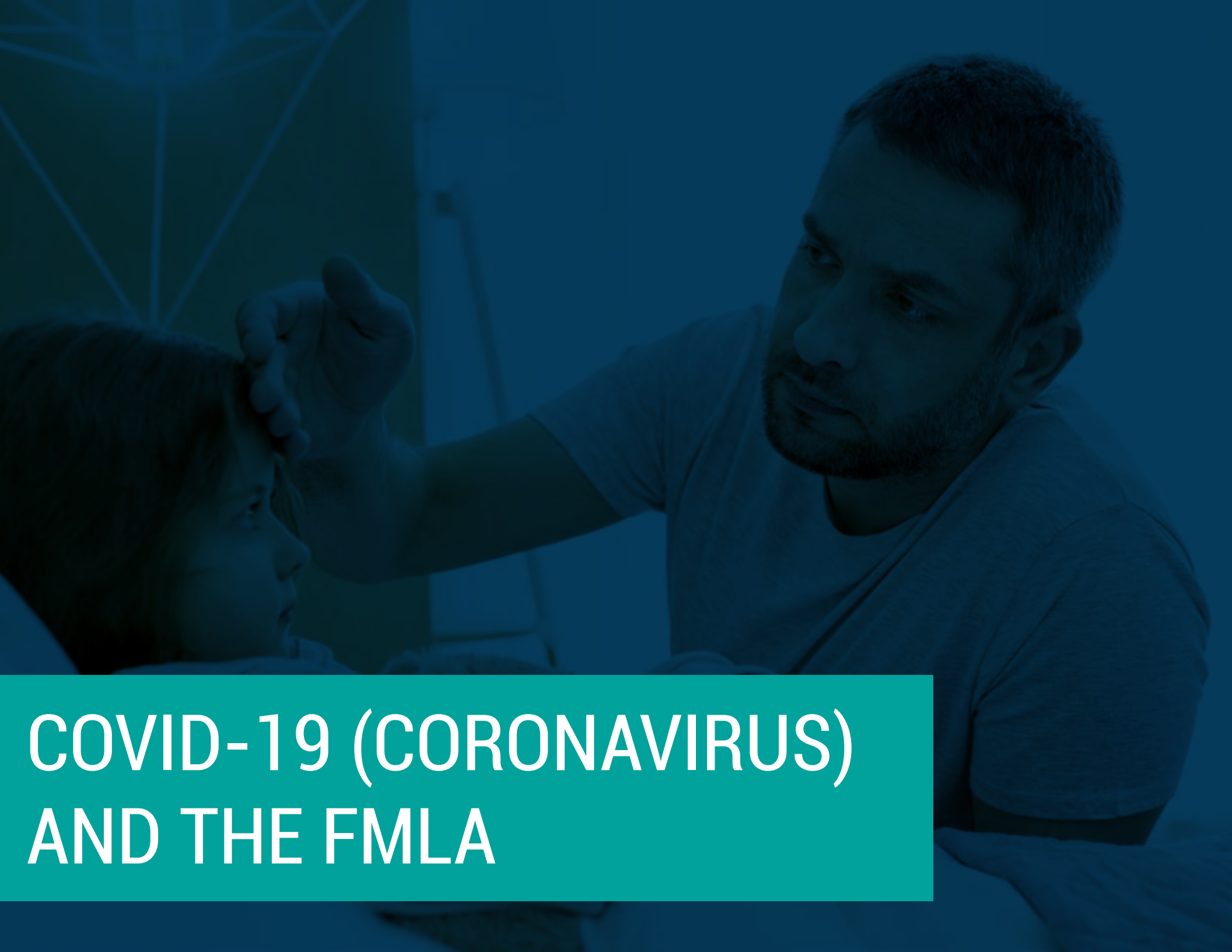
Can my employer screen me for COVID-19 symptoms?

To begin with, employers must maintain all information about employee illness as a confidential medical record in compliance with the ADA.

If you are applying for a job, your employer may do so only after making a conditional job offer, as long as it does so for all entering employees in the same type of job.
If you are currently employed, the ADA prohibits your employer from making disability-related inquiries or medical examinations unless they are job-related and consistent with business necessity. The employer may do so if they have a reasonable belief, based on objective evidence, that:

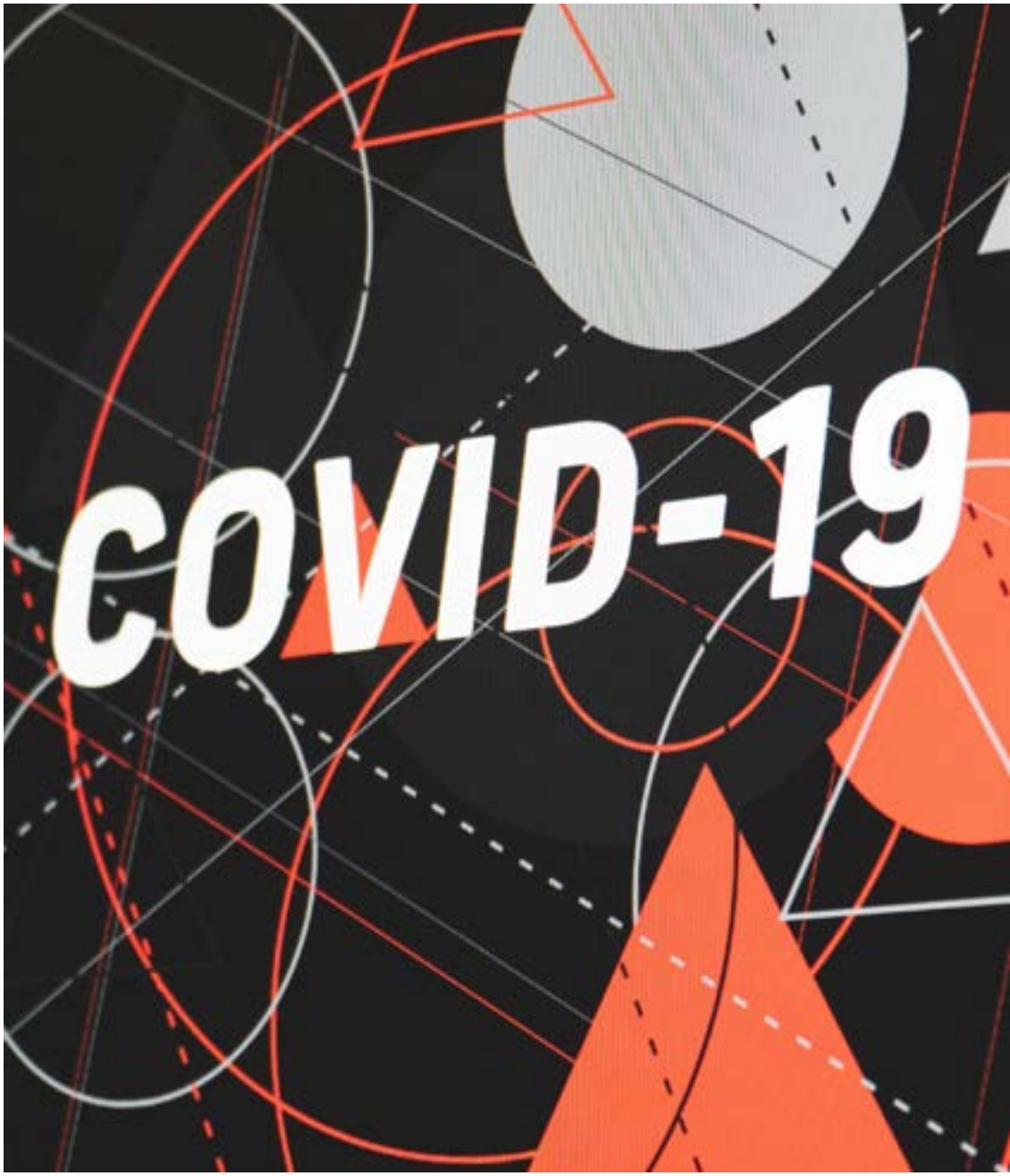
1. An employee's ability to perform essential job functions will be impaired by a medical condition; or
2. An employee will pose a direct threat due to a medical condition.

If you are returning from work after having COVID-19, such inquiries would likely be permissible because they would not be disability-related or, if severe and substantially-limiting, the inquiry would be justified under the ADA standards for disability-related inquiries of employees.



COVID-19 (CORONAVIRUS) AND THE FMLA

WITH THE CORONAVIRUS PANDEMIC AFFECTING OUR LIVES MORE AND MORE EACH DAY, THE NEED TO TAKE LEAVE FROM WORK MAY BECOME NECESSARY.



Not all leave from work protects your job, even if you are sick. Below is an overview of the Family and Medical Leave Act ("FMLA") as it may relate to the needs of employees during the Coronavirus pandemic.

The FMLA entitles eligible employees to take up to 12 weeks of unpaid, job-protected leave in a designated 12-month leave year for specified family and medical reasons. During the leave period, your health benefits must be maintained as if you were still working, but if you were paying premiums each month, you will need to continue to pay them while you are out. Your employer cannot stop you from taking this time, and you can't be fired for using it. Additionally, your employer is required to offer you the same or equivalent position when you return from leave.

What are the eligibility requirements to take FMLA leave?

Employees are eligible to take FMLA leave if they work for a covered employer and:

- have worked for their employer for at least 12 months;
- have at least 1,250 hours of service over the previous 12 months; and
- work at a location where at least 50 employees are employed by the employer within 75 miles.

A covered employer includes:

- public agencies, including government employers and public schools; and
- private sector employers who employ 50 or more employees for at least 20 workweeks in the current or preceding calendar year.

When can I use leave under the FMLA?

You can take FMLA for:

- for the birth and care of a newborn child;
- for adoption or foster care placement;
- to care for an immediate family member (spouse, child, or parent) with a "serious health condition;" or
- when you are unable to work because of your own "serious health condition."

What is a serious health condition?

Basically, an illness that:

- requires an overnight stay in a hospital or medical facility;
- incapacitates you or family member for more than three consecutive days and involves continuing medical treatment;
- is chronic and results in incapacitation that requires treatment at least twice a year;
- results in periods of incapacity due to either a chronic serious health condition (such as asthma or diabetes);
- results in periods of incapacity due to a condition for which treatment might not be effective (such as Alzheimer's or stroke); or
- requires absences to receive multiple treatments for a condition that would likely result in incapacity for more than three consecutive days if left untreated (such as chemotherapy, physical therapy, and dialysis).

Does Coronavirus qualify as a serious medical condition under the FMLA?

It depends. If you become infected or are caring for an infected family member you may be entitled to leave under the FMLA. Whether Coronavirus qualifies as a serious medical condition under the FMLA will depend on how it affects the individual who contracts the virus based on the factors above. If you or an infected family member are hospitalized or incapacitated for three consecutive days with

continuing medical treatment then it will likely be considered a serious medical condition. However, if you contract Coronavirus, but do not have any symptoms or have only minor cold-like symptoms, it will likely not be a serious medical condition that will entitle you to leave under the FMLA. If you do test positive for the virus, you should immediately notify your employer, and if you are terminated or

discriminated against in any way because of the positive diagnosis, contact us immediately for a free consultation because you could have rights under other statutes, including the Americans with Disabilities Act and the Families First Coronavirus Response Act. See our e-books with guidance under those Acts HERE.

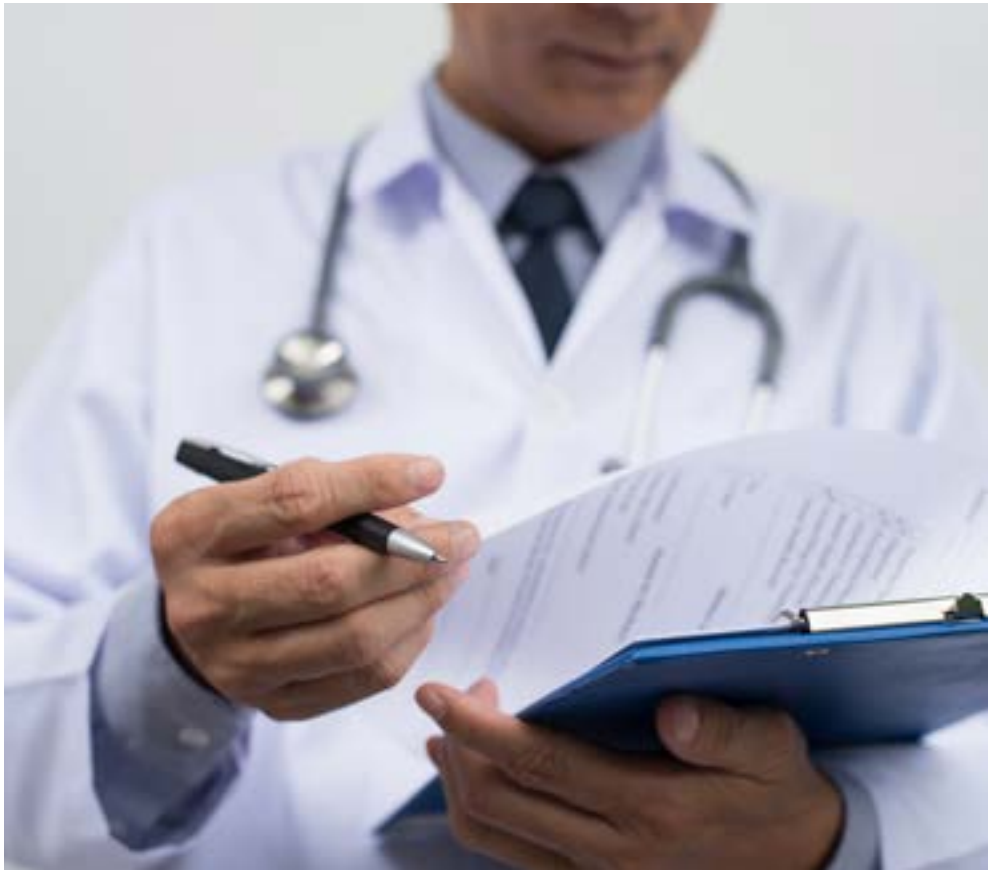
Will I have protected leave under the FMLA if I stay home from work to avoid getting Coronavirus?

No. Employees are generally not entitled to take FMLA to stay at home to avoid getting sick, and this prohibition would likely extend to preventative efforts like quarantine. Leave taken by an employee for the purpose of avoiding possible exposure to the virus would not be protected under the FMLA. However, the Department of Labor Wage and Hour Division has encouraged employers to encourage sick employees and those who have been exposed to Coronavirus to remain at home and consider adopting flexible leave policies for employees in those circumstances.

Am I entitled to paid leave because I have Coronavirus, have been exposed to a family member with Coronavirus, or am caring for a family member with influenza?

No. If you are approved for a leave that is covered by the FMLA you are not entitled to be paid during that time. However, while the FMLA does not mandate paid leave, the statute allows the employee to elect to use accrued paid leave or vacation time – and an employer may require the

employee to first use that paid leave/vacation time to cover some or all of the FMLA leave taken. To protect employees during this pandemic, though, Congress has recently passed the Families First Coronavirus Response Act, which takes effect April 2, 2020. Our discussion of this new legislation is included in a prior section of this eBook.



Can my employer require me to provide a doctor's note before returning to work?

Likely, yes. For FMLA-covered leave, the employer may have a uniformly-applied policy or practice that requires all similarly-situated employees to obtain and present certification from the employee's health care provider that the employee is able to resume work. Employers are required to notify employees in advance if the employer will require a fitness-for-duty certification to return to work. If a fitness for duty certification is properly requested and you fail to submit one, your employer may postpone your return until it is submitted. If you never provide one, you may be fired. Again, the Wage and Hour Division has pointed out to employers that during a pandemic, healthcare resources may be overwhelmed and it may be difficult for employees to get appointments with doctors or other health care providers to verify they are well or no longer contagious. The Division has encouraged employers to be flexible on this requirement, so if this situation arises for you, remain in contact with your employer regarding the difficulties in obtaining the certification.

May I take FMLA leave to care for my children whose school or childcare facility has closed?

No. The FMLA does not currently apply to private employees who take off from work to care for healthy children whose schools have closed. The Wage and Hour Division has again encouraged employers to be flexible, though.

To protect employees during this pandemic, though, Congress has recently passed the Families First Coronavirus Response Act, which takes effect April 2, 2020. Please see our e-book with guidance on your rights under this Act HERE.

MINIMUM WAGE AND OVERTIME UNDER THE FAIR LABOR STANDARDS ACT

PANDEMIC OR NOT, EMPLOYEES ARE STILL ENTITLED TO BE PAID MINIMUM WAGE AND OVERTIME UNDER THE FAIR LABOR STANDARDS ACT

While the Coronavirus pandemic requires all Americans to work together, make sacrifices, and otherwise make adjustments for the common good, it is not an opportunity for an employer to cheat the system. One such area where an opportunistic employer may seek to bend the rules is in its compliance with the Fair Labor Standards Act ("FLSA").

Employees should review the U.S. Department of Labor – Wage and Hour Division's guidance on Pandemic Flu and the Fair Labor Standards Act. Generally, how much and whether an employee's compensation can be impacted by a reduction in work hours depends on their classification as an exempt or non-exempt employee. These classifications are discussed in great detail in our eBook UNDERSTANDING OVERTIME, MINIMUM WAGE AND UNPAID WAGES.

THE FAIR LABOR STANDARDS ACT

Non-exempt employees

Non-exempt employees must be paid at least the minimum wage and are entitled to overtime pay. Non-exempt employees only have to be paid for the time they actually work. Thus, a non-exempt employee may be sent home during a pandemic without performing any work and not be paid for the time they would otherwise have worked.

However, employers must compensate non-exempt employees who perform work, wherever that work is performed. Accordingly, if a non-exempt employee is required to work from home, they must be paid for all hours worked. The Department of Labor ('DOL") has warned that the pandemic is not an excuse for not abiding by minimum-wage rules, stating that "employers must pay at least the minimum wage for all hours worked."

Exempt employees

Employees who are properly classified as exempt under the FLSA (not all of them are, many employers misclassify employees in order to avoid paying overtime) are not entitled to overtime as long as they are paid on a salary basis. Generally, if an exempt employee performs any work during a week, he or she must also be paid the full week's salary. If an employer makes improper deductions from an exempt employee's salary, it may result in declassification of the exempt status, entitling the employee to overtime.

However, if an exempt employee misses work during a pandemic, an employer may deduct from the employee's salary for:

- Full-day absences for sickness or disability, pursuant to the employer's sick leave policy, plan, or practice of providing compensation for salary loss caused by illness or disability.

- Full-day absences for personal reasons other than sickness or disability.
- Full-day or partial-day absences taken as unpaid leave under the Family and Medical Leave Act.

However, an employer may not deduct from the employee's salary for:

- Absences due to sickness or disability when the employer does not have a sick leave policy. However, if the employee misses the entire workweek, the employer does not need to pay the employee for the week missed from work.
- Absences occasioned by the employer or by the operating requirement of the business, e.g., if the employer closes the workplace because of the pandemic. However, employers can require their employees to use accrued vacation or PTO for the days they are required to stay home and may require the exempt employees to make up lost work time.

Reimbursing Remote Employee Expenses

Some employers are paying business expenses related to telework, such as for Internet access, new computers, additional phone lines or even teleworkers' increased electricity use. Regarding these costs, the DOL said that "employers may not require employees who are covered by the FLSA to pay or reimburse the employer for such items that are business expenses if doing so reduces the employee's earnings below the required minimum wage or overtime compensation." Instead, non-exempt employees must receive the required minimum wage and overtime pay "free and clear."

Tracking Remote Employee Hours

"Employers are encouraged to work with their employees to establish hours of work for employees who telework and a mechanism for recording each teleworking employee's hours of work," according to the DOL.

CONCLUSION

Most employers will try to abide by the law during the pandemic; employees are encouraged to cooperate in good faith with their employers to help the business, and themselves, make it through the pandemic. However, there will always be some employers who try to cut corners or take advantage of this moment to shortchange their employees on the wages they are due.

If your employer has failed to pay you in accordance with the FLSA, there are statutory penalties that allow you to recover twice the amount you should have been paid.

ABOUT THE FIRM

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At Wenzel Fenton Cabassa, P.A., we represent workers wronged by their employers. We strive to get to know each client's unique circumstances, and we advise them on the best course of action. Our objective is to secure justice for our clients and to hold their employers accountable.

At our firm, our attorneys have decades of experience representing employees, so we are uniquely positioned to advise you on the best course of action, whether you've been fired or you're facing problems in your current job.

At Wenzel Fenton Cabassa, P.A., we know that hard work doesn't always get rewarded and that employees are often abused or taken advantage of by their employers. Our firm handles cases involving employment discrimination and harassment, whistle-blowing, civil rights, wrongful termination, the Family Medical Leave Act (FMLA), wage and overtime disputes, workers compensation issues, contract disputes, severance-related issues, EEOC mediations, government investigations, and violations of non-compete and trade secret agreements, among others.

We offer a free initial consultation, during which we will listen to your employment-related issues and discuss the steps we can take to resolve them.

CALL US TODAY FOR A FREE CONSULTATION AT

813-579-2483

OR VISIT US AT

WWW.WENZELFENTON.COM

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Employee Rights Attorneys