

# COVID-19 Employee Layoff Special Consideration Checklist

Before you proceed with employee layoffs or terminations as a result of the current COVID-19 crisis, below is a list of items you will need to consider and discuss in detail with your trusted Apex Benefits team.

- CONSIDER WHICH TYPE OF LEAVE BEST FITS YOUR SITUATION**
  - **Furlough** – a temporary, alternative solution to layoffs (fewer hours, unpaid time off)
  - **Layoff** – a temporary separation of an employee from payroll
  - **Reduction in Force** – position elimination
  
- DETERMINE WARN ACT APPLICABILITY (i.e. groups with 100 or more FTEs)**
  
- EVALUATE IMPACT OF FLSA PAY RULES (Vacation Time, PTO, etc.)**
  
- CONSIDER RELAXED UNEMPLOYMENT ELIGIBILITY QUALIFIERS**
  
- ANALYZE ABILITY TO MAINTAIN OR NEED TO TERMINATE MEDICAL COVERAGE**
  - Consider relaxing eligibility criteria
  - Evaluate plan amendments to reduce cost
  - Determine early termination implications to employees and the plan
  - Impact to ACA eligibility in subsequent years
  - Assess COBRA eligibility triggers and premium subsidizing opportunities
  
- ANALYZE ABILITY TO MAINTAIN OR NEED TO TERMINATE OTHER HEALTH AND WELFARE BENEFITS**
  - Consider relaxing eligibility criteria
  - Review portability/conversion options
  - Determine early termination implications to employees and the plan
  - Review Waiver of Premium
  - Consider amending definition of disability

