

# COVID-19 LABOR LAW FAQs

## Can my employer force me to work from home?

Yes

## Can my employer cut my hours?

Yes, an employer can require you to work less hours, more hours, or hours outside of your typical schedule.

## Can my employer advance me PTO and require me to use it?

Yes. Additionally, if you are advanced PTO/vacation and are paid for it then choose to leave the company before you have earned the advance, the employer could make a deduction from your wages in order to recoup the advance.

## Can my employer require me to use PTO/vacation/sick leave?

Yes, an employer can dictate when you have to use leave. An employer can also deny the use of leave.

## If I am laid off does that mean I am guaranteed my job back at some point?

No. Nebraska is an employment at will state. Both the employer and employee can terminate employment at any time without notice.

## Can my employer pick and choose who to lay off/send home?

Yes, as long as there is no discrimination based on a protected class (race, color, national origin, religion, sex (including pregnancy), disability, marital status, or age).

## Can my employer send me home if I've been sneezing/coughing?

Yes

## Can my employer require to me to go to the doctor and not return until I have a note?

Yes

## Does my employer have to pay me if I've been sent home?

No. Your employer is only required to pay you for the time in which you are working. If you are salary exempt employee we recommend contacting the USDOL as the answer may be different for you.

## Can my employer check my temperature at work?

Yes. Typically, there are ADA protections in place that would not allow employers to check employee's temperatures because it is considered part of a medical examination. However, the ADA has guidance on requirements when we are in a pandemic. When a pandemic is declared employers may measure employees temperatures without violating ADA guidelines.