

August 2020

## Resources

### Navigating the Minefield of Legal Challenges as Employees Return to Work

Employers face a host of potential legal pitfalls as businesses that were closed in response to the COVID-19 pandemic reopen and new virus hotspots continue to emerge across the country. As guidance from state and federal agencies continues to evolve, it is important for employers to develop a plan to address both the legal and practical considerations for safely returning employees to work.

This article was authored by [Amy Jordan Wilkes](#).

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### Was the Health Care Provider Exception in the Families First Coronavirus Response Act Just Struck Down?

On August 3, 2020, a district court judge for the Southern District of New York issued an opinion striking down certain portions of the Department of Labor's Final Rule interpreting the Families First Coronavirus Response Act ("FFCRA").

This article was authored by [Matt Scully](#) and [Caroline Page](#).

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## Employee Payroll Tax Deferral—What Could Go Wrong?

In March, Congress passed the CARES Act to aid businesses and individuals. One CARES Act relief provision offered the deferral of certain payroll taxes. In particular, Section 2302 provides that employers may defer the deposit and payment of the employer's portion of the Social Security taxes arising between March 27, 2020, and December 31, 2020 (the "Employer Deferral"). Any deferred taxes are repaid over the following 2-year period. The CARES Act failed to offer similar deferrals for the employee portion of Social Security taxes.

This article was authored by [Allen Sullivan](#) and [Christian Borek](#).

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## Take 5 Immigration Podcast - Episode 7: Proclamations

[Episode 7](#) of the "Take 5" Immigration Podcast focuses on one of the Proclamations that deals with travel bans into the U.S. for individuals physically present in certain countries for a 14 day period immediately before they attempt U.S. entry.

The podcast is hosted by Burr partner [Melissa Azallion](#), from the firm's Hilton Head Island office.

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Webinar: Burr Morning Show Friday, August 28 9:00 CST/  
10:00 EST

Do you have questions surrounding COVID-19 employment issues? [Submit your questions](#) and chat with our attorneys as we host a virtual Q&A session.

For more information and to register, click [here](#). Attendees are encouraged to submit their questions by Thursday, August 27th to [Katie Berry](#).

Whether related to business operations, your employees, or potential legal implications, our team can help provide solutions and counsel with perspective from a wide range of legal service areas from food and beverage, health care, and cybersecurity to immigration, labor and employment and insurance coverage.

Stay up to date with the latest COVID-19 resources on our [CORONAVIRUS RESOURCE CENTER](#).

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## Firm News

### Jim Gilliam Speaking at the German American Chambers of Commerce's Top 10 Policy Update Considerations Panel

Join Burr & Forman's [Jim Gilliam](#) as he discusses the top 10 questions regarding policies that employers should consider when conducting policy reviews and updates to organizational policies and procedures. Attendees will also learn about any updates to laws amid COVID-19 that employers should know and understand and how these might apply to their current policies and procedures.

[Register](#)

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### James Roberts Named a Finalist for the Chambers Diversity & Inclusion Awards

Birmingham associate [James Roberts](#) has been selected as a finalist for the

Future Leaders category in the Chambers Diversity & Inclusion Awards for North America. His recognition for this award celebrates the achievements that he has made as a diversity and inclusion pioneer for the legal profession. Finalists were judged by the D&I team, United States and Canadian editors.

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## Jim Gilliam Appointed to the South Carolina Chamber of Commerce Human Resources Committee

Greenville partner [Jim Gilliam](#) was recently appointed to serve on the Human Resources Committee for the South Carolina Chamber of Commerce. The Human Resources Committee meets bi-monthly to offer input and guidance to both the Legislative Agenda Task Force and Chamber staff on all legislative matters relating to human resources. The Committee advises leadership with ways to develop and implement positive employee relations through policies and programs with HR.

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## Headlines

[Judge Rules Against Trump Move to Restrict Coronavirus Sick Leave](#)

(Source: *Reuters*, 2020-08-03)

[Report Finds Top 10 Workplace Injuries Cost Firms \\$1B Per Week](#)

(Source: *CFO Daily News*, 2020-08-14)

[Some H-1B Visa Rules Relaxed for Those Returning to Same Jobs](#)

(Source: *NDTV*, 2020-08-13)

[ADA May Require Employers to Accommodate Workers on Opioids](#)

(Source: *HR Dive*, 2020-08-12)

[Companies Cutting Out Office Space as Employees Work from Home](#)

(Source: *Reuters*, 2020-07-22)

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## Burr & Forman Coronavirus ("COVID-19") Resource Center



Burr & Forman is dedicated to serving as your trusted business partner to advise and address the unique challenges your industries are now faced with. Whether related to business operations, your employees, or potential legal implications, our team can help provide solutions and counsel with perspective from a wide range of legal service areas from food and beverage, health care, and cybersecurity to immigration, labor and employment and insurance coverage. We have created this [Coronavirus Resource Center](#) to update you on the latest legal issues surrounding the evolving COVID-19 crisis.



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