



HR Director's Report February 7, 2022

Dear Board of Directors:

Staffing:

New Hires – December – January 25

Family Development – 6 (2-Home Visitors; 2-Floaters; 1- Substitute; 1-Assistant Teacher)

Turnover – December – January 25 - average of 117 employees including substitutes and youth.

Terminations in the months of December – January 25:

Family Development – 5 (2-Home Visitors; 1-Substitute; 1-Teacher's Aide; 1-Assistant Teacher)

Administration – 2 (Executive Director; Payroll Specialist);

Vacancies –

Family Development – as of 1/21/2022

<i>Center</i>	<i>Open Position(s)</i>	<i>Date of Vacancy</i>	<i>Interviewing</i>	<i>Offered</i>	<i>Paper-work</i>	<i>Date In Process</i>	<i>Start Date</i>
RIVER	HS Floater Teachers Aide	12/1/21	X				
	EHS Floater Teachers Aide	12/1/21	X				
	Family Adv Long Term Temp	4/16/21	No	Applicants			
	Mental Health Counselor	4/16/21	No	Applicants			
	EHS Assistant Teacher	1/24/22	X				
	EHS Assistant Teacher	1/10/22	X				
	Family Advocate	1/20/22					
	Home Based Visitor	12/9/21	X				
	Long-Term Sub Lead Teacher		No	Applicants			
CAMB	Home Based Visitor	12/8/21	X				
	EHS Assistant Teacher	10/18/21	No	Applicants			
	HS Floater Teacher's Aide	7/14/20	No	Applicants			
	Temp Center Aide	9/14/21	No	Applicants			
	HS Teachers Aide	8/19/21	No	Applicants			
	HS Lead Teacher	12/24/20	No	Applicants			
DIX	Home Based Visitor (52)	12/24/21	X				
	Home Based Visitor (52)	1/17/22	X				
	Home Based Visitor (44)	10/17/21	X				
	Temp Center Aide	9/30/21	X				
	HS Assistant Teacher	8/30/21	X				
	Specialized Sub – HV		X				
GRAN	HS Teacher	7/28/21	No	Applicants			
WH	EHS Lead Teacher	11/3/21	No	Applicants			
Admin	Ass't Dir of Ctr Svcs & Educ	1/4/22	X	X	X	1/24/22	

Career & Family Services – as of 1/25/22 Employment Counselor/Workshop Facilitator, Community CARES Coordinator

Administration – as of 1/25/22 Executive Director, Payroll Specialist

Paid Family Leave –0

FMLA – 5

Disability – 1

Workers Comp – 0

HR Latest News:

1. New York State's Eviction Moratorium Has Expired, BS&K, January 18, 2022

Background

New York State—the state with the highest share of renters in the United States—allowed its eviction moratorium to expire on January 15. State officials enacted the Tenant Safe Harbor Act (TSHA) at the beginning of the COVID-19 pandemic and repeatedly extended it to the point where it became the second longest statewide moratorium in the nation. The National Equity Atlas estimates that approximately 591,000 households in New York State are behind on rent. Now that the moratorium has officially expired, many landlords who have been unable to evict holdover tenants or tenants for nonpayment of rent, and, as a result, have lost substantial amounts of rental income during the pandemic, are looking to once again exercise their rights that have been placed on hold for nearly two years.

The Tenant Safe Harbor Act

Under the TSHA, any eviction proceeding against a tenant for the non-payment of rent or for holding over was stayed until Jan. 15, 2022 if the tenant submitted a COVID-19 hardship declaration form. Initially, the submission of this hardship declaration form served as conclusive, irrebuttable proof that the tenant suffered from an economic hardship imposed by the pandemic. However, the United States Supreme Court held that such conclusiveness raised unconstitutional implications for the due process rights of landlords, which forced New York State to amend the TSHA to permit landlords to contest a tenant's assertion of hardship during a hearing.

Under the amended TSHA, a landlord could evict a tenant despite the tenant's submission of a completed hardship declaration form if the landlord established: (1) that the tenant was intentionally causing significant damage to the property or engaging in persistent and unreasonable behavior that infringed on the use and enjoyment of other tenants; or (2) that the tenant's purported hardship did not exist. These limited grounds for eviction often failed in practice to provide landlords with the relief that they often sought. However, now that the TSHA's eviction moratorium has expired, landlords no longer need to resort to the narrow confines of the TSHA's limited grounds.

What Should You Do Now?

If you are a landlord or represent a landlord who attempted to evict a tenant during the moratorium, and that tenant submitted a completed hardship declaration form, you likely received an adjourned, *tentative* hearing date for Jan. 18, 2022—the first business day following the moratorium's then-anticipated expiration date of January 15.

Now that January 15 has passed and the moratorium has officially expired, you likely will be contacted by the court in which your eviction petition is pending for the scheduling of your actual hearing date. We expect that such scheduling will occur chronologically, beginning with the landlords who filed their petitions earliest during the moratorium period. We recommend that if you do not hear from the court in the upcoming days, you call the clerk's office to determine the status of your hearing.

Watch for Future Developments

As the recently seated Gov. Kathy Hochul finds herself caught between the competing pressures of landlord groups and a progressive caucus of the State legislature, it is unclear how the future legal landscape in New York will develop regarding the rights of tenants and landlords. In 2019 and 2021, the State legislature tried but failed to enact "good cause eviction" requirements. A good cause eviction law would limit the range of reasons for which landlords could evict tenants. Efforts to pass this form of legislation will likely be undertaken again this year. While Gov. Hochul has not disclosed her position on these types of requirements, the COVID-19 pandemic has placed a new spotlight on the State's landlord-tenant laws, and the expiration of the eviction moratorium places new pressure for action on elected officials in Albany. This is an area of law that will be closely watched throughout the new year.

2. 5 HR Trends to Monitor in 2022

Many human resources (HR) functions were quickly reimagined in 2021 due to the COVID-19 pandemic, and HR professionals should continue to expect new challenges in 2022. Here are five HR trends to monitor this upcoming year:

1. **Hybrid Workplace Sustainability** Most workplace leaders expect that at least some of their employees will work remotely after the pandemic. As such, many employers will factor in hybrid work when creating or updating workplace policies and processes.
2. **Attraction and Retention Amid Labor Shortages** The current labor shortage has been an obstacle for most employers and is likely to continue into the new year. Generally, employees are seeking opportunities that offer better compensation, benefits and flexible work arrangements.
3. **Investments in HR Technology** In 2022, many employers will integrate technology into more HR processes or build upon their existing practices. Technologies are being used to create efficiencies and improve processes, such as recruitment, onboarding, and learning and development.
4. **Growing Demand for New Skillsets** Desired skillsets vary by organization and industry, but many employers are pursuing high-level digital and communications skills for potential and current employees.
5. **Employee Health and Well-being** Employee health and well-being will remain a top concern and priority for both employers and employees. Caregiving, mental health and adjusting to remote work will likely remain top challenges.

Employer Takeaway As the pandemic evolves, employers will need to innovate and stay on top of trends to meet the needs of employees.

3. EEOC Issues New Guidance on COVID-19 and ADA Disability

Recently, the Equal Employment Opportunity Commission (EEOC) issued new answers to frequently asked questions (FAQs) about what employers may or may not do to comply with federal fair employment laws during the COVID-19 pandemic. The new FAQs specifically address the definition of “disability” and how to determine whether an individual with COVID-19 meets it under the Americans with Disabilities Act (ADA).

ADA and COVID-19 Background Under the ADA, employers with 15 or more employees may face liability if they take certain adverse employment actions against individuals who have been diagnosed with or are believed to have COVID-19. The ADA also requires these employers to provide reasonable accommodations for individuals with disabilities, including any related to COVID-19.

Three-Part Definition

The EEOC’s new FAQs clarify that COVID-19 may qualify an individual for ADA protection based on “actual” disability, a “record of” disability or being “regarded as” having a disability. Employers must perform an individualized assessment to determine whether a specific employee’s COVID-19 meets any of these definitions. Disability Types COVID-19 is an actual disability if it is a physical or mental impairment that “substantially limits one or more major life activities.” The FAQs provide examples of situations in which an individual with COVID-19 would (and would not) meet this definition.

Respectfully submitted,
Mary Jarvis-Caro