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# RISK ADVISOR

Spring/Summer 2020 Edition

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# An Update on Operations during COVID-19:



Corcoran & Havlin has entered a new chapter in servicing our clients. No one knows how long this chapter will be, but rest assured Corcoran & Havlin is positioned to remain fully operational. Each of our three offices currently have a select number of employees coming into the office each day, while the remainder work remotely.

We hope you and your family stay safe & healthy!

Sincerely,  
The Corcoran & Havlin Team

## PLEASE NOTE:

- **In-person meetings are currently by appointment only**
- **Please contact your Account Manager if you wish to visit any of our offices.**
- **Facemasks are required for any in-office appointments.**

Adhering to these guidelines and requirements will help us keep each other safe during these unprecedented times.

Thank you in advance for your anticipated cooperation.

## Screening Employee Temperatures Upon Return to Work

By **Brian Foley** Director of Employee Benefits

The coronavirus pandemic has upended nearly every industry and has every employer wondering, "When will it be safe to bring employees back to work?" Government guidance can shift rapidly, sometimes within the same week. Shelter-in-place orders have been extended by some officials, with others questioning why restrictions are still in place.

With all this uncertainty, many employers are wondering how they can protect their employees once they're allowed to return to work. Even if the government gives the OK to return, that doesn't ensure the coronavirus won't continue to spread. This is causing many employers to consider taking employee temperatures as a precaution upon returning to work.

This article features guidance primarily from the Equal Employment Opportunity Commission (EEOC) to help employers navigate potential concerns related to taking employee temperatures.

### When may an ADA-covered employer take the body temperature of employees during the COVID-19 pandemic?

Generally, measuring an employee's body temperature is a medical examination. Because the Centers for Disease Control and Prevention (CDC) and state/local health authorities have acknowledged community spreading of COVID-19 and issued precautions, employers may measure employees' body temperature. However, employers should be aware that some people with COVID-19 do not have a fever.

### May an employer take an applicant's temperature as part of a post-offer, pre-employment medical exam?

Yes. Any medical exams are permitted after an employer has made a conditional offer of employment.

### May an employer store in existing medical files information it obtains related to COVID-19, including the results of taking an employee's temperature or the employee's self-identification as having this disease, or must the employer create a new medical file system solely for this information?

The ADA requires that all medical information about a particular employee be stored separately from the employee's personnel file, thus limiting access to this confidential information. An employer may store all medical information related to COVID-19 in existing medical files. This includes an employee's statement that they have the disease or suspect they have the disease, or the employer's notes or other documentation from questioning an employee about symptoms.

**As government stay-at-home orders and other restrictions are modified or lifted in your area, how will employers know what steps they can take consistent with the ADA to screen employees for COVID-19 when entering the workplace?**

The ADA permits employers to make disability-related inquiries and conduct medical exams if job-related and consistent with business necessity. Inquiries and reliable medical exams meet this standard if it is necessary to exclude employees with a medical condition that would

pose a direct threat to health or safety. Direct threat is to be determined based on the best available objective medical evidence. The guidance from the CDC or

other public health authorities is such evidence. Therefore, employers will be acting consistently with the ADA as long as any screening implemented is consistent with advice from the CDC and public health authorities for that type of workplace at that time. For example, this may include continuing to take temperatures of everyone entering the workplace and asking questions about symptoms (or requiring self-reporting). Similarly, the CDC recently posted information on return by certain types of critical workers.

Employers should make sure not to engage in unlawful disparate treatment based on protected characteristics in decisions related to screening and exclusion.

### If an employer requires all employees to have a daily temperature check before entering the workplace, may the employer maintain a log of the results?

Yes. The employer needs to maintain the confidentiality of this information.

### Best Practices for Implementing Temperature Testing:

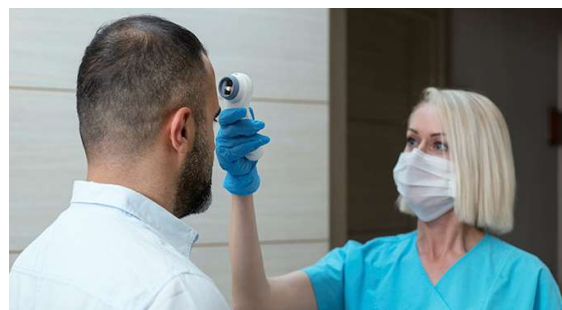
If an employer decides to conduct employee temperature testing, they should be sure to comply with all official rules including, but not limited to, the ADA and Title VII of the Civil Rights Act.

Here are some other tips to keep in mind:

- Communicate the plan to take employee temperatures well in advance and explain why.
- Be sure employees understand the implications of such a test (i.e., a high temperature means being sent home).
- Have a set temperature threshold and stick to it. For instance, 100.4 F is the CDC's measurement of a fever. Employers should consider using that as the threshold for when to bar an employee from entering the workplace.
- Consider using no-touch thermometers to avoid spreading illness.
- Ideally, employers will utilize properly trained medical staff or facilitators to administer the temperature checks.
- Make sure the temperature checking stations are far enough from the workplace entrance and have proper social distancing setups (e.g., a waiting area where individuals are no closer than 6 feet together).
- Maintain proper disinfecting procedures at the testing station and within the workplace as a whole.

The coronavirus pandemic, like every other hardship, will eventually pass. Together, we can implement strategies to create a safe and productive workplace for employees to return to.

*Please contact the Director of our Employee Benefits Division, **Brian Foley**, to learn more about our HR and Benefits services.*



**HEALTH FIRST**



**COVID-19 ALERT**

**MANDATORY TEMPERATURE SCREENING STATION**

# Beware of Scams – Now More Than Ever

The fear of the coronavirus, in addition to financial uncertainty makes us especially vulnerable to scams. People are scared and looking for ways to protect their loved ones, not get sick, and keep their money safe. Unfortunately, there are a plethora of con artists out there who are looking to capitalize on our fear.

The Federal Trade Commission (FTC) has warned the public that, in addition to the usual scams, some popular tactics right now are the use of robo-calls, scams regarding treatments & cures, and collections for fake charities.

Anyone can fall victim to these malicious schemes, however senior citizens are especially susceptible to these attacks, and are actually often targeted by criminals.

## ROBO-CALLS:

The use of robo-calls is nothing new for scammers – they've been used for years. However, they're now taking advantage of the pandemic to swindle you out of money & information. They may try to gain your bank account number, trick you into buying gift cards, or attempt to obtain personal information, such as your social security number from you. If you receive a call like this, don't give any information. As soon as you hear a recording, hang up the phone.

Some Examples:

• **Social Security Administration:** "During these difficult times we regret to inform you we must immediately suspend your social immediately due to suspicious behavior."

• **Medicare testing scam:** "Thank you for calling the coronavirus hotline. Because of the limited testing, we are first taking Medicare members - will this test be for you, or you and your spouse?"

• **Small business scam:** "If you are a small business affected by coronavirus press "1" to be sure your google listing is being correctly displayed during these difficult times."

**"This is a prime opportunity for hackers to exploit fear, isolation and uncertainty for their own gain."**

– Tom Kellermann (Head Cybersecurity Strategist at VMware's Carbon Black)

## FAKE TREATMENTS & CURES

The FTC and U.S. Food and Drug Administration (FDA) have warned the public to be on alert for any company claiming to have a treatment or cure for coronavirus. They have sent warning letters to seven companies that are allegedly selling unapproved products which may violate federal law by making deceptive, scientifically unsupported claims about their ability to treat coronavirus. These companies are advertising products that will treat or prevent coronavirus, including teas, oils and colloidal silver.

Don't buy into these false claims. Don't purchase or promote anything with assertions to treat or prevent coronavirus. The FDA has stated at this time there are no approved vaccines, drugs, or investigational products available to treat or prevent the virus.

## FAKE CHARITIES

In times of need, like those currently, during the coronavirus, many legitimate charities work to aid those who need help. Unfortunately there are just as many fake charities that will pop up at the same time. They use the same tools & resources that legitimate charities use, including legitimate-appearing websites, emails, phone calls, etc. They often will use names that sound similar to real charities.



Before you ever give any money to anyone – be sure to do your own research. Know where your money is going. There are websites where you can verify the charity, such as: Charity Navigator, CharityWatch and the Better Business Bureau's Wise Giving Alliance. Keep in mind - real charities will never push you to immediately send money. If a "charity" asks that you send money via wire transfer, gift cards or will only accept cash, immediately disengage – this is a red flag. Valid charities will take credit cards or checks - both which are safer methods of payment.

## FAKE EMAILS, TEXTS AND PHISHING:

Like robo-calls, scammers have always used fake emails (or texts) to get you to share valuable personal information (bank account numbers, Social Security numbers, passwords, etc.). They then use this information to steal money, and in some cases, your identity! The e-mails can appear to come from anyone - someone you know, a familiar company, or an expert with important information about the coronavirus. Through these phishing emails, they are able to gain access to your computer and network. This problem has become so prominent, that many banks have posted disclaimers on their websites about these scams & instructed people to not give out that information.



As a rule of thumb, you should never click on any links or open any attachments sent to you by a person or company that you don't know. Clicking on these items allows the scammers to install programs onto your computer that can lock you out of your data and steal your information. Be aware of who sent the e-mail. Oftentimes hackers will use e-mails that seem close to a legitimate one, but have some sort of spelling or other error (ex. John-Smith@CitizensBaank.com – there are 2 l's in citizen & 2 a's in bank). If you notice an e-mail has a sender with an address that looks 'off' to you, delete it.

# Is Your Business Prepared for a Power Outage?

By **John Browne** Vice President

Power interruptions whether short term or prolonged can have a negative impact on business owners. Blackouts from hurricanes, winter storms, site accidents, blown transformers, human or mechanical failure can result in loss of earnings, ruined perishables, loss of data and loss of process control equipment.

What can you do to prepare for or minimize such losses?

## Create a Business Continuity Plan

- Identify items that must be covered during an outage
- Identify key functions that must be covered to keep your business going
- Identify key employees that will staff key functions above
- Identify risk to perishable and raw materials. What will spoil? How long do you have before perishables need to be thrown away?
- Create backup systems for data at an offsite location. Create procedures so that key employees can access work and data remotely
- Document daily tasks that must continue during a shut down and cross train key employees to perform those tasks
- Will your phone system work during an outage? Document how to update your phone system to forward calls to a different location in case of emergency and document how to change voice messages to alert customers of your electrical outage.

## Work with your insurance agent to purchase Business Interruption Insurance, which covers:

- Profits that would have been earned had the interruption not occurred
- Continuing expenses to keep operating during outage such as salaries, rent and utilities
- *Note: Business Interruption insurance purchases should be broadened to include losses off premises utility/electric disruptions*

## Install surge protective devices

## Purchase, rent or make arrangements to have access to a backup generator

Careful pre-planning is the key to successfully reducing risk to your business caused by a power interruption. Take steps today to protect your assets from adverse effects or power interruptions that could happen at any time of the day, night or year.



# Registry News: What's Essential?

To adhere to Governor Baker's plan to safely reopen Massachusetts (in response to the COVID-19 pandemic), the only transactions that will be processed at Service Centers are those that the RMV considers "essential."

Effective May 20, 2020, all first-time registrations and registration reactivations are considered "essential". Registration renewals are still considered "non-essential" because they can be processed online or by mail.

## Non-Essential Transactions:

- Obtaining a REAL ID, unless part of a new Mass ID issuance or out of state transfer of a driver's license/ID
- Any transaction that can be completed online or by mail



*PLEASE NOTE: While accurate to the best of our knowledge at the time of publication, information is constantly changing! For the latest information, please check the RMV's official webpage.*

## Essential Transactions:

- Obtaining a commercial driver's license or commercial learner's permit to assist with the supply chain during the State of Emergency declaration
- All first-time registrations and registration reactivations
- Transferring your license or registration from another state for residency requirements
- If you need to complete "essential" transactions, you are required to make an online reservation. Customers that arrive without an appointment will be asked to leave and make an appointment online to return at a future date.



Due to a shortage of 2022 embedded decal stock, **mailings are delayed for Certificates of Registration that were renewed online, by phone, or by mail beginning on 5/22/20.**

All registrations expiring March through June have been extended until July 31. Law enforcement has been notified of these extensions, so you should not be cited for an expired decal.

Additional decal stock is expected by mid-June, and the RMV will then process the registrations.

# Agency News



Corcoran & Havlin's **Mark Sawyer** (L) and **Brian Foley** (R) were recently awarded the **President's Circle Award**, in recognition of achieving the highest level of new business production within the entire Cross Insurance network of insurance agencies.

Congrats Mark & Brian!



**C&H's website** was recently totally revamped! The new design allows for many exciting features, including:

- Request a Quote
- Request a Certificate
  - Contact Us
- Claims Reporting Info

Visit our site today to check it out!



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We recently welcomed **Deidre Kittredge** as our new **Commercial Lines Risk Placement Director**. Deidre has fourteen years of Commercial Lines experience all on the agency side and has managed accounts in a diverse range of business segments including social service, manufacturing, technology, healthcare and construction. While she has spent the majority of her career in New England, she has recently relocated back to the area, after from Nashville, TN. Deidre holds the Certified Insurance Counselor (CIC) and Certified Risk Manager (CRM) designations. We are excited to welcome her aboard.



**Kathy Wright** has recently joined us as our new **Bookkeeper/Administrative Manager**. With her, she brings over thirty years of experience in the insurance industry, most recently dealing with Risk Placement Services. Starting in 1993 as the assistant to the Controller at Castle Insurance (who was acquired by RPS), she was eventually promoted to the Area VP of Operations, where she dealt with accounting, and managing the office. Though she's a lifelong Somerville resident (born, raised & residing in), she enjoys the occasional escape from city life at her home in Bethel, Maine.



Also new to our team is **Nicole Sawitz**, who joined the **Benefits department** this June. Prior to joining Corcoran & Havlin, Nicole worked in customer service & account management for various firms, including a general insurance agent and an information technology company. A native of Needham, MA, she graduated from Goucher College in Baltimore, MD, and then returned to her beloved Boston. Currently, Nicole resides with her husband and two cats in Worcester, MA and she enjoys yoga, pottery, the Red Sox, and spending her summers with family and friends on the beaches of Cape Cod.



## the COMMERCIAL LINES TEAM

Catherine Aimola	Beth Esyter	Rob Mattson
John Browne	Tamara Georgacopoulos	Gary Nagle
Mathew Darby	Tim Graham	Megan Peterson
Jeff Dee	Alan Heinlein	Vlada Potz
George Doherty	Deidre Kittredge	Mark Sawyer
Denise Donohue	Jane Loomis	Jessica Schneider
Ken Doucette	Beth McDonough	Rick Weden



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