



## COVID-19 Employer FAQs

During the COVID-19 pandemic, the Bay Area Commuter Benefits Program (Program) understands the altered state of the workplace for many employers. We have put together a list of the most common questions that we have received from employees and employers regarding compliance of the Bay Area Commuter Benefits Program during this time. If you have additional questions or require any additional assistance beyond what is provided below, please contact us at [commuterbenefits@511.org](mailto:commuterbenefits@511.org) or 510-285-3182 so that we may assist you.

**Q: Is Telework one of the Commuter Benefits Options?**

**A:** Yes, teleworking or remote work is a benefit option that we encourage employers to offer and is a great way to comply with requirements of the program during the COVID-19 pandemic. Making a teleworking schedule available to employees as a primary measure combined with two other secondary offerings as described in the Option 4 meets compliancy under Option 4A. A more robust teleworking program or a program that is unique to your employer and/or worksite can also be offered under Option 4C—a flexible option that can be approved by the Bay Area Air Quality Management District. Detailed guidance on Option 4 is available [here](#).

**Q: Can employees opt out of the program if they are not commuting to the worksite?**

**A:** Yes, an employee can choose not to participate in the employer's program. For example, employees can decide to stop payroll deductions to a pre-tax transit benefit. Dependent on how your program is administered and your employer's process, it is suggested that you document who opts out of the program. Please contact us at [commuterbenefits@511.org](mailto:commuterbenefits@511.org) or 510-285-3182 so that we may note your temporary employee count in your registration.

**Q: My company has permanently reduced its staff to below 50 full-time employees — does my company still need to comply with the ordinance?**

**A:** If your company's total number of full-time employees at all worksites in the Bay Area is less than 50, then the company is exempt from the Program requirements. A full-time employee has performed an average of at least 30 hours of work per week within the previous calendar month. Simply contact us at [commuterbenefits@511.org](mailto:commuterbenefits@511.org) or 510-285-3182 so that we may adjust your registration. Please keep in mind that your company is subject to the requirement of the program once the full-time employee count is once again 50 or more.



Q: My company has recently implemented a telework policy for a percentage of the employees. Can I change my options since we are no longer offering a pre-tax benefit?

A: Yes, we can assist you in accessing your account so that you may adjust your benefit offering to Option 4. Please contact us at [commuterbenefits@511.org](mailto:commuterbenefits@511.org) or 510-285-3182 and we can assist you in updating your company's provided benefit in the registration system.

Q: I am considering modifying our benefits to better suit the current needs of our employees. Can we create a unique commuter benefit that would qualify us under the program?

A: Yes, Option 4C gives employers the flexibility to propose an alternative commuter benefit that would be as effective in reducing single-occupancy commute trips (or vehicle emissions) as any of the three options (as determined by the Air District). This could include things like a telework or compressed work week schedule. An employer selecting Option 4C must describe its proposed benefit and explain why the proposed alternative benefit would be appropriate and effective. For more information, please see the [Option 4 guide](#).