COVID-19 EMPLOYER CHECKLIST FOR REOPENING

LEGAL OBLIGATIONS

- Check on updates to federal, state, and local mandates.
- In some states, face masks are required for employees and customers.
- Ensure all required new postings have been distributed.
- If applicable, develop rules for face mask use (by employees and onsite visitors or customers) and enforce these consistently.
- Determine if other Personal Protective Equipment is applicable and enforce consistent usage.
- Follow any industry-specific guidance from OSHA, CDC, etc.

POLICY UPDATES

- Update sick leave or PTO policies as needed, particularly for what to do if an employee tests positive for COVID-19.
- Develop an exposure response plan if an employee reports that they have contracted COVID-19.
- Update employee handbooks to address face masks, social distancing, time off, and any other changes.
- Determine what sort of business travel (if any) is allowed.
- Coordinate business travel with the destination site and ensure that your team is aware of the rules at the destination.
- Impose meeting size limitations, particularly in closed room environments.
- Develop and enforce no-contact rules for handshakes, hugging, high-fives, and so on.

BRINGING BACK YOUR EMPLOYEES

- Determine rehire procedures for bringing back employees, especially if their benefits were impacted by the time away.
- Make certain to use non-discriminatory rehire or recall processes.
- Consider allowing staggered start times, split shifts, or alternate workdays (partial reemployment, 20 hours vs. 40 hours).
- Provide employees advance notice of the return to on-site work date. Notify them as soon as possible, three to five days minimum notice is recommended.

- Document any changes to pay rates and/or work schedules. Include the basis for any changes to protect against discrimination claims.
- Determine how to handle employees who may resist or refuse to come back to work for any reason.
- Notify state unemployment offices when employees are recalled to their jobs, whether the offers are accepted or refused.
- Determine if drug testing will be required (particularly for safety sensitive positions).
- Re-verify I-9 documentation taken remotely for new hires or expired documents.
- Review and document acknowledgement of policy and procedures updates and changes with all employees, retain in employee file.

WORKPLACE LAYOUT

- Physical distancing is required in most areas. 6-foot normal, and 10-foot where there is strenuous labor, heavier breathing, or perspiration.
- Where possible, reorganize the floor plan to ensure these distances are maintained.
- Some businesses may need to restrict how many people are allowed inside the building at any time.
- Consider closing common areas (conference rooms, lunchrooms) or setting a strict schedule for use and cleaning.
- Aisles may need to be marked for traffic flow.
- Where possible, develop no-contact pickup and delivery protocols for products.
- Elevators and confined spaces should be marked for social distancing layout - limit of four persons, directing individuals to each of the four corners.
- Placement of hand sanitizer in common areas and encouraging use when touching surfaces, buttons, and dials is necessary.
- Post signage around the office outlining restrictions, cleaning protocols, distancing, etc.

SAFETY & SCREENING CONSIDERATIONS

- Remind employees not to come to work if they are sick.
- Remind employees of their FFCRA Leave rights, if/where applicable.
- Determine what type(s) of screening or testing (e.g., temperature checks) will be done and notify workers in advance.
- Consider any Wage and Hour implications if conducting screening or testing; this time must be considered to be paid working time in most jurisdictions.
- Communicate in advance the consequences of a positive test result, or of refusing to be tested.

- Take necessary steps to ensure screening or testing is done in private.
- Ensure that persons conducting the screening or testing have been trained in what to do.
- Confirm that persons conducting the screening or testing have adequate PPE and adequate sanitizing supplies.
- Ensure that screening or test results (which fall under Protected Health Information) are retained and kept confidential.
- Understand any reporting obligations to public health authorities.

CLEANING PROTOCOLS

- Make sure CDC-recommended cleaning and disinfectant protocols are followed.
- Ensure adequate and effective cleaning supplies are on hand.
- Make certain that cleaning supply locations are prominently marked and have high visibility.
- High contact areas (counters, tables) may need more frequent cleaning by employees and cleaning staff.
- Do not share desks, staplers, phones, markers, etc. where practical.
- Having cleaning supplies available for frequent cleaning of printers, copiers, and other shared equipment.
- Post clear instructions for how to clean shared equipment when needed.
- Remind employees about the importance of frequent hand washing and surface sanitizing.

OTHER

- Review whether any Benefit Plans need to be revised, amended, or reissued.
- Allow employees to telework if practical, especially those who volunteer information indicating they are in a higher-risk population.
- Consider using slow time to complete any annual training / retraining requirements.
- Be ready to address other accommodation requests from employees.
- Recognize that some employees may be fearful about returning to work.

ABOVE ALL: Keep an open door and an open mind in handling these unprecedented circumstances.