

## **White House**

The White House revealed a Three-Phase Plan to Re-open America. These are guidelines, and each state can determine best practices and plans to re-open. The plan included additional items outside of what will be addressed in this summary, as this document will focus on employers.

All employers should have policies for physical distancing, temperature checks, procedures in place in case of positive COVID-19 employees, sanitation protocols, rules governing common and high traffic areas, as well as how to manage business travel.

A full copy of the presentation from the White House can be found [here](#).

### *Phase 1*

Under this first phase, employers should continue to encourage staff to telework if possible. If the business needs to have staff work on-site, return to work plans should be put into place in phases, with only essential workers on-site. In addition, non-essential business travel should be minimized and vulnerable populations should be provided accommodations.

According to the White House, vulnerable populations include the elderly and anyone who has serious underlying health conditions, such as high blood pressure, chronic lung disease, diabetes, obesity, asthma, and compromised immune systems, such as by chemotherapy for cancer and other conditions requiring such therapy.

### *Phase 2*

As things continue to improve, employers should still encourage telework, common areas should remain closed, non-essential travel may occur more regularly, and physical distancing practices should be enforced. In addition, vulnerable populations should be provided accommodations.

### *Phase 3*

Once the third phase is entered, companies may resume with unrestricted staffing of worksites. However, physical distancing, sanitation, and other protective measures should still be in place to help protect workers.

## **Practical Steps**

Initially re-opening the workplace should be carefully reviewed and compliance with federal, state, and local ordinances and laws are required. The overview of practical steps is from a nationwide perspective, so the specifics of re-opening your organizations may differ slightly from the below. This could vary based on the work you are completing, and space limitations.

It is also important to note re-opening will not be a flip of the switch but may slowly be implemented. It is also possible that states may decide to reschedule or adjust the plans to re-open and may decide to close businesses that had just recently re-opened.

Businesses will need to operate differently post-COVID, and adjustments in policies and procedures will need to occur to comply with laws and regulations, as well as protect workers. How a business chooses to re-open can have a significant impact on the success of the organization. For these reasons, we have provided a few best practices when re-opening your business.

Before re-opening, there are several areas that need to be considered, including:

- Workplace Safety
- Policies and Procedures
- Telework
- Privacy
- Business Continuity Plans

### Workplace Safety

The CDC has provided excellent resources to help businesses as they plan to reopen. A one-sheet from the CDC can be found [here](#). A brief summary is included below:

1. **Community Mitigation:** Under these guidelines, the business needs to first consider if they are in a location with significant spread of the disease, or under orders restricting operations to critical infrastructure workers.
2. **Restriction on Non-Essential Workers:** Can the company limit employees to those from local geographic areas? If the company cannot limit employees to local locations only, the company should not fully re-open, as the spread of disease from other areas may occur.
3. **Protective Measures:** The company should have protective measures in place, specifically regarding high-risk employees. For example, can high-risk employees continue to work from home, or can they complete tasks that minimize contact with other employees and the public?

If the company can adhere to the above, the CDC recommends the company re-open with policies to govern safety and ongoing monitoring.

### *Safety*

The safety of employees should be of utmost importance to businesses. As such, the following guidelines should be followed when putting together a plan to re-open:

- Employers should promote healthy hygiene practices at their workplaces.
- Ensure businesses are ventilated and maintain strict cleaning and disinfection policies.
- Encourage physical distancing – do not require staff to attend large meetings or hold large events where physical distancing measures cannot be practiced.
- All non-essential travel should be cancelled and telework should be encouraged.
- All workspaces should be reconfigured to provide at least six feet of space between employees.
- Staff start times should be staggered to minimize contact with other employees and help practice physical distancing.
- Training on proper procedures must be provided to all staff and regularly provided to ensure compliance with safety protocols.

### *Ongoing Monitoring*

Once staff returns to work, employers should continue to take steps to ensure COVID does not return to the workplace. These protocols should include:

- Encouraging all employees who are sick to stay home – if an ill employee comes to work, the employer may require them to go home.
- Establish daily employee health checks.

- Monitor absenteeism and adapt flexible attendance policies.
- Create action plan if employee has symptoms, or is diagnosed with, COVID-19.
- Create and regularly test emergency communication protocols.
- Establish communication strategies with state and local authorities.

Per the CDC, if the above items can be met, it is recommended the business begins the re-opening process.

In addition to the above, OSHA issued best practices to encourage safety of workers from COVID-19. The full guidance can be found [here](#).

Some general guidelines all employers can follow are below:

- Practice physical distancing.
- Establish flexible work hours and stagger start/end times, including meal breaks.
- Regularly train workers how to properly put on Personal Protective Equipment (PPE).
  - All PPE for staff, if required, must be paid for and provided by the employer.
- Allow workers to choose to wear masks.
- Promote hygiene and ensure soap and water or hand sanitizer with at least 60% alcohol is available.
- Encourage workers to report any safety or health concerns and take prompt action to address those concerns.
- Monitor public health communications about local coronavirus recommendations for the workplace.

### Policies and Procedures

Every business should have established policies and procedures before re-opening. These processes should include:

- Cleaning and disinfecting
- Physical distancing
- Workplace monitoring
- Communication strategies

#### *Cleaning and Disinfecting*

Businesses should have specific policies in place to ensure proper cleaning and disinfecting strategies are followed. Companies could choose to create their own policies or outsource their cleaning to a third party. All cleaning protocols should be reviewed regularly and all cleaning should be evaluated on a scheduled basis.

Staff should be encouraged to provide notice to employer if they see any cleanliness concerns and action should be taken as soon as practicable to address those concerns.

#### *Physical Distancing*

All workplaces should be reconfigured to allow at least six feet of space between employees. In addition, policies governing physical distancing measures should be created and shared with employees. These policies should include how to conduct staff meetings, contact with the public, and any PPE guidelines

necessary to provide a safe workplace. These policies should regularly be provided to staff and training provided at least annually.

### *Workplace Monitoring*

As the company re-opens in stages, and remains open, continued monitoring for illnesses is essential. Under current laws and regulations, employers should establish policies to check employees for COVID-19 prior to allowing them to come to the workplace. These policies should include conducting temperature checks, asking employees if they have any symptoms related to COVID-19, and requiring sick employees to go home.

The company must create a policy to manage workers who contract COVID-19. This policy should include:

- A place to self-isolate ill employees.
- Establish multiple point persons to manage the process, including receiving a statement from the employee of whom they recently had contact with, or worked close to, in the workplace.
- These questions can include who they remember having contact with at the workplace, if they worked within the same area of another employee for at least 10-30 minutes, and if they were in any common areas. These questions should be limited to the previous 48 hours.
- All workers who are infected (or have a suspected infection) should be sent home, as well as any employees they had contact with in the previous 48 hours before the onset of symptoms.

### *Communication Strategies*

Companies should establish communication strategies and templates for the following items:

- If an employee needed to be sent home due to suspected, or diagnosed, COVID-19.
  - Please note that employers may not share the name of the employee but may only confirm an employee was sent home due to COVID-19.
- If a local health emergency occurs, staff should be informed.
- Communication protocols in case of emergencies, including public health emergencies.
- Regularly communicate with staff when prepping them to return to work, while they are returning to work, and after they successfully return to work.

### Telework

When this crisis started, several businesses scrambled to allow staff to work from home. Given the lack of time to prepare for this change, no policies or procedures were put into place. Now that everyone has settled in to working from home and the country is looking towards re-opening, it is more important than ever to have written policies and procedures in place to allow a continuance of telework.

Here are a few of the items that should be included in the policy:

- Procedures to follow for hourly staff to record all hours worked in compliance with the Fair Labor Standards Act.
- Rules regarding use of company equipment and office supplies.
- Workers' compensation reporting procedures.
- Employees are expected to work, and employees should not provide dependent care during company core hours.

- Communication standards and processes.
- Understanding the company reserves the right to require staff to work on-site as needed.

### Privacy

All current laws regarding medical and disability information still apply during this time. If an employee shares any confidential medical information with their employer, the information should be maintained in an employee file separate from their personnel file. Only authorized individuals with legitimate business needs should have access to those files.

Any medical questionnaires, including the recorded temperature of employees, must be maintained in the confidential file. This medical file will not be considered a part of the personnel file.

### Business Continuity Plans

More than ever, this crisis demonstrated the vital importance for businesses to have continuity plans should a disaster occur. While this is not required to have in place before business resumes, a plan should be put in place as soon as possible. The key points of a good continuity plan are as follows:

1. Identify the scope of the plan – Do you need different continuity plans based on different departments?
2. Identify key business areas – What are the business areas that are critical to your success? In other words, if something like COVID-19 were to occur again, what do you need to ensure your company will survive and succeed?
3. Identify critical functions – Within the key business areas, what are the specific critical functions that must be addressed for your business to continue? Be specific and list all critical functions for your company under the applicable key business area.
4. Determine acceptable downtime – How long can your critical function be down before it begins to seriously negatively impact your business? Write this out for each critical function and be as specific as possible.
5. Create a plan to maintain operations – With the above information, create detailed plans for each critical function, keeping in mind the downtime for each function. Designate key people that will be responsible for each function and regularly review the plan to adjust as necessary.

This is not meant to be an all exhaustive list but provides some general guidelines for businesses to consider as companies look to re-open.