

COVID-19 BACK-TO-WORK CHECKLIST

As Employers, you are faced with unprecedented workplace challenges in response to COVID-19. This checklist provides an opportunity to respond to a multitude of considerations, both short- and long-term. Though comprehensive and current as of early-May 2020, employer and workplace considerations are not solely limited to this list, and they are expected to change and evolve over time.

- 1) COMMUNICATION AND PLANNING** – employers should establish a clear communication plan will allow employees, customers, vendors and stakeholders to understand how the organization plans to reopen or reestablish business processes.

Several considerations include:

- Developing a written plan of action to implement if a worker becomes sick with COVID-19; having exposure-response communications ready to go to any affected employees and customers.
- Reviewing or adopting an emergency preparedness policy; communicating with employees about safety precautions and procedures to follow in the event of various scenarios.
- Sharing details of trainings offered on new workplace safety and disinfection protocols have been implemented.
- Preparing media communications for release on topics such as return-to-work timetables, safety protections in place, and how else the company is supporting workers and customers.

- 2) WORKPLACE SAFETY** – employers should ensure the workplaces is as safe as possible, as employees and customers likely have fears of returning to business as usual.

Several considerations include:

- Encouraging employees to check for symptoms, and to stay home when not feeling well.
- Developing an exposure-response plan that addresses:
 - Isolation, containment and contact tracking procedures.
 - Stay-at-home requirements.
 - Exposure communications to affected staff.
- Implementing employee health screening procedures, such as:
 - Daily health questionnaires.
 - Temperature-taking prior to starting workday.
- Providing personal protective equipment (PPE), such as:
 - Masks, gloves, face shields and personal hand sanitizer.
- Performing routine environmental cleanings of office, including high-touch surfaces.
- To the extent possible, implementing physical distancing measures within the workplace:
 - Staggered shifts and lunch/rest breaks.
 - Rotating weeks in the office and working remotely.
 - Moving workstations to increase separation distance.
 - Implementing one-way traffic patterns throughout workplace.

- Restricting business travel:
 - Start with essential travel only and define what that is.
 - Follow government guidance to ease restrictions over time.
- Defining customer and visitor contact protocols such as:
 - Directing customer traffic through workplace.
 - Limiting the number of customers in any area at one time.
 - No handshake greetings and remaining six feet apart.
 - Utilizing video or telephone conferencing, as opposed to in-person client meetings.
 - Providing contactless pickup and delivery of products.
- Understanding and complying with Occupational Safety and Health Administration (OSHA) record-keeping and reporting obligations:
 - Identifying any positions with potential occupational exposure to the coronavirus.
 - Reviewing applicable OSHA (and state OSHA) and CDC standards, including OSHA's "Guidance on Preparing Workplaces for COVID-10."

3) EMPLOYEE RECALL – employers should plan for how and when employees will return to work and create a controlled approach, as employees returning on the same day may be overwhelming and unsafe.

Several considerations include:

- Requesting self-quarantine or mandatory quarantine pursuant to CDC guidelines, for any employee who is suspected or confirmed to have COVID-19, including any quarantine/isolation orders from federal, state and local health agencies.
- Considering a medical clearance requirement from a doctor prior to a quarantined employee returns to the workplace; or, consider requiring employees be completely symptom-free and past the incubation period prior to returning.
- Considering a phasing-in of employees returning to work:
 - Use seniority or other nondiscriminatory factors for selection.
 - Adopting a work-share program, if bringing employees back on a reduced schedule.
 - Determining schedule changes to provide the greatest protection to workers.
- Creating a plan for employees in high-risk categories for infection to return to work:
 - Determining increased measures to protect them when working onsite, including isolated workstations, additional PPE as requested, fewer days in the office, etc.
- Notifying the state unemployment agency of employees recalled to work, a state requirement; this will also save on unemployment taxes for those who choose not to return to work.

4) REMOTE WORK – employers should leverage telework as both a short-term emergency tool, as well as a permanent option should be considered, when possible.

Several considerations include:

- Creating or reviewing telework policy; evaluating workforce to determine which jobs can be performed remotely and which cannot.
- Staggering weeks in office and at home among team members, or part-time remote work on alternate weekdays.
- Continually updating technology to support virtual employees.
- Considering the long-term cost savings or impact of offering permanent remote work.

5) COMPENSATION AND BENEFITS – many changes in compensation and benefits have occurred throughout the pandemic thus far; employers should clearly communicate any disruption or change to employees.

Several considerations include:

Compensation

- How the employer will handle any missed annual pay increases and if those will be applied retroactively.
- Will any pay cuts be made or revoked? Understand how to reduce salaries for exempt employees if necessary.
- Determining if employee status changes – exempt to nonexempt or full- to part-time status – are needed to reopen or if those already made will continue.
- How will bonuses be affected, including eligibility for or continuation of, etc.
- Will hazard pay be offered or revoked?
- It may be a good time to consider a pay equity audit as workers return, as pay may have been reduced or frozen and may have impacted women differently

Group Health Insurance

- Determine any eligibility or waiting-period issues due to leave or reinstatement; reviewing any revised eligibility requirements during the layoff or furlough and determining if those changes will be revoked and when.
- Ensuring coverage changes, such as adding telehealth benefits, and services now not subject to deductibles have been incorporated into the plan.

Flexible spending accounts

- Addressing new flexible spending account elections and allowable changes with employees.

401(k) and Pension Plans

- Review eligibility issues due to layoff or furlough.
- Consider any break in service issues or counting years of service concerns.
- Review any in-service loans employees may have or will want to take, including eligibility and pay back procedures.

Paid leave

- Assessing sick leave and medical leave policies related to new legislation, including the Families First Coronavirus Response Act (FFCRA); ensuring employees understand the eligibility requirements and provide them with a policy.
- Determining a way to track each employee's use of leave, including the duration and reasons for leave; collect any supporting documentation for tax credit purposes.
- Determining if there will be company PTO policy changes, including increasing or decreasing paid leave benefits, or additional restrictions in using paid leave.
- Understanding the coordination of leave benefits and communicating these to employees as needed.

6) POLICY CHANGES – employers should update and create policies to reflect the “new normal.”

Several considerations include:

- Paid-leave policies adjusted to reflect regulatory requirements and business needs.
- Relaxed attendance policies to encourage sick employees to remain at home.
- Time-off request procedures clarified to indicate when time off can be required by the employer, should sick employees need to be sent home.
- Flexible scheduling options implemented allowing for compressed workweeks and flexible start and stop times.
- Meal and break policies adjusted to stagger times and processes implemented to encourage physical distancing.
- Travel policies updated to reflect essential versus nonessential travel and the impact of domestic or global travel restrictions.
- Remote work policies detailed to reflect the type of work that can be done remotely and the procedures for requesting telework.
- Information technology policies revised to reflect remote work hardware, software and support.

7) BUSINESS CONTINUITY – employers should revise or create a business continuity plan in preparation for future crises.

Several considerations include:

- Implementing a business continuity plan which includes infectious disease control; or, amending an existing plan to include emergency information, such as updates on epidemics, workplace considerations and changes in protocols for responding to global disasters.
- Updating plan resources and contact information to ensure accuracy.
- Establishing a pandemic task force or committee to continuously monitor external and internal data and implement appropriate protocols. Recognizing the possibility of additional closings during this current pandemic as COVID-19 infections may rise and fall again, triggering more stay-at-home orders and supply chain disruptions.
- Performing testing and exercises to practice emergency plans and ensure employees know what to do; also, using this as an opportunity to address any gaps prior to another emergency.

 <i>Strategic HR Solutions</i>	
ABIGAIL G. LECHNER Principal	(843) 412-0275 alechner@humancapitalassociates.net 2006 West Eighth Street Erie, PA 16505
www.humancapitalassociates.net	

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