

Return-to-Workplace Checklist: Considerations and Emerging Best Practices for Employers

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By: Nancy Conrad and George C. Morrison

As employers plan to return employees to the workplace, they should proceed with careful planning and incorporate best practices and measures to assure a safe, responsible and productive workplace. While there is no "one size fits all" plan, the following checklist will assist in assuring that your work environment includes the key safety components to return to the workplace in the midst of a pandemic.

PREPARING THE WORKPLACE FOR RETURN & GENERAL HEALTH AND SAFETY

- Create a company task force, safety committee or coordinator to oversee implementation of policies that address and enforce practices related to COVID-19.
- Ensure HVAC systems are functional, have been properly cleaned and serviced and tuned to maximize airflow and filtration.
- Review and increase cleaning protocols in coordination with lease terms and cleaning contracts. Ensure regular and thorough office cleanings, with a focus on high-touch surfaces and areas. Document cleaning protocols and schedule.
- Implement social distancing requirements and provide visual markers on floors in compliance with applicable federal, state and local orders.
- Rearrange work spaces, conference rooms and lunchrooms to comply with social distancing requirements.
- Post notices about the number of individuals permitted in elevators, stairwells, rooms and on the premises.
- Restrict movement between departments and floors.
- Designate entry/exits ways and traffic flow.
- Communicate and post notices regarding best practices for hygiene.
- Ensure that hand sanitizers, disinfectant wipes and other personal protection equipment are ordered and readily available.
- Install physical barriers to address access to the office by visitors.

EMPLOYMENT POLICIES AND EMPLOYEE LEAVE

- Establish open, transparent and regular communication with employees.
- Reevaluate office presence as an essential job function. Maintain flexibility in response to employees who may want to continue to tele-work for a period of time. Retain or offer work from home where feasible.
- Train managers and supervisors before reentry to fully understand, communicate and enforce safety protocols and to respond appropriately to and document employee concerns about health and safety.

- Issue a safety information sheet to all employees and visitors that provides a summary of the safety measures/procedures, including cleaning protocols employee screening, face coverings, cleaning of personal workstations/equipment, hand washing, use of hand sanitizers and social distancing. Include a "read and sign" for on-site employees and visitors. Provide weekly updates and reminders about best practices.
- Consider staggering employee shifts and lunch/break times to promote social distancing.
- Evaluate existing leave policies for compliance with new legislation, including the Families First Coronavirus Response Act.
- Consider a reasonable accommodation process for employees with disabilities in light of COVID-19 that ensures timely review and the interactive process to determine appropriate and reasonable accommodations.

EMPLOYEE HEALTH AND SCREENING

- Establish a designated point person (or department) to whom employees should report all COVID-19-related issues.
- Employers may ask all employees who are physically entering the workplace: (i) if they have COVID-19-related symptoms and (ii) if they have been tested for COVID-19.
- Consider conducting employee temperature checks and limit record-keeping to only suspected or confirmed cases.
- Maintain confidentiality and store medical information in separate confidential files, not in personnel files.

RESPONSE TO CONFIRMED AND/OR SUSPECTED COVID-19 INFECTION AND EXPOSURE

- Immediately send employees home that are experiencing COVID-19 symptoms.
- Follow the most recent guidance by the CDC and applicable state and local health agencies.
- Take action immediately upon receiving notice of a confirmed or presumed case and implement a response plan, which should be consistent with all applicable guidelines.

ADDITIONAL RESOURCES AND GUIDANCE

- White and Williams' "Return to Work: Guidance for Workplace Reopening"
- EEOC Updates
- OSHA Guidance
- CDC Guidance
- PA Governor's Order

If you have any questions about returning to the workplace, please contact Nancy Conrad (conradn@whiteandwilliams.com; 610.782.4909), George Morrison (morrisong@whiteandwilliams.com; 610.782.4911) or another member of the Labor and Employment group.

As we continue to monitor the novel coronavirus (COVID-19), White and Williams lawyers are working collaboratively to stay current on developments and counsel clients through the various legal and business issues that may arise across a variety of sectors. Read all of the updates [here](#).

This correspondence should not be construed as legal advice or legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only, and you are urged to consult a lawyer concerning your own situation and legal questions.