BACK TO THE WORKPLACE

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This documents presents issues and questions that should be considered as firms evaluate their return to work policies. It is intended as general guidance only and it is not intended to constitute legal advice and it should not be relied on as legal advice.

((C THE COUNCIL

The Council of Insurance Agents & Brokers

A recent study conducted by Edelman found that behind healthcare and government officials, employers are the most trusted source to handle and effectively respond to the coronavirus outbreak. With many firms slowly returning to the office, The Council prepared this guide of curated information, strategies, and ideas on how to effectively make returning to work as safe as possible.

The research compiled is a blend of federal and state guidelines, lessons learned from international companies who already re-opened their offices, as well as companies here in the U.S. who already put together a process. Sources are cited throughout, as well as at the end of this document.

This guide is a living document and it will be updated regularly as we gain even more insights and information. You can find this Back to the Workplace guide on The Council's COVID-19 resource page.

Contents

Determine *WHEN* returning to the workplace is possible

Each business will have to assess and make its own independent decision about when to officially return to the workplace. The following are some federal and state guidelines to help you get started.

FOLLOW CDC AND OSHA GUIDELINES

OSHA   **See OSHA guidelines here**

CDC   **See CDC guidelines here**

- There are not yet specific OSHA standards around COVID-19, but there are some standard requirements that may apply to exposure prevention.
- PPE standards, which are industry-specific
- Ensuring a safe and hazard-free workplace environment

FOLLOW YOUR SPECIFIC STATE GUIDELINES
Although Federal Guidelines are a good barometer to follow, it is also important to refer to state guidelines due to geographic nuances.

1. **See state specific information here**

2. **If you have a multi-state company, start with the strictest guidelines as your base, or adjust according to each state guidelines**

Decide *WHO* returns

SURVEY EMPLOYEES TO GAUGE THE INTEREST (AND WHETHER FEASIBLE) IN RETURNING TO THE WORKPLACE

1. **The most successful back-to-work companies are transparent about employee concerns and communicate that health, wellbeing and safety are among the highest priorities. We drafted a sample survey to serve as a <u>template</u> to get you started.**

Download the survey

UPON DECIDING WHO RETURNS, USE SENIORITY AND OTHER NON-DISCRIMINATORY FACTORS

1. **Be careful not to create a divide between employees who want to return and those who cannot**

2. **Create parameters around how to handle those who refuse to return due to factors such as: fear, lack of childcare, necessary quarantine, the employee is considered high risk, or the employee lives with someone who is high risk**

CONSIDER OPTIONS FOR RETURNING WORKFORCE

1. **Staggering shifts**

   - Draft a sign-up sheet for employees to preference which days or times of the week they are able to come in. Consider rotating the schedule weekly.
   - Arrange 20 minutes between shifts to allow for cleaning time
   - Require employees to wait in car or distance outside in between shift changes
     - Consider what to do in the event of inclement weather

2. **Open the office in waves – 20% of workforce returns for first two weeks, continue to broaden over time**

3. **Open the office for two days and Work From Home (WFH) the other three days**

Create a detailed roadmap for *HOW*

Once you decide when to open up your workplace and who will be returning, the next step is to create a detailed plan for how your workplace will adapt to the new environment. Every workplace has its own unique needs; however, this is a broad set of guidelines for your consideration.

DEEP CLEAN AND INSPECTION PRIOR TO EMPLOYEES RETURNING

1. **Order cleaning supplies prior to return**
   o Make sure hand washing substance contains at least 60% alcohol
   o Look for <u>EPA-approved</u> disinfectants
   o Have a 30 day supply of cleaning materials on hand

2. **Conduct HVAC and air filtration checks**
   - **Short term:** Extra air filtration, keep windows open
   - **Long term:** Design building with higher quality clean air as new standard

CREATE A RETURN TO WORK RESPONSE TEAM

1. **Select a cross functional group of people including:**
   o Shift Logistic Planner
   Oversees and manages the employees' schedules
   o Protocol Lead
   Ensures that the business is complying with state and federal guidelines
   o Sanitation Lead
   Responsible for ensuring that the workspace is properly sanitized
   o Communication & Educational Lead
   Responsible for creating all internal communications and educating/training the employees on new protocols
   o Signage Lead
   Oversees and monitors that all signage /visual cues are displayed and maintained
   o PPE Lead
   Orders, maintains and distributes PPE supply in the workplace

Depending on your organization, these cross functional roles may be comprised of individuals or teams of people.

CONTROL ACCESS TO YOUR WORKPLACE

1. **Decide which parts of the office to open**
   - Consider leaving some doors open with higher traffic
   - Determine best area for where security (and any possible health checkpoints) should be stationed

Create a detailed roadmap for *HOW*

2. How to approach common areas

Cafeteria/lunchroom

- Ask employees to pack lunches
- If there's a cafeteria, provide boxed lunches "or create a takeout environment with prepackaged options

Meeting rooms

- No in-person (meaning 4+ individuals) meetings until after July 1 – subject to change
- Conduct standing meetings
- Continue virtual meetings for the foreseeable future
- If using a conference room, allow time between each meeting for cleaning

Storage room

- Designate one person to access, manage stock, and distribute items

Mark Zuckerberg canceled all in-person meetings through June 2021

3. New protocols for package delivery

World Health Organization (WHO) on packages: "The likelihood of an infected person contaminating commercial goods is low, and the risk of catching the virus that causes COVID-19 from a package that has been moved, traveled, and exposed to different conditions and temperatures is also low."

- If concerned, use the standard procedure of avoiding contact with your face and washing hands after handling any packages
- Consider designating one person to deliver mail to employee desks before or after work

4. Implementing health checks

Testing options

- Ask employees to temperature screen at home
- Provide at-home test swab kits
- Provide on-site testing – either temperature or thermal
  - Drive- thru testing sites outside the office
  - Assembly line upon entering the office each morning or during shift changes

Regulatory and contractual limitations to testing

- For regulatory, if you are part of a multi-state firm, go with the most regulated state guidelines to set your standards
- For contractual agreements, make sure you are aware of obligations and ensure you abide by them and/or make changes

Create a detailed roadmap for *HOW*

Testing and Security

- Only collect what is needed – documentation for test failure is critical. Keep documentation under employment records
- Documentation cannot be stored under employee health records without employee's permission

Potential limitations on employer testing: FEDERAL GUIDELINES

ADA: General prohibition against employers conducting employee medical examinations – but seems open to authorization for COVID-19

CDC & state health authority guidelines: Employers should immediately separate "sick" employees

OSHA guidance: Employers should ID and isolate potentially infected individuals

HIPAA: Privacy rules may apply if information is obtained from a health care provider, or if it is aggregated with health claims information

What to do with test refusal and failures

- Have standards and be clear about those standards
  - Ex: 100.4 is considered a fever and will not be admitted into work
- If employee refuses required health screening, ask them to leave work, and document the refusal
  - Permit an employee's return only with official documentation of a test, or if they agree to your testing

How to return to work after home isolation

- WHO and CDC guidelines:
  - If no official test was taken to determine COVID-19 positive:
    - o Must be fever-free for at least 72 hours; AND
    - o Other symptoms improved; AND
    - o At least 7 days passed since symptoms appeared
  - If official test is administered, return to work is permitted if:
    - o No fever; AND
    - o Other symptoms improved; AND
    - o 2 negative tests that are 24 hours apart

5. Create structure around how to deal with visitors and screening
Each workplace should establish consistent measures as to whether they will allow for visitors and if so, establish a consistent screening process.

Create a detailed roadmap for *HOW*

CREATE A WRITTEN RESPONSE PLAN IN THE EVENT OF AN OUTBREAK WITHIN THE OFFICE

1. **Use federal/state/local/industry specific regulations as your base**

2. **What to include:**
   o Outline jobs that are deemed essential
   o Layout a plan for how to social distance
   o Have Work From Home (WFH) guidelines/expectations outlined for employees
     (ex: business hours of operations, mandatory video/conference call meetings, etc.)
   o Create a plan if someone in the office tests positive
     - Possible shutdown of office for 72 hours for deep cleaning
     - Self-quarantine for those who came in contact with the employee

DEVELOP ISOLATION PROTOCOL IF SOMEONE BECOMES ILL IN THE OFFICE

1. **Including employees, customers, visitors, and vendors**

2. **Communicate clear instructions to employees on how to report and isolate if sick or showing symptoms**

3. **Assign a team of two individuals in the office to serve as isolation coordinators in the event that someone becomes ill**

4. **Standard protocol should include:**
   o An isolation room (an exterior room or one away from the other employees).
   o Create a direct route with visuals to guide people to the isolation room
   o The coordinators should first put on masks and gloves and then provide the ill individual with PPE
   o The coordinator should fill out a health form on behalf of the ill person
     - <u>Sample</u> COVID-19 Case Form Report for employees/visitors presenting symptoms at work
   o Call local health authority for further guidance
   o Either send home or to the nearest health center (depending on recommendations from local health authority)
   o If there's no emergency transport from local officials, transport, either have the person drive themselves, or a have a coordinator drive
     - If coordinator drives, disinfect car upon return
   o Coordinators need to ID everyone the sick person came in contact with while at work, and let them know, (without releasing the name of the person), they were in contact with someone showing symptoms of COVID-19
     - Due to sensitivity of the matter, it is highly recommended to have these conversations in-person, rather than email

Download the case form

Create a detailed roadmap for *HOW*

CREATE A DAILY DISINFECTANT CHECKLIST FOR EMPLOYEES AND OFFICE AT LARGE

1. **Individual employees**
   Each employee should be responsible to clean and sanitize their work area daily.
   - o Workspace desk area
   - o Any plexiglass or workspace barriers
   - o Pens
   - o Phone
   - o Keyboard/mouse
   - o Personal chair

2. **Office at large**
   Whomever is designated as the sanitation lead is responsible for being in charge of daily cleaning and sanitizing of the public spaces in the work environment.
   - o Kitchen
   - o Meeting rooms
   - o Appliances
   - o Door handles
   - o Common area chairs, tables, surfaces
   - o Bathrooms

3. **Post documentation of when common spaces are cleaned**

4. **Determine how often a cleaning crew thoroughly disinfects the office**
   - Every few hours
   - Every night
   - Implement a WFH on Fridays to conduct a deep cleaning

PREPARE the work environment

THE OFFICE/WORK ENVIRONMENT

1. **Create six feet around desk space**
   - Tape floor around desks to ensure six feet
   - Plexiglass shields between workers if less than six feet apart

2. **Avoid face-to-face workspace layouts**

3. **Tape arrows on the floor to ensure it's a one-way, clockwise lane**
   - Already implemented by hospitals and grocery stores

4. **Paper desk mats that are discarded after each day**

5. **Supply personal trash cans, tissues, hand sanitizer**

6. **Space out and/or remove chairs in meeting rooms**

7. **Remove shared tools such as pens, whiteboard markers, conference phones**
   - Encourage individuals to bring their own materials or assign individuals to previously shared items

8. **Voice controls over touch screens**
   - The use of Amazon Alexa and other voice activated devices may become popular for office use as well

STORAGE AND LOCKER AREA

1. **Provide alternative storage for individualized use**

2. **Consider individual coat hooks rather than a coat room**

3. **Limit access to only individuals who need it**

4. **Provide additional shelving/storage in larger common space to avoid cluster of people**

CAFETERIA, LUNCHROOM, BREAKROOM

1. **Designate specific time blocks for employees to take breaks and lunch**

2. **Rotate the lunch and break schedule weekly, if appropriate**

3. **Separate breaks and lunches by 10+ minutes to have sanitation crew wipe down all surfaces, tables, chairs, kitchen appliances, door handles, etc.**

4. **Limit and space out chairs**

5. **Place visuals signage on tables/chairs to ensure social distancing**

6. **Visual signage for break room and common area capacity**

PREPARE the work environment

BATHROOMS

1. **Consider hiring a bathroom attendant to ensure distancing and cleanliness**

2. **Provide materials for employees to sanitize anything they touched**

3. **Touchless doors**

4. **Touchless sinks and soap dispensers**

5. **Touchless hand dryers and paper towel dispensers**

6. **Post hand washing signs**

7. **Implement maximum capacity visuals**

ELEVATOR

1. **Tape spots on elevator to ensure proper spacing**

2. **Encourage employees to take the stairs when possible**
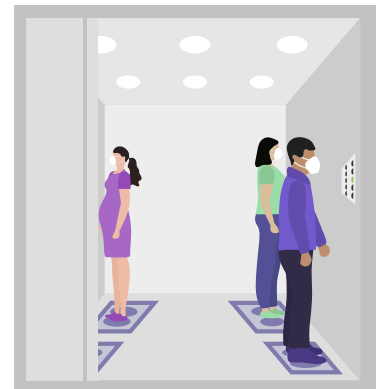
Prepare the *WORKFORCE*

Let your employees know about the changes being implemented. Conduct training for all employees immediately upon their return to the workplace.

EDUCATE

1. **Encourage employees to stay home if sick**
   - Do not require doctor notes
   - Maintain flexible Work From Home (WFH) policies

2. **Provide welcome back kits containing PPE equipment**
   - o Mask, sanitizer
   - o Tape measure
   - o Marking tape
   - o Disinfectant wipes
   - o Thermometers
   - o If you want to include a special welcome back gift in the kit, consider purchasing it from a local business *(Ex: prepackaged cookies from a local bakery, a gift card from a local restaurant, etc)*

3. **Social distance etiquette within the office**
   - Use the CDC six feet recommendations as an opportunity to remind employees of discouraging piggybacking or tailgating through security access points and require employees to use their key card when going through the checkpoints
   - Do not hand objects to each other. Set objects down and pickup at safe distance
   - Decide whether you will require masks at all times, when six feet distance is not possible, or as a strong suggestion to wear but not required

4. **Non-essential travel**
   Determine what is considered essential vs. non-essential travel for your employees and create clear guidelines

5. **Implement clean desk policies**
   - Another area employers can use both as security and health requirement. Ask employees to clear desks at the end of each day, and wipe down their space and technology

6. **Transportation**
   - Recommend private transportation only
     - Private car, bicycle, scooter

Mark Zuckerberg told all Facebook employees who are in vulnerable positions (i.e. no childcare) that they should plan to WFH through the summer

COMMUNICATE, communicate, communicate!

1. Be transparent and open about what is going on. Adjustments will need to be made!

2. Conduct training courses regarding the new office environment so employees are aware and comfortable with the changes

3. Keep in mind that after government and health officials, employers are the most trusted source to handle and effectively respond to the coronavirus outbreak. Your employees are looking to their employer to lead them through!

4. <u>69% of Americans trust their employer to respond to the outbreak responsibly</u>

5. <u>43% of employees want daily updates about the virus from their employer; 20% want several updates per day</u>. Determine whether email or video updates are most useful for your work culture

6. Provide <u>mental health resources</u> to your employees

7. Maintain social normalcy between colleagues and your organization's culture

8. Ensure that employees have respect for colleague's varying levels of tolerance around the new work guidelines

SOURCES

OSHA - Guidance on Preparing Workplaces for COVID-19

LEAR Safe Work Playbook

CIAB State Tracker

Cushman & Wakefield - Recovery readiness: a how-to guide for reopening your workplace

Crowell Morning - An Employer Checklist for Re-opening

Protocol **- 'Needle in a haystack': Reborn tech offices may need distance and mass testing**

Fast Company **- Our offices will never be the same after COVID-19. Here's what they could look like**

Willis Towers Watson - 10 key safety considerations for employers, now and after COVID-19

Bloomberg **- What Returning to Work Will Look Like in Offices, Cafes and Factories Around the World**

Vox **- This is the end of the office as we know it**