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## Employer Resource Guide

# COVID-19 Next Steps in Workforce Dynamics

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# About This Guide

The Coronavirus (COVID-19) pandemic has interrupted business operations across the country. While it is unclear how long COVID-19 will continue to affect our organizations, employers are in various stages of workforce dynamics, from temporary shutdowns, to employees working at physical office sites or contemplating the return of remote employees to a physical office site, or remaining working remotely.

The resources included in this guide will evolve and be adjusted as information and best practices become available. It is anticipated that resources needed during the initial phase of a National post-shutdown return to work will likely look different than what will be needed in later phases. Monthly updates on new and updated toolkit resources will continue to be provided to assist organizations as they continue to evolve in their workforce dynamics.

## **Phase 1: Navigating Risk to Health and Safety**

The focus for most organizations in our Phase 1 rollout, will be on navigating the safe return of employees to a physical company worksite.

Phase 1 resources include:

- Updated Infectious & Communicable Disease Guidelines
- Family First Coronavirus Leave of Absences policies and forms
- Returning to the Worksite Considerations including Timelines and Survey

These resources do not account for state, local or industry-specific guidance related to COVID-19, but follows the guidance laid out by the CDC and OSHA that is designed to keep employers, employees, and customers safe. Please be sure to incorporate state, local, and industry-specific regulations into your action plans.

## Contributors



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A photograph of a group of people in a meeting. A person in a white lab coat is shaking hands with a woman with curly hair. Other people are seated around a table with coffee cups and papers. A blue banner with the word 'Introduction' is overlaid on the right side of the image.

# Introduction

## Did You Know?

With the spread of the Coronavirus (COVID-19) across the globe and hundreds of confirmed cases with an unfortunate number deaths in the United States, employers who haven't already developed an Infectious and Communicable Disease policy in response to epidemics and pandemics such as the Coronavirus (COVID-19) should be developing a policy and responsiveness plan.

An effective preparedness plan would include how to keep their employees informed and safeguarded (to the extent possible), while managing continuous business operations as well as interactions with the public and supply chain. Employers may want to look at their disaster preparedness plan which would provide considerations for maintaining staffing and business relationships with limited or no access to facilities. Like any policy development, employers should bring together a team with members from each level of the organization to ensure that all group considerations are being taken into effect.

Also, employers have needed to be strategic and recognize that COVID-19 is a communicable disease as well that their policy should be written to ensure a comprehensive approach that includes all potential epidemic and pandemic situations (i.e. influenza, bloodborne pathogens, etc.).

**Across the globe current, COVID-19 [statistics](#) show that there are a reported 3,856,396 + cases with 266,470 deaths and recovery of 1,217,874 people and is increasing daily**



Many employees come to work sick with coughing, sneezing, sore throat, runny nose, and watery eyes when PTO is exhausted, or workloads demand responsiveness. The cold or flu (which are both contagious) quickly spread around the office, yet many employers do not have a policy in response to employees coming to work sick.

Declared a National Health Emergency on March 13, 2020, The CDC has shared that the COVID-19 health risk in the U.S. is a “elevated risk of exposure” at this time for the general public. Employers with employees who travel to international locations that are affected are also at an elevated risk. Workers in health care and anyone who has had close contact with persons affected with COVID-19 have a higher risk of contracting COVID-19. Employer policies should take into consideration the chance for risk and exposure of the employees, along with considering the potential of exposure from outside sources.

There are published [guidelines](#) from the CDC for considerations when developing a policy to respond to COVID-19. In conjunction with the CDC, employers may also look to the Occupational Safety and Health Administration ([OSHA](#)) for additional resources and considerations when developing their policy.

Please also contact your trusted Benefit Advisor for services that are available to assist you in developing a responsive Infectious and Communicable Disease policy.





# MAKING A PLAN

## for Infectious Disease in the Workplace

*From epidemics to pandemics, employers should know both the magnitude of what can happen during a contagious disease outbreak and what actions can be taken to help lessen the impact on employees and the operations of business.*

## Definitions

An [infectious or communicable disease](#) is a disorder that is caused by bacteria, viruses or other organisms that impairs a person health and can be spread from person to person either directly or indirectly.

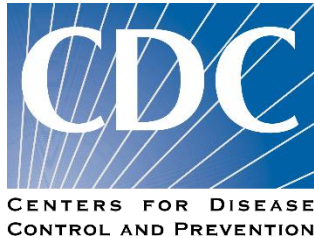
According to the [Center for Disease Control](#):

- An **epidemic** is “the increase, often sudden, in the number of cases of an infectious disease above what is normally expected in that population in that area”.
- A **pandemic** is the “spread of an epidemic over several countries or continents, usually affecting a large number of people.”



## Getting Help with your Plan

This guide is prepared to aid employers in gathering the information and resources to prepare and communicate the business responsiveness plan to its employees. The following national and state resources are available to aid you in developing plans to help get you started.



[Center for Disease Control \(CDC\)](#) - The CDC, an arm of the Department of Health and Human Services (DHHS) operates to save and protect the U.S. from health threats. The CDC's website provides information and resources to guide employers on infectious diseases which have risen to epidemics and pandemic level.



[National Association of County and City Health Offices](#) - This website is available to locate your state health department for your area. Partner with your local health department is a key element in developing a preparedness plan.



[Occupational Safety & Health Administration \(OSHA\)](#) - Part of the Department of Labor, OSHA was created to ensure safe and healthy working conditions for employees. OSHA has published standards and guidelines to assist employers in developing a plan to protect against exposure on the [worksite for infectious diseases](#).



[The Council of State Governments](#) provides the COVID-19 Executive orders for each state.



The [National Governors Association](#) (NGA) is the premier resource contact information for your Governor's contact information and direct links to the state websites.

## Insurance Concerns

A major concern for all business owners that this current wide-spread COVID-19 pandemic has caused businesses, government agencies and schools to close. This has interrupted business operations. An important question that business owners have had to asked is whether the company's insurance policies provide coverage for the loss of income and extra expense incurred during the crisis.

The short answer is that traditional property and casualty insurance policies have limited coverage for outbreaks and epidemics like the COVID-19 and health and welfare insurance policies may have limits on how long coverage can be extended while employees aren't working due to a pandemic. The longer answer to this question varies by the type of coverage, policy, and situation, so it is a good idea to talk with your insurance advisor as part of your planning process.

## Employee Benefits / Health Insurance

Due to the COVID-19 pandemic, the U.S. Department of Labor (DOL), in EBSA Disaster Relief Notice 2020-01, has indicated that neither an ERISA plan nor the employer will violate ERISA for failing to timely furnish a notice, disclosure, or document that must be furnished between March 1, 2020, and 60 days after the announced end of the COVID-19 National Emergency, if they act in good faith and make the disclosure as soon as administratively practicable under the circumstances. In addition, to ease the burden on participants and beneficiaries, the DOL, in coordination with the IRS issued a Final Rule extending certain timeframes and deadlines for participants to consider coverage elections and benefits decisions under ERISA. The Final Rule provides plan participants and beneficiaries with relief from meeting certain deadlines during the period of March 1, 2020 until 60 days after the announced end of the COVID-19 National Emergency (or such other date announced by the Agencies in a future notice), including:

- The 30-day period (or 60-day period, if applicable) to request a special enrollment;
- The 60-day election period for COBRA continuation coverage;
- The date/deadline for making COBRA premium payments; and
- The deadline for individuals to notify the plan of a qualifying event or determination of disability.

Employers should be aware of these relaxed deadlines and expect to receive notifications from employees that are outside of the regular timeframes.

## Cafeteria Plans / FSAs

The IRS released guidance that allows employers to be more flexible with respect to cafeteria plan changes for the remainder of 2020, if an employer wishes to amend their cafeteria plan to allow these events:

- For mid-year elections made during calendar year 2020, a cafeteria plan may permit employees to:
  - With respect to employer-sponsored health coverage:
    - make a new election on a prospective basis, if the employee initially declined to elect employer-sponsored health coverage;
    - revoke an existing election and make a new election to enroll in different health coverage sponsored by the same employer on a prospective basis; and
    - revoke an existing election on a prospective basis, provided that the employee attests in writing that the employee is enrolled, or immediately will enroll, in other health coverage not sponsored by the employer
  - With respect to a health FSA or dependent care FSA, make a new election, or decrease or increase an existing election on a prospective basis

Essentially, the rules for making mid-year election changes are relaxed for the remainder of 2020. Employees who waived coverage may join the plan, those who are enrolled may change benefit options, or employees may drop to enroll in other coverage. This extends to health coverage and health FSAs and dependent care FSAs.

Employers have until 12/31/2021 to amend their plan if they would like to use the relief. Note that employers may adopt some or all of the relief and may apply certain restrictions. For example, an employer may decline to allow employees to reduce health FSA coverage below what they've already used, so that the employer is not left covering the difference.

## Property Insurance

Within a Property Insurance Policy, “Business Income” and “Extra Expense” are the two coverages that potentially cover loss of income or extra expense claims. That extra expense may have allowed you to keep your business running at another location. The challenge is that insurance coverage is typically triggered when the physical officer incurs a “direct physical loss” or damage, for example, in the form of a fire or water damage.

Dealing with the presence of a virus on the property would therefore not normally trigger coverage. With that said, courts have ruled that contamination which renders a property unusable for its primary purpose may establish direct property loss or damage. Fortunately, from what is known right now, damage to property is probably not very likely.

What is more likely is that a company’s business will be disrupted because employees along the supply chain are either out sick or caring for others who are sick. Standard commercial insurance does not cover financial losses an insured company experience when its suppliers experience loss and cannot supply key materials or goods. Similarly, standard commercial insurance typically will not cover your company if your customers cannot accept goods due to a loss that they incurred.

Companies may want to talk with their brokers about “Contingent Business Income Insurance” and “Contingent Extra Expense” coverage. This coverage reimburses lost income and extra expenses resulting from damage or operational disruption at the location of a customer or supplier. Existing policies and endorsements or supplemental coverage policies should be read and reviewed carefully to understand what coverage is available and, importantly, what is not.

## Travel Insurance

Facing reduced bookings by business travelers who are uncertain about whether an upcoming business trip will be canceled because of the spread of the virus, some major airlines are starting to publicly announce that they will permit cancellations for flights booked in the near future. Not all airlines have extended this offer, however, and many hotels, car rental companies and other travel-related businesses that charge for, or do not permit, changes or cancellations have not relaxed their rules. Companies that rely on business travel should consider reviewing whether to obtain travel insurance or require business travelers to obtain travel insurance for near-future reservations.

## Workers' Compensation

Workers' Compensation insurance policies generally cover job-related illnesses or injuries. This coverage provides medical treatment, lost wage replacement and disability compensation. Ordinary illnesses, such as the common cold and other infectious diseases, are not compensable under Workers' Compensation.

However, there are situations in which an ordinary illness or disease may be covered if a direct connection can be established between the office or plant and the circumstances through which the disease was contracted.

If an infected employee comes to work and subsequently infects other employees through their daily interactions at an office, the employee originally carrying the disease would not be eligible for Workers' Compensation benefits, but it could be argued that the resulting illness to other employees has been the result of an accident causing bodily injury.

Insureds should consider all potentially applicable insurance policies when assessing potential coverage for COVID-19 related claims. Consulting with your insurance advisor should place a company in good position to understand and possibly maximize insurance recovery in the event of a COVID-19 related loss.



In the event of pandemic, businesses play a key role in protecting employees' health and safety as well as limiting the negative impact to the economy and society. Planning for any pandemic is critical. To assist employers in their efforts, the DHHS and the CDC have developed the following checklist for businesses. It identifies important, specific activities businesses can do now to prepare, many of which will also help in other emergencies.

## 1.1 Plan for the impact of a pandemic on your business

Completed	In Progress	Not Started	
			Identify a pandemic coordinator and/or team with defined roles and responsibilities for preparedness and response planning. The planning process should include input from labor representatives.
			Identify essential employees and other critical inputs (e.g., raw materials, suppliers, sub-contractor services/ products, and logistics) required to maintain business operations by location and function during a pandemic.
			Train and prepare ancillary workforce (e.g., contractors, employees in other job titles/descriptions, retirees).
			Develop and plan for scenarios likely to result in an increase or decrease in demand for your products and/or services during a pandemic (e.g., effect of restriction on mass gatherings, need for hygiene supplies).
			Determine potential impact of a pandemic on company business financials using multiple possible scenarios that affect different product lines and/or production sites.
			Determine potential impact of a pandemic on business-related domestic and international travel (e.g., quarantines, border closures).
			Find up-to-date, reliable pandemic information from community public health, emergency management, and other sources and make sustainable links.
			Establish an emergency communications plan and revise periodically. This plan includes identification of key contacts (with back-ups), chain of communications (including suppliers and customers), and processes for tracking and communicating business and employee status.
			Implement an exercise/drill to test your plan and revise periodically.

## 1.2 Plan for the impact of a pandemic on your employees and customers

Completed	In Progress	Not Started	
			Forecast and allow for employee absences during a pandemic due to factors such as personal illness, family member illness, community containment measures and quarantines, school and/or business closures, and public transportation closures.
			Implement guidelines to modify the frequency and type of face-to-face contact (e.g., handshaking, seating in meetings, office layout, shared workstations) among employees and between employees and customers (refer to CDC recommendations).
			Encourage and track annual influenza or other related vaccination for employees.
			Evaluate employee access to and availability of healthcare services during a pandemic and improve services as needed.
			Evaluate employee access to and availability of mental health and social services during a pandemic, including corporate, community, and faith-based resources, and improve services as needed.
			Identify employees and key customers with special needs and incorporate the requirements of such persons into your preparedness plan.



### 1.3 Establish policies to be implemented during a pandemic

Completed	In Progress	Not Started	
			Establish policies for employee compensation and sick-leave absences unique to a pandemic (e.g., non-punitive, liberal leave), including policies on when a previously ill person is no longer infectious and can return to work after illness.
			Establish policies for flexible worksite (e.g., telecommuting) and flexible work hours (e.g., staggered shifts).
			Establish policies for preventing the spread of the disease at the worksite (e.g., promoting respiratory hygiene/cough etiquette, and prompt exclusion of people with symptoms).
			Establish policies for employees who have been exposed to pandemic disease, are suspected to be ill, or become ill at the worksite (e.g., infection control response, immediate mandatory sick leave).
			Establish policies for restricting travel to affected geographic areas (consider both domestic and international sites), evacuating employees working in or near an affected area when an outbreak begins, and guidance for employees returning from affected areas (refer to CDC travel recommendations).
			Set up authorities, triggers, and procedures for activating and terminating the company's response plan, altering business operations (e.g., shutting down operations in affected areas), and transferring business knowledge to key employees.

### 1.4 Allocate resources to protect your employees and customers during a pandemic

Completed	In Progress	Not Started	
			Provide sufficient and accessible infection control supplies (e.g., hand-hygiene products, tissues and receptacles for their disposal) in all business locations.
			Enhance communications and information technology infrastructures as needed to support employee telecommuting and remote customer access.
			Ensure availability of medical consultation and advice for emergency response.

## 1.5 Communicate with and Educate Your Employees

Completed	In Progress	Not Started	
			Develop and disseminate programs and materials covering pandemic fundamentals (e.g., signs and symptoms of specific disease, modes of transmission), personal and family protection and response strategies (e.g., hand hygiene, coughing/sneezing etiquette, contingency plans).
			Anticipate employee fear and anxiety, rumors and misinformation. Plan communications accordingly.
			Ensure that communications are culturally and linguistically appropriate.
			Disseminate information to employees about your pandemic preparedness and response plan.
			Provide information for the at-home care of ill employees and family members.
			Develop platforms (e.g., hotlines, dedicated websites) for communicating pandemic status and actions to employees, vendors, suppliers, and customers inside and outside the worksite in a consistent and timely way, including redundancies in the emergency contact system.
			Identify community sources for timely and accurate pandemic information (domestic and international) and resources for obtaining countermeasures (e.g., vaccines and antivirals).

## 1.6 Coordinate with external organizations and help your community

Completed	In Progress	Not Started	
			Collaborate with insurers, health plans, and major local healthcare facilities to share your pandemic plans and understand their capabilities and plans.
			Collaborate with federal, state, and local public health agencies and/or emergency responders to participate in their planning processes, share your pandemic plans, and understand their capabilities and plans.
			Communicate with local and/or state public health agencies and/or emergency responders about the assets and/or services your business could contribute to the community.
			Share best practices with other businesses in your communities, chambers of commerce, and associations to improve community response efforts.



## SAMPLE INFECTIOUS AND COMMUNICABLE DISEASE POLICY

The following is a sample of factors that should be considered when creating your Infectious and Communicable Disease Control Policy. It is recommended that a team be pulled together with representatives from all levels of the company hierarchy to ensure the development of a thorough and responsive plan that meets the business objectives of your organization. Employers should also review their Disaster Recovery Plan for coordination of policy provisions.

Employers will also want to review any relevant state laws that apply to their organization.

*[Remove or edit the information as it applies to your organization]*

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### **Sample: Infectious and Communicable Disease Control Policy**

[Company name] will take steps to safeguard the workplace in the event of an infectious and communicable disease outbreak. These steps include:

- a plan to operate effectively
- to ensure all essential services are continuously provided
- that employees are safe within the workplace
- providing information about the nature and spread of infectious and communicable diseases, including symptoms and signs to watch for, and steps to take in the event of an illness or outbreak.



## **Communicable Disease**

A Communicable disease is defined as an infectious disease that is spread from person to person including but not limited to physical contact with an infected person or a contaminated surface, airborne transmission or through the exchange of blood and bodily fluids.

More commonly known diseases include, but are not limited to, Coronavirus (COVID-19), measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, and tuberculosis.

## **Equal Employment Opportunity (EEO)**

In accordance with [Company Name] EEO policy, we will not discriminate against any job applicant or employee based on the individual having a communicable disease. Applicants and employees shall not be denied access to the workplace solely on the grounds that they have a communicable disease. [Company Name] does reserve the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if the organization finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace.

## **Privacy**

[Company Name] will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally enough safeguards to maintain the personal confidence about persons who have communicable diseases.

## **Preventing the Spread of Infection in the Workplace**

It is our goal to ensure a clean workplace, including the regular cleaning of objects and areas that are frequently used, such as bathrooms, breakrooms, conference rooms, door handles and railings. We ask all employees to cooperate in taking steps to reduce the transmission of infectious disease in the workplace. The best strategies are:

- to clean your hands often with an alcohol-based hand sanitizer that contains at least 60-95% alcohol, or
- wash your hands with soap and water for at least 20 seconds. Soap and water should be used preferentially if hands are visibly dirty.

To help stop the spread of germs:

- [Cover your mouth and nose](#) with a tissue when you cough or sneeze.
- Put your used tissue in a waste basket.
- If you don't have a tissue, cough or sneeze into your upper sleeve, not your hands.

Remember to [wash your hands](#) after coughing or sneezing:

- Wash with soap and water, or
- If soap and water are unavailable, use an alcohol-based hand sanitizer that contains at least 60% alcohol to clean hands.

## **Attendance**

Unless otherwise notified, current attendance and leave policies remain in place. Following the Center for Disease Control (CDC) guidelines we actively encourage sick employees to stay home.

Employees who have symptoms of acute respiratory illness are recommended to stay home and not come to work until they are free of fever (100.4° F [37.8° C] or greater using an oral thermometer), signs of a fever, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). Employees should notify their supervisor and stay home if they are sick.

Many times, with the best of intentions, employees report to work even though they feel ill. If you arrive to work appearing to have acute respiratory illness symptoms (i.e. cough, shortness of breath) upon arrival to work or become sick during the day you will be separated from other employees and be sent home immediately. Sick employees should cover their noses and mouths with a tissue when coughing or sneezing (or an elbow or shoulder if no tissue is available).

Employees who believe they may face challenges reporting to work during an infectious disease outbreak should take steps to develop any necessary contingency plans. For example, employees might want to arrange for alternative sources of childcare should schools close. It is best to be prepared in advance. Please speak with your supervisor about possible solutions.

*[Employers should include important health care phone numbers i.e. telehealth, EAP etc. here]*

## Leave of Absence

### Paid Time Off

*If there is no paid sick time available (for an individual or class of individuals), consider if the company will pay for sick time based upon a diagnosis of an infectious and communicable disease. Also, if applicable, consider the removal of any disciplinary action for going over sick time in limited period. Please check your state and local laws for any required leave of absence regulations.*

We provide paid sick time and other benefits to compensate employees who are unable to work due to illness. See the *[insert name of sick leave/PTO policy here]* for more information.

### Family and Medical Leave or Other Leave of Absence

Employees who are diagnosed with a serious health condition may be eligible for Family and Medical Leave and/or short-term disability under the Company's policies. Additionally, employees who are caring for the family member's serious health condition may also be eligible for Family Medical Leave. Please check with your Human Resources Department for additional information.

### Requests for Medical Information and/or Documentation

If you are out sick or show symptoms of being ill, it may become necessary to request information from you and/or your health care provider. In general, we would request medical information to confirm your need to be absent, to show whether and how an absence relates to your illness, and to know that it is appropriate for you to return to work.

Our policy is to treat any medical information as a confidential medical record. Any disclosure of medical information is in limited circumstances to those who have a need to know. This may include supervisors, managers, first aid and safety personnel, and government officials as required by law.

If there is an exposure of employees by a confirmed case of an infectious diseases, the company will follow CDC guidelines as well as maintain confidentiality required by the Americans With Disabilities Act. Exposed employees will want to review CDC guidelines published on the CDC website with information available for exposure to the relevant outbreak [how to conduct a risk assessment](#).

## **Business Travel**

All nonessential business travel should be avoided until further notice. Employees who travel as an essential part of their job should consult with their supervisor on appropriate actions. Business-related travel outside the United States will not be authorized until further notice.

Employees who do need to travel for business purposes should following CDC guidelines and take the following steps:

- Check the [CDC's Traveler's Health Notices](#) for the latest guidance and recommendations for each country to which you will travel. Specific travel information for travelers going to and returning from China, and information for aircrew, can be found at on the [CDC website](#).
- Check yourself for symptoms of [acute respiratory illness](#) before starting travel and notify your supervisor and stay home if you are sick.
  - If you become sick while traveling or on temporary assignment notify your supervisor and promptly call a healthcare provider for advice.

## **Social Distancing Guidelines**

During times of a heightened potential of the spread of an infectious and communicable disease and in an effort to minimize the spread of any disease among the staff, it is encouraged that employees maintain the following social distancing guidelines.

During the workday, employees are requested to:

1. Avoid meeting people face-to-face and use the telephone, online conferencing, e-mail or instant messaging to conduct business as much as possible, even when participants are in the same building.
2. If a face-to-face meeting is unavoidable, minimize the meeting time, choose a large meeting room and sit at least one yard from each other if possible; avoid person-to-person contact such as shaking hands.
3. Avoid any unnecessary travel and cancel or postpone nonessential meetings, gatherings, workshops and training sessions.
4. Do not congregate in work rooms, pantries, copier rooms or other areas where people socialize.
5. Bring lunch and eat at your desk or away from others (avoid lunchrooms and crowded restaurants).

6. Encourage members and others to request information and orders via phone and e-mail in order to minimize person-to-person contact. Have the orders, materials and information ready for fast pick-up or delivery.
7. Employees should avoid crowded public transportation when possible. Alternative scheduling options, ride-share resources and/or parking assistance may be provided on a case-by-case basis. Contact human resources for more information.
8. Employees are encouraged to the extent possible to:
  - a. Avoid public transportation. Alternatively consider by walking, cycling, driving a car or going in early or leaving late to avoid rush-hour crowding on public transportation.
  - b. Avoid recreational or other leisure classes, meetings, activities, etc., where there is the potential to encounter contagious people.







## FFCRA Emergency Leaves of Absence

### Considerations for Policies & Forms

## DID YOU KNOW?

### **Q1. Is my company required to comply with the emergency leave of absences under FFCRA?**

A. An eligible employer is a public or private organization one with fewer than 500 employees at the time the leave is to be taken.

500 employees include the following employees within the United States (U. S.), District of Columbia, U. S. Territories or possession of the U. S.:

- full-time
- part-time employees
- joint – employees
- employees on leave of absence
- temporary employees (including those from temporary agency)
- day laborer

An organization should count all employees in all its separate establishments or divisions. A corporation with ownership interest in another is considered a separate employer unless they are defined as joint employer under the Fair Labor Standards Act or they meet the integrated employer test under the Family and Medical Leave Act (FMLA).

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**Q2. My organization has fewer than 50 employees. Am I exempt from providing emergency paid leave for a child whose school has closed or childcare is unavailable?**

A. Employers may be granted small business protection from providing leave if the viability of the business is threatened as an ongoing concern. This applies to organizations:

- a. With fewer than 50 employees
- b. When leave has been requested because an eligible employee is who is unable to work (or telework) due to a need to care for their child when the school or place of care has been closed, or the regular childcare provider is unavailable due to a public health emergency with respect to COVID-19.

The following determination needs to be made by *an authorized officer of the business* and the organization needs to document that it meets the exemption of the requirement of providing Paid Emergency Leave when:

- 1. The provision of paid sick leave or expanded family and medical leave would result in the small business's expenses and financial obligations exceeding available business revenues and cause the small business to cease operating at a minimal capacity.
  - 2. The absence of the employee or employees requesting paid sick leave or expanded family and medical leave would entail a substantial risk to the financial health or operational capabilities of the small business because of their specialized skills, knowledge of the business, or responsibilities; or
  - 3. There are not sufficient workers who are able, willing, and qualified, and who will be available at the time and place needed, to perform the labor or services provided by the employee or employees requesting paid sick leave or expanded family and medical leave, and these labor or services are needed for the small business to operate at a minimal capacity.
-

### Q3. What recordkeeping requirements does my organization need to maintain for employees taking Emergency Paid Leave of Absences?

A. Tax Credits are available for employers required to provide Paid Emergency Leave of Absences under the FFCRA for the period of April 1, 2020 ending on December 31, 2020. Records should be maintained (“for a period of at least 4 years after the date the tax becomes due or paid, whichever comes later”) to document the tax credit being applied for including:

“An Eligible Employer will substantiate eligibility for the sick leave or family leave credits if the employer receives a written request for such leave from the employee in which the employee provides:

1. The employee’s name;
2. The date or dates for which leave is requested;
3. A statement of the COVID-19 related reason the employee is requesting leave and written support for such reason; and
4. A statement that the employee is unable to work, including by means of telework, for such reason.

In the case of a leave request based on a quarantine order or self-quarantine advice, the statement from the employee should include the name of the governmental entity ordering quarantine or the name of the health care professional advising self-quarantine, and, if the person subject to quarantine or advised to self-quarantine is not the employee, that person’s name and relation to the employee.

In the case of a leave request based on a school closing or child care provider unavailability, the statement from the employee should include the name and age of the child (or children) to be cared for, the name of the school that has closed or place of care that is unavailable, and a representation that no other person will be providing care for the child during the period for which the employee is receiving family medical leave and, ***with respect to the employee’s inability to work or telework because of a need to provide care for a child older than fourteen during daylight hours, a statement that special circumstances exist requiring the employee to provide care. (emphasis added)***”

<https://www.irs.gov/newsroom/covid-19-related-tax-credits-for-required-paid-leave-provided-by-small-and-midsize-businesses-faqs> Q and A No. 44



## Expanded Family and Medical Leave (EFMLA) and Emergency Paid Sick Leave Policy

**The following is a sample of factors that should be considered when creating your Emergency Family and Medical Leave (EFMLA) Policy.**

**Employers will also want to review any relevant state laws that apply to their organization.**

*[Remove or edit the following information as it applies to your organization.]*

### Expanded Family and Medical Leave (EFMLA) Policy

#### **Purpose**

To comply with the Families First Coronavirus Response Act and to assist employees affected by the Coronavirus (COVID-19) outbreak with job-protected and emergency paid sick leave. These policies will be in effect from April 1, 2020, until December 31, 2020.

*[Our existing FMLA leave policy applies to all other reasons for leave outside of this policy.]*

### Expanded FMLA Leave (EFMLA)

#### **Employee Eligibility**

All employees who have been employed for at least 30 days. An eligible employee is one who is unable to work (or telework) due to a need to care for their child when the school or place of care has been closed, or the regular childcare provider is unavailable due to a public health emergency with respect to COVID-19.

“Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is:

1. under 18 years of age; or
2. 18 years of age or older and incapable of self-care because of a mental or physical disability.

Note that if the employee cannot work or telework because of a need to provide care for a child older than fourteen during daylight hours, a statement that special circumstances exist is required.

“Childcare provider” means a provider is one provides childcare services on a regular basis, including:

- a center-based childcare provider
- a group home childcare provider
- a family childcare provider (one individual who provides childcare services for fewer than 24 hours per day, as the sole caregiver, and in a private residence)
- other licensed provider of childcare services for compensation
- a childcare provider that is 18 years of age or older who provides childcare services to children who are either the grandchild, great grandchild, sibling (if such provider lives in a separate residence), niece, or nephew of such provider, at the direction of the parent..

“School” means an elementary or secondary school.

### **Duration of Leave**

Employees will have up to 12 weeks of leave to use from April 1, 2020, through December 31, 2020, for leave taken under this policy.

This time does not extend any time that may have been taken under the FMLA. The total FMLA leave entitlement including time taken under EFMLA is 12 weeks in a 12-month period.

### **Pay During Leave**

Leave will be unpaid for the first 10 days of leave; *[employees may use any accrued paid vacation, sick or personal leave during this time.]*

The employee may also elect to use the paid leave provided under the Emergency Paid Sick Leave Act.



[After the first 10 days, leave will be paid at two-thirds of an employee's regular rate of pay for the number of hours the employee would otherwise be scheduled to work. Pay will not exceed \$200 per day, and \$10,000 in total. Any unused portion of this pay will not carry over to the next year.

*[An employee [may or may not] be allowed to supplement their pay up to 100% of regular wages if paid leave is available from PTO or other applicable paid time off policy. Available existing paid time off taken will run concurrently with EFMLA time taken.]*

*[Leave under EFMLA may be taken in full day or intermittent increments.]*

### **Employee Status and Benefits During Leave**

While an employee is on leave, the company will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

*[While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. During any unpaid portions of leave, the employee must continue to make this payment per instructions from the HR department.]*

*[If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. During any portion of unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums, or the employer may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the employer may discontinue coverage during the leave. If the employer maintains coverage, the employer may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.]*

## **Procedure for Requesting Leave**

All employees requesting FMLA leave must provide written notice, where possible, of the need for leave to their Manager or Human Resources.

Written notice may include a notice posted on a government, school or day care provider website, published in a newspaper or an email from an employee or school official or place of care.

On a basis that does not discriminate against employees on FMLA leave, the company may require an employee on EFMLA leave to report periodically to Human Resources on the employee's status and intent to return to work.

## **Employee Status After Leave**

Generally, an employee who takes EFMLA will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The company may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

*[Employers with fewer than 25 employees may wish to adopt the following language in lieu of the preceding paragraph:*

*Generally, an employee who takes EFMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. If the position the employee held before leave started no longer exists due to economic conditions or operational changes that are made because of the public health emergency, and no equivalent position is available, the employee will not be returned to employment. However, for the period of one year after qualifying leave under this policy ends, [Company Name] will make reasonable efforts to contact the employee if an equivalent position becomes available.]*



# Emergency Paid Sick Leave Sample Policy

## Emergency Paid Sick Leave Sample Policy

**The following is a sample of factors that should be considered when creating your Emergency Paid Sick Leave policy.**

**Employers will also want to review any relevant state laws that apply to their organization.**

*[Remove or edit the following information as it applies to your organization.]*

### **Eligibility**

All full - and part-time employees unable to work (or telework) due to one of the following reasons for leave:

1. The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19.
2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
4. The employee is caring for an individual who is subject to either number 1 or 2 above.
5. The employee is caring for his or her child if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions.
6. The employee is experiencing any other substantially similar condition specified by the secretary of health and human services in consultation with the secretary of the treasury and the secretary of labor.

### **Amount of Emergency Paid Sick Leave**

All eligible full-time employees will have up to 80 hours of paid sick leave available to use for the qualifying reasons above. Eligible part-time employees are entitled to the number of hours worked, on average, over a two-week period.

Paid sick leave under this policy will be taken in full-day increments unless telework is available, and the leave cannot be taken intermittently if the leave is being taken for any qualifying reason other than to care for a child whose school or day care provider is unavailable due to COVID-19 precautions..

Leave must be taken until the full amount of leave is used, or you no longer have a qualifying reason for taking paid sick leave. If after returning from a paid sick leave prior to December 31, 2020 an additional qualifying leave under this policy develops, you may use any remaining emergency paid sick leave time available.

### **Rate of Pay**

Paid emergency sick leave will be paid at the employee's regular rate of pay, or minimum wage, whichever is greater, for leave taken for reasons 1-3 above. Employees taking leave for reasons 4-6 will be compensated at two-thirds their regular rate of pay, or minimum wage, whichever is greater. Pay will not exceed:

- \$511 per day and \$5,110 in total for leave taken for reasons 1-3 above;
- \$200 per day and \$2,000 in total for leave taken for reasons 4-6 above.

### **Interaction with Other Paid Leave**

The employee must use emergency paid sick leave available under this policy before using any other accrued paid time off.

Employees on EFMLA leave under this policy may use emergency paid sick leave during the first 10 days of normally unpaid FMLA leave.

### **Procedure for Requesting Emergency Paid Sick Leave**

Employees must notify their manager or Human Resources of the need and specific reason for leave under this policy.

A form will be provided to all employees on the company intranet and/or in a manner accessible to all. Verbal notification will be accepted until practicable to provide written notice.

Once emergency paid sick leave has begun, the employee and his or her manager must determine reasonable procedures for the employee to report periodically on the employee's status and intent to continue to receive paid sick time.

**Carryover**

Paid emergency sick leave under this policy will not be provided beyond December 31, 2020. Any unused paid sick leave will not carry over to the next year or be paid out to employees.

**Job Protection**

No employee who appropriately utilizes emergency paid sick leave under this policy will be discharged, disciplined, or discriminated against for work time missed due to leave taken under the Emergency Paid Sick Leave policy.

# Sample Request: Emergency Paid Sick Leave Form

To request emergency paid sick leave as provided under the **Expanded Family and Medical Leave (EFMLA) and Emergency Paid Sick Leave Policy**, please complete the following request form and submit to your Manager or the Human Resources department as soon as possible before leave commences.

Employee Name (print): \_\_\_\_\_  
 Department: \_\_\_\_\_  
 Manager: \_\_\_\_\_  
 Requested Leave Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_  
 The amount of emergency paid sick leave being requested is \_\_\_\_\_ hours.

I am requesting this emergency paid sick leave due to my inability to work (or telework) because (check the appropriate reason below):

- ☐ 1. I am subject to a federal, state, or local quarantine or isolation order related to COVID-19;
- ☐ 2. I have been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- ☐ 3. I am experiencing symptoms of COVID-19 and seeking a medical diagnosis;
- ☐ 4. I am caring for an individual who is subject to either number 1 or 2 above;
- ☐ 5. I am caring for my child whose primary or secondary school or place of care has been closed, or my childcare provider is unavailable due to COVID-19 precautions; or
- ☐ 6. I am experiencing another substantially similar condition specified by the secretary of health and human services.

I am requesting Intermittent leave for Reason #5 and Work or Telework is available. I wish to take intermittent leave during the following days and hours:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday

I have attached documentation supporting my need for leave\*.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Manager Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 HR Department Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*A statement that the employee is unable to work, or telework, for such reason:

- In the case of a leave request based on a quarantine order or self-quarantine advice, the statement from the employee should include the name of the governmental entity ordering quarantine or the name of the health care professional advising self-quarantine, and, if the person subject to quarantine or advised to self-quarantine is not the employee, that person's name and relation to the employee.
- In the case of a leave request based on a school closing or child care provider unavailability, the statement from the employee should include the name and age of the child (or children) to be cared for, the name of the school that has closed or place of care that is unavailable, and a representation that no other person will be providing care for the child during the period for which the employee is receiving family medical leave and, **with respect to the employee's inability to work or telework because of a need to provide care for a child older than fourteen during daylight hours, a statement that special circumstances exist requiring the employee to provide care. (emphasis added)**.



### DID YOU KNOW?

For employers preparing to return employees back into the office, as we have heard from public health officials, this won't be like flipping a switch, but rather a gradual effort. In preparation for reopening your business or asking employees to come back to a physical company worksite, it's imperative to thoughtfully consider and prepare a return to work action plan to keep everyone healthy and safe.

Timing for these considerations is not an easy decision with the lingering impact of COVID-19. Decisions on how to reopen and/or how to continue business operations, including the return of the workforce from furloughed and remote work locations, will look different for every organization. How can employers most effectively prepare to receive their workforce—and make sure their employees are ready? The following are questions which many organizations are having to consider:

#### **Q1. We have been working remote, when should we reopen our offices?**

**A.** Most states have stay at home orders and guidance about which businesses may remain open at this time. Employers should pay attention to any federal, state, or local guidance regarding reopening their business.

For the most up to date information, employers can visit their local health department home page along with [The Centers for Disease Control \(CDC\) Coronavirus home page](#).

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**Q2. Can we allow some employees to return to work and others to continue to work remotely?**

**A.** Employers may offer different terms of employment to different groups of employees if the distinction is based on nondiscriminatory criteria. For example, a telecommuting option or requirement can be based on the type of work performed. Employers should be able to support the business justification for allowing or requiring certain groups to telecommute.

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**Q3. Are we able to screen employees returning to work and take their temperatures?**

**A.** The Equal Employment Opportunity Commission (EEOC) has issued guidance that employers may take employees' temperatures during the COVID-19 pandemic since COVID-19 is spreading nationwide. Employers who choose to do screenings must keep all information confidential, even lack of symptoms or temperature, and should be consistent and screen all employees to avoid discrimination. Employers are encouraged to provide a private location for screening and take care to ensure social distancing requirements for any queue of employees waiting to be screened.

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**Q4. If an employee is experience COVID-19 symptoms, can we send them home?**

**A.** The CDC has advised that employees who appear to have symptoms of COVID-19 (fever, cough, chills, shortness of breath or difficulty breathing, muscle pain, headache, sore throat, and sudden loss of taste or smell) should be sent home immediately.

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**Q5. If an employee is out of the office due to sickness, can we ask them about their symptoms?**

**A.** Specific to COVID-19 and in line with an employer's responsibility to provide a safe workplace, an employer can ask specifically about the symptoms of COVID-19 and should make it clear that this is the extent of the information that they are looking for.

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#### **Q6. Should I let other employees know if one of their coworkers is diagnosed with COVID-19?**

**A.** The Americans with Disabilities Act (ADA) requires that medical information be kept confidential. If an employee does reveal that they have symptoms of COVID-19 or have a confirmed case, the CDC recommends informing the employee's co-workers of their possible exposure to COVID-19 in the workplace, but not naming the employee who has, or might have been exposed, and should direct co-workers to self-monitor for symptoms.

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#### **Q7. What if our employees refuse to return to work?**

**A.** The employee being asked to return to work may have a right to job-protected and paid leave under the federal Families First Coronavirus Response Act (FFCRA). In circumstances where an employee does not meet the requirements of FFCRA but is immune compromised, they may be entitled to a reasonable accommodation under the Americans with Disabilities Act (ADA). Working remotely if feasible, is an example of a possible reasonable accommodation.

If an employee does not feel safe returning to work because of their own health or the health of someone in their family, but does not meet the requirements of the FFCRA, or an accommodation under ADA, an employer could offer flexibility to work from home or allow the employee to request an unpaid leave of absence.

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#### **Q8. How can I maintain a positive work culture in such a time of uncertainty?**

**A.** Employers should emphasize all of the safety methods that have been put in place to prevent the spread of COVID-19. Some examples include scheduled handwashing, frequent disinfection of surfaces, and implementing social distancing rules, especially in common areas like the cafeteria or break-room.

Employers may consider offering hazard pay for employees who have direct contact with customers or are in an area of the company that is higher risk.

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# 6 STEP PLAN FOR WORKPLACE RE-ENTRY

The return of employees from furloughed and Work From Home (WFH) workforce back to places of business will look different for every organization. How can employers make sure they are prepared to receive their workforce—and make sure their employees are prepared for re-entry into the worksite? The following are a handful of guiding principles to help navigate the return to the workplace:

## 1. Prepare the Building

### Cleaning plans, pre-return inspections, HVAC & mechanicals checks

- ☐ Establish COVID-19 Team
- ☐ Ensure safety of all workers
- ☐ Ready Mechanical, HVAC, Fire/Life Safety systems
- ☐ Clean with products from approved lists from governing authorities
- ☐ Ensure compliance with owner/ Landlord requirements policies
- ☐ Engage vendors in back-to-work plan
- ☐ Review and prepare plans regarding changes to cleaning
- ☐ Ensure all inspections, remediations, repairs and communications are complete before reopening
- ☐ [CDC Business Resources](#)

## 2. Prepare the Workforce

### Policies for deciding who returns and when; employee communications

- ☐ Mitigate anxiety of returning to the workplace through change management planning and communications
- ☐ Consider why people can benefit from returning to work:
  - Productivity from proximity to colleagues; socialization; amenities; and work tools & resources
- ☐ Consider why people can benefit from continued WFH & permanent telecommuting:
  - Health and family priorities;
  - Reduced commute time;
  - Technology enables WFH without loss of productivity
- ☐ Develop and execute detailed plan on how to return to work
- ☐ Advise on alternate means of safe commuting
- ☐ Prepare and post reminders of social distancing and cleaning protocols

## 3. Control Access

### Protocols for safety and health checks, building reception, shipping/receiving, elevators, visitor policies

- ☐ Control the entry points including deliveries
- ☐ Reconfigure gathering and lobby areas for social distancing
- ☐ Install plexiglass shields as appropriate
- ☐ Clearly communicate building protocols through signage and floor markings
- ☐ Consider temperature screening
- ☐ Staff tracking (sign-in/sign-out)
- ☐ Consider face coverings in common areas
- ☐ Stress if employee/family is sick, stay home
- ☐ Provide sanitizer, wipes, PPE as appropriate
- ☐ Disable touchscreens

## 4. Create a Social Distancing Plan

### Decreasing density, schedule management, office traffic patterns

- ☐ Consider phasing based on roles and priorities, including temp workers if needed
  - Alternating work weeks in the office and WFH
  - Staggered arrival/departure times
  - Enable teams to negotiate their own in-office schedules
- ☐ Introduce planning to support social distancing/ 6 Feet office Protocols
- ☐ Monitor space usage
- ☐ Specify seating assignments for employees to ensure staff adheres to minimum work distances
- ☐ Redesign spaces, alternate desk/chair use, etc., for social distancing
- ☐ Add panels between desks including height adjustable panels for sit/stand desks
- ☐ Enforce stringent cleaning protocols for shared spaces
- ☐ Reduce capacity of spaces—e.g., remove some chairs from large conference rooms
- ☐ Prohibit shared use of small rooms and convert them to single-occupant use only
- ☐ Designate and signpost the direction of foot-traffic in main circulation paths

## 5. Reduce Touch Points and Increase Cleaning

### Touchless ingress/egress, clean desk policy, food plan, cleaning common areas

- ☐ Maintain enhanced cleaning and disinfecting practices
- ☐ Supply disinfectants near or on each desk or work area, particularly those that are shared
- ☐ Remove food/beverages – consider restocking with single-serving items
- ☐ Enable DIY cleaning through hand sanitizer, disinfectant wipes, and other such products
- ☐ Sanitize all workspace areas, including office, conference room, breakroom, cafeteria, restroom, and other areas prior to opening. Ensure appliances/equipment are in working order
- ☐ Limit in person meetings
- ☐ Consider low-touch or no-touch switches, doors, drawers, and other fittings
- ☐ Remove high-touch shared tools such as whiteboard markers, remote controls, etc.
- ☐ Institute a clean desk policy
- ☐ Create secured, designated storage areas for personal items
- ☐ Designate a specific enclosed room to isolate any person identifying themselves with symptoms

## 6. Communicate for Confidence

### Recognize the fear in returning, communicate transparently, listen/survey regularly

- ☐ Ensure leadership alignment on reentry
- ☐ Establish two-way communication
- ☐ Ensure a trusting and transparent culture
- ☐ Clearly set employee expectations, with an emphasis on making them feel secure
  - Return to work/WFH policies and incentives
  - Guest and visitor policies
  - Employee travel policies
  - HR policies regarding illness, support for caregivers, etc.



## POST COVID-19 TIMELINE FOR REOPENING

[Click here to access the timeline in Excel Format](#)

Re-Entry Date: 6/1/2020						
Function	Lead	+/- Days from Return	Tasks Complete	Date Completed	Task	Comments/Progress
Operations	Managing Partner	-30	5/2/2020		MPs meet with HR to review plan to reopen their firm offices.	Leadership and MP will approve the reopening plan prior to communications to firm associates.
Operations	Managing Partner	-30	5/2/2020		MP to send ALL Associates an update on office re-entry and include Post COVID Return-to-Office Survey to measure satisfaction, concerns and hurdles of working from home.	HR to provide survey. Results should be carefully reviewed. HR can assist with any concerns.
Operations	Managing Partner	-30	5/2/2020		Order masks for guests in the office. Company will provide Associates a mask, but they can provide their own as needed.	Handmade masks will work, but they must be washed daily. Company will be providing masks for employees as required by state or local regulations.
Operations	Office Manager	-30	5/2/2020		Using Company supply vendor, order sanitizing wipes and hand sanitizer for all desks and common areas.	If not available, order Lysol spray or other disinfectants and plenty of paper toweling. You can try other sources too.
HR	Managing Partner	-15	5/17/2020		Managing Partner to draft communications to firm Associates about timing and plans around re-opening the office.	Continue weekly updates until a date is announced.
Operations	President CEO	-10	5/22/2020		Send post-pandemic transitional welcome back letter to all Company Associates.	
Operations	Managing Partner	-10	5/22/2020		Upon review of the firm survey results, MP or assigned Champion determines an initial list of Associates to return to work upon opening and those who remain working remote.	This list needs to be posted on a common server for all to access. HR can provide format.
HR	Managing Partner	-10	5/22/2020		Create a confidential list of <b>known</b> high risk Associates in order to be sensitive to asking them to come into the office only if absolutely necessary.	MP to keep this confidential and cannot ask about the condition, only list that the Associate may have a chronic illness or lives with a high risk family member. Any list of "High Risk" or "Low Risk" Associates should be kept confidential and shared on a "need to know" basis.
Operations	Managing Partner	-10	5/22/2020		MP to select and announce firm's COVID-19 Champion. This will be the key firm contact for all things related to COVID-19.	COVID-19 Champion will work with local or regional HR for any issues of concern.

Function	Lead	+/- Days from Return	Tasks Complete	Date Completed	Task	Comments/Progress
HR	Managing Partner	-10	5/22/2020		COVID Champion should stay current with the firm's state mandates as it relates to COVID-19 and the workplace and monitor often. This included guidance on wearing masks in the workplace.	Regional or local HR can assist each firm as needed to keep them apprised of current and changing guidance.
Operations	Managing Partner	-10	5/22/2020		MP set and communicate final office staggered schedule and working pods. This communication should include state guidance and specific office protocols for wearing masks in the workplace. Request Associates to perform a self-health check-up daily before coming into the office. Be clear that any Associate exhibiting any form of illness or decline in health should remain home.	Be clear on what days and times staff should come to the office. Make sure it is staggered based on seating and keeping 6 feet or more of physical distance. HR to draft this notice for MP to send.
Operations	Return-to-Office Champion/MP	-10	5/22/2020		Ensure the office has disposable plates, silverware etc. Eliminate any shared dishes or food sources like snack containers & candy jars. Hand soap available in kitchen area. Lysol or other disinfectant sprays available. Cancel or conceal shared publications like magazines and newspapers.	Also pause any regular food or fruit deliveries unless deemed safe.
HR	Return-to-Office Champion/MP	-7	5/25/2020		Work with Managing Partner to ensure the office layout is compliant with social distancing. Move furniture and chairs if possible, to accommodate. Schedule pods or teams in a manner to create social distancing. Post new social distancing occupancy in all common areas and conference rooms.	These are hopefully temporary modifications. Limit spending any capital to get this done. Recommend occupancy limit of 33%.
Operations	Return-to-Office Champion/MP	-5	5/27/2020		Consider closing any areas in the office or rearranging furniture to limit unintended gatherings. Reduce Associate touchpoints to shared items wherever possible.	Associates know they must socially distance but the more we take steps in the workplace to discourage the natural behavior to gather the better.



Function	Lead	+/- Days from Return	Tasks Complete	Date Completed	Task	Comments/Progress
Operations	Managing Partner	-5	5/27/2020		Compile a roster of all remote Associates or high risk Associates that will continue to work remotely at this time. Consider Associates that have child-care issues.	Make sure they understand they need to notify a Supervisor, their MP or COVID Champion if they need to come in the office.
Operations	Return-to-Office Champion	-15	5/17/2020		Confirm with building owners on cleanliness of building for re-entry. Discuss protocols for any new infections and how it will be communicated.	Hire outside cleaning firm if needed.
Operations	Return-to-Office Champion/MP	-2	5/30/2020		Have wipes, hand sanitizer, mask, Company leaflet or poster, maybe an individually wrapped snack or candy on each desk of a returning Associate.	A personal welcome back note might be a nice touch.
Operations	Return-to-Office Champion/MP	-2	5/30/2020		Work with Managing Partner to create Return to Work suggestions to all associates that are coming back to the office. Consider casual dress, encourage staff to bring their own lunch and snacks in a small lunch cooler. Reminder that shared snacks will not be allowed etc. Be sure all Associates are aware of the "new normal" in the workplace.	Highly recommend MP's allow a "dress for the day policy" and remind Associates to look presentable on all Zoom calls with clients.
Marketing	Return-to-Office Champion	-1	5/31/2020		Provide Company poster or leaflet with reminders of sanitizing desks and in common areas and rest rooms.	Company marketing to provide a link on ARCH for printing poster.
Operations	Managing Partner	0	6/1/2020		Managing Partner should be clear and share guidelines for the handling of new infections in the workplace. Who should be contacted and emphasize confidentiality of the infected associate?	Must keep associate information as confidential as possible. HR to Provide MP with guidelines.
Operations	Return-to-Office Champion/MP	0	6/1/2020		Institute a daily cleaning/sanitized wipe down of copiers, printers, kitchen handles, faucets, water cooler, door handles etc.	A small amount of Bleach in a spray bottle diluted with water works well if wipes are limited.
Operations	Return-to-Office Champion	0	6/1/2020		Designate and mark clearly (if possible, based on the office configuration) one door to use to enter the office and another door to exit the office.	This is ideal if there are two points of entry/exit into the office. Remind staff this does not apply to an emergency situation where evacuation is key and must be quick.



Function	Lead	+/- Days from Return	Tasks Complete	Date Completed	Task	Comments/Progress
HR	Return-to-Office Champion/MP	0	6/1/2020		Require Associates to report any personal travel outside the state where the office resides.	Consider a quarantine period of the Associate traveled to a high-risk area.
HR	Return-to-Office Champion	0	6/1/2020		Establish and publish protocols for mail and other deliveries to the office. Limit touches and sanitize where possible.	
Operations	Return-to-Office Champion	1	6/2/2020		Return-to-Office Champion to encourage opening windows and airing out the office if possible, daily.	Understand some office windows cannot be opened.
HR	Return-to-Office Champion	2	6/3/2020		Introduce "GO BAG" readiness and ask each Associate to complete their own GO BAG QUESTIONNAIRE in order to be ready to work remotely at any time.	Post reminder signs at office exits - "Do you have your Go Bag?" Provide example of a completed Go Bag Questionnaire.
Operations	Return-to-Office Champion/Managers/MP	3	6/4/2020		Encourage and plan outdoor meetings on nice days. Encourage Associates to take healthy breaks and get outside every day.	This should be continuous and encouraged by all
HR	Return-to-Office Champion	5	6/6/2020		Return-to-Office Champion to send out reminders of the importance of daily self-health checks and to not come into the office if an Associate is presenting any signs of illness. Illness of any type preventing an Associate to come to work should be reported to Return-to-Office Champion.	
Operations	Return-to-Office Champion/Managers/MP	5	6/6/2020		Conduct weekly Zoom calls/check-ins with remote staff as a core office. Keep the touches to all Associates regular and positive. Include all Associates and they can decide if they want to participate. Create contests, keep it light, keep it fun, keep those remote engaged.	Promoting Associates' well-being is very important. There are many additional stresses on Associates and their families that may not be evident. Never assume all Associates are just fine. Continue the reach-outs.
Operations	Managing Partner	10	6/11/2020		Meet with Producers and Account Managers. Check-in to see if there are any client requests for in-person meetings. Strategize on best practices to deal with client requests and also prospecting meetings. Offer Zoom calls with lunch included.	Office Manager or Return-to-Office Champion to establish account with Door Dash or Grubhub or local restaurant to purchase and deliver lunches for clients and prospect meetings.





Function	Lead	+/- Days from Return	Tasks Complete	Date Completed	Task	Comments/Progress
HR	Return-to-Office Champion/MP	10	6/11/2020		When appropriate, remind associates of our EAP program.	The discussion should be generic such as "it's seems like you are struggling – remember we have EAP". Please do not make any assumptions about the associate's psychological condition. Contact local or regional HR for support as needed.
HR	Managing Partner	15	6/16/2020		Encourage all Associates to use their PTO for days to unplug and get rest.	PTO balances are building up and we want to discourage use all at year-end. MP to set local PTO policy on carry-over.
HR	Return-to-Office Champion/MP	20	6/21/2020		Continue reach-outs to all Associates, ask for feedback on how things are going with remote work and those working in the office in pods/on shifts.	Consider adjusting based on feedback.
Operations	Return-to-Office Champion/MP	30	7/1/2020		Consider one-month celebration of Return to Office with a Happy Hour via Zoom for all.	Include all Remote staff.
HR	Managing Partner	30	7/1/2020		MP to provide updates on how the firm is doing with the new normal. Emphasize what is going well and suggest adjustments as needed.	Open, honest, and thoughtful communication will be important to all Associates.
		0	6/1/2020			
		0	6/1/2020			
		0	6/1/2020			





## Return to Office Readiness Survey

### Return to Office Readiness Survey

**Create the following survey in Survey Monkey or your survey software.**

#### **Return-to-Office Readiness**

Now that the stay-at-home order for your area has been lifted (or will lift soon), it's time to start the gradual process of finding a new normal. Although we were quick to transition to an almost completely remote work environment, our transition back into the office will be gradual, intentional, and responsive to individual needs and concerns. Please complete this survey so we can get a pulse for the overall energy toward remote vs. in-office work and preemptively address the concerns that matter most. Keep in mind, you are not required to provide any personal medical information in response to the questions.

1. What is your #1 concern about returning to work in the office? (open text)
2. How comfortable are you returning to work in the office in accordance with your prior work schedule? (scale 0-100)
3. Please describe why you chose the rating in Q2. (comment box)
4. When we return to the office, we will take measures to promote continued social distancing, enhanced personal hygiene and sanitation efforts. Please share your support of these initiatives. (Don't think necessary; I'm fine either way; Great idea; Yes, and I'd support doing more)
  - a. Staggered Work Schedules
  - b. Hand Sanitizer & Disinfectant Wipes at each desk and in common areas
  - c. Limit in-person meeting size
  - d. Limit client, prospect, vendor meetings
  - e. Prohibit shared food
  - f. Encourage proper handwashing & hygiene



What other ideas do you have to ensure our office environment is safe? (comment box)

5. Please rank your potential concerns about returning to the office, by impact. (drag option)
    - a. Challenge of Social Distancing in office
    - b. Sanitation of common areas in office
    - c. Childcare
    - d. Transportation to/from office (e.g. busses)
    - e. General fear of contracting COVID19
    - f. Concern for immediate family member(s) with co-morbidities
    - g. Other, populate text box below
  6. If *Other* in Q5, what additional concern do you have? Please also explain why you chose the above ranking. (comment box)
  7. Looking back, rate the success of your home office set-up. (matrix scale: Very Unsatisfactory; Okay; Neutral; Pretty Good; Awesome!)
    - a. Ability to Access Company Resources
    - b. Technology
    - c. Workstation Ergonomics
    - d. Distraction-free Home Office
    - e. Communication from your Manager or Team Lead
- Were there any unexpected benefits or hurdles to working from home?
8. What percentage of your normal job responsibilities have you been able to complete while working remote? (scale 0%-100%)
  9. What aspects of your job (or tasks) have you not been able to complete remotely? Are they on hold or is someone else covering the tasks? (comment box)
  10. What are 1-3 things that were a professional challenge during the stay-at-home order and what would you do differently if this were to happen again? (3 text boxes)



11. How interested are you in working from home in the future, once we find our new normal?  
(scale 0-100)

12. Prior to the pandemic, how often did you work from home?

- a. Never; I always worked from the office
- b. Occasionally; on an as-needed basis
- c. Partially; I worked from home 1-3 days/week
- d. Regularly; I regularly worked from home 4+ days/week
- e. Always; I only have a home office

13. Is there anything else you'd like to share with us? (comment box)

14. Your Information (text box)

- a. Your Name
- b. Firm Name
- c. Job Title
- d. Email





## Return to Worksite Sample Letter

**The following is a sample of factors that should be considered when creating your Return to Work Site letter to employees.**

**Employers will also want to review any relevant state laws that apply to their organization.**

*[Remove or edit the following information as it applies to your organization.]*

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To *[Company name]* employees:

As you return to *[Company name]*, you will notice various changes in the way our workplace looks along with new procedures. We understand that change is not always easy, and we are here to support you. Our goal is to ensure that you feel safe and secure in performing your job duties.

Here are some new protocols that we are implementing to help keep our workplace safe and to support you:

- A return to the workplace policy and training.
- Access to hand sanitizer throughout the workplace.
- More frequent cleaning and sanitizing of your workspace.
- Flexible scheduling and staggered scheduling to reduce the number of employees on site at the same time.
- Daily huddles and weekly communication on our new policies and requirements, your health and safety, and measures we are taking to prevent the spread of COVID-19.
- A limit on the number of people allowed to gather in offices, meeting rooms, conference rooms, break rooms and communal areas at one time
- Access to our employee assistance program (EAP) *[name and email of person to contact]*.

Here are some best practices that we expect from all of our employees to help keep our workplace safe:



- Take your temperature at home before reporting for work (do not come in if your temperature exceeds *[xxx.xx]* degrees)
- Go home if you feel sick or have symptoms related to COVID-19 (fever, shortness of breath, etc.)
- Wash your hands often, and for the recommended 20 seconds.
- Maintain social distancing by staying at least 6 feet apart when moving through the workplace.
- You may, but are not required to, wear a face mask or cloth face covering in the workplace.
- Be considerate of your co-workers
- Call, email, message, or video conference as much as possible rather than meet face to face.
- Be conscious and understanding of your co-workers who may be dealing with personal issues (childcare, illness or loss of loved ones, financial insecurity)
- Speak with your manager, HR, or *[name and email of person to contact]* if you have questions or concerns.

Thank you for your patience and cooperation, and welcome back to our offices.

***[Name and signature]***

