Employee Post COVID-19 Return-to-Work Checklist & Considerations

Review Available Guidance

- ☐ Review state law to determine if temperature or health assessments of employees are required
- ☐ Provide required state notices (if applicable) if temperature of employees will be taken
- ☐ Determine whether third-party access to facility will be limited

Facility Preparedness

- ☐ Close common areas where personnel are likely to congregate and interact, or enforce strict social distancing protocols
- ☐ Identify need and process to distribute face coverings to customers and third parties who enter facilities
- ☐ Post COVID-19 social distancing protocol on entry/exits and in breakrooms
- ☐ Install hand sanitizer dispensaries across worksites
- ☐ Implement OSHA Workspace Considerations
    - ☐ 6 feet distancing between stations
    - ☐ Installing plexiglass partitions
    - ☐ Adding foot push openings to doors
    - ☐ Restrict sharing of headsets and other such devices
- ☐ Work with facility management to increase air exchanges in rooms
- ☐ Consult with landlords about converting communal restrooms to single-seat bathrooms to avoid close contact between users
- ☐ Utilize HVAC contractors to increase the number of air changes in your workplace
- ☐ Upgrade your teleconference equipment to allow for more teleconferences
- ☐ If possible, arrange for pick-up and drop-off delivery of packages to be done outside

Update Handbook Policies

- ☐ FFCRA policy/documentation
- ☐ Paid Sick Leave and Emergency FMLA policies (if applicable)
- ☐ Leaves of absence including sick leave and state/local PSL requirements
- ☐ Benefits, Furlough, Reinstatement of pay, Bonuses
- ☐ Attendance, Vacation/Paid Time Off
- ☐ Remote work
- ☐ Work hours, including start/stop time, breaks, lunch times, flexible hours, and staggered work hours
- ☐ Timekeeping including clock in/out procedures
- ☐ Travel policies including business and personal travel o Information technology and usage
- ☐ Pay Stubs and pay codes may need to be updated and adjusted to reflect line item for EPSL or EFMLA
- ☐ Ensure all employment posters and notices are current – including new FFCRA poster

Workers' Compensation & Personal Injury Claim Considerations

- ☐ Discuss insurance coverage for third-party exposure claims with broker
- ☐ Review workers' compensation policy and coverage
- ☐ Confirm workers' compensation reporting requirements
- ☐ Be mindful of intentional v. unintentional claims and applicable law in jurisdiction
- ☐ Be aware of temporary changes to state standards for COVID-19 workers' compensation liability
- ☐ Develop lawsuit avoidance best practices:
    - ☐ Follow CDC Interim Guidance for Businesses, including best practices for social distancing
    - ☐ Follow CDC's Public Health Recommendations for Community Exposure
    - ☐ Ensure that employees are provided and properly wearing all required PPE
    - ☐ Be mindful of CDC guidance for essential business employing critical workers
    - ☐ Continue and promote workplace education regarding safeguards
    - ☐ Share information with employees, if permitted

☐ Keep up safe workplace practices

☐ Be prepared to demonstrate compliance with CDC and OSHA guidance, as it applies to both employees and third parties.

☐ If a lawsuit is filed, immediately notify counsel and insurance carriers and gather all critical documents

☐ If claim is received, immediately notify counsel and all insurers who may provide coverage for such a claim, including general liability, workers' compensation, and premises liability insurers

☐ Gather all documents and witnesses that would demonstrate the company's COVID-19 response plan and measures, representing the company's commitment to employee safety during the pandemic

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This checklist is for general informational purposes only, and is not intended as medical or legal advice.