COVID-19 RETURN-TO-WORKPLACE CHECKLIST

As many cities prepare to reopen city offices and prepare to engage the public during and after the COVID-19 pandemic, we understand that operations will look a little different and it will not be business as usual. Each employer's plan to return to temporarily closed workspaces and resume suspended business operations will be different. This checklist identifies helpful "return to workplace" guidance for employers to consider as they develop a plan.

☐ **Review Current Version of CDC's Specific Guidance for Critical Infrastructure**

Always visit the CDC website for the most up to date version of its Interim Guidance for Businesses and Employers to Prepare and Respond to Coronavirus Disease 2019. This easy-to-read guidance addresses how to prepare workplaces, reduce transmission among employees, maintain healthy business operations, and maintain a healthy work environment. Additionally, the CDC has specific guidance for critical infrastructure employees, such as law enforcement, custodial staff, and others, who must continue to work even after potential exposure.

☐ **Review Governor Kemp's Executive Orders – Basic Public Health Safety Orders and Guidelines and Prepare to Comply with Mandates**

Governor Kemp has issued mandates and guidance in various Executive Orders on measures which may and shall be taken by municipal governments to reduce risk in workplace environments from COVID-19. The Executive Orders contain many specific mandates but include no direct implementation guidance. Important requirements include, but are not limited to, screening employees for symptoms, social distancing in the workplace, providing necessary personal protective equipment (PPE) in appropriate situations, adjusting breaks and interactions, and allowing for virtual workplace activities. Executive Order 04.23.20.02 These measures are taken from CDC guidance. Below are some examples.

☐ **Provide PPE as available and appropriate to the function & location of workers:**
  o Masks, gloves, face shields, etc.
  o Personal hand sanitizer

   Links to PPE Vendors:
   GA Dept of Economic Development Georgia Suppliers of Critical Items to Fight COVID-19
   GEMA/HS https://www.gacities.com/GeorgiaCitiesSite/media/PDF/Vendors-for-PPE.pdf
   GA Dept of Administrative Services State-purchasing-covid-19 Vendor List

☐ **Establish physical distancing measures within the workplace:**
  o Staggered shifts and lunch/rest breaks.
  o Rotating weeks in the office and working remotely.
  o Moving workstations to increase separation distance.
  o Implementing one-way traffic patterns throughout workplace.
  CDC prevent-getting-sick/social-distancing.html

☐ **Define personal contact protocols such as:**
  o Directing employee traffic through workplace.
  o Limiting the number of employees in any area at one time.
  o Prohibiting handshake greetings.
  o Requiring social distancing in the workplace (remaining 6 ft. apart.)

City officials are strongly encouraged to review the referenced guidance and this Checklist with the city attorney, involve the city attorney when developing and communicating plans, and obtain city attorney review of any official actions related to such plans. Cities that participate in GIRMA are encouraged to contact the GIRMA HelpLine for free employment law guidance. HelpLine: 1-800-721-1998. The information contained in this Checklist should not be considered or construed as legal advice.

    o   Using video or telephone conferencing instead of in-person client meetings.

    o   Providing contactless pickup and delivery of products.

CDC community/guidance-business-response.html

☐ **Review EEOC Guidance on Screening Employees, Handling Reports of Employee Illness, and CDC Guidance on Symptoms**

Employers may lawfully screen employees (by asking questions, testing temperature, for example) for symptoms of Covid19, and exclude any employees who refuse to be screened. The EEOC has provided guidance for employers, including municipal employers, on the ADA, the Rehabilitation Act, and other EEO laws on such practices, and advises employers to base such screenings on current symptoms identified by the CDC. CDC - Recognize the Symptoms of COVID-19. The EEOC has posted a webinar about screenings here: www.eeoc.gov/coronavirus. The EEOC recommends developing a plan for handling reports of employee illness and complying with confidentiality obligations.

☐ **Consider Reviewing and Revising Contracts with Vendors that Enter the Workplace**

Contracts with cleaning services, security guards, and staffing agencies should be updated to clarify expectations regarding screening before entry into the workplace, obligations to stay away if symptomatic or exposed to individuals with symptoms, and any alterations to services.

☐ **Review Employment Law Resources and Prepare for Compliance with Families First Coronavirus Response Act (FFCRA) and CARES Act**

Employers should assume that some employees will become sick with the coronavirus or request leave due to circumstances involving the virus. Therefore, it is important to review these new laws and develop a plan for complying with them. Elarbee, Thompson, Sapp & Wilson, LLP has prepared an Employment Law Resources document for municipalities to review with their city attorneys.

☐ **Review Eligibility Requirements for Employee Benefits and Properly Handle any Changes Arising from Reduced Work Schedules, Layoffs**

Many insurance and employee benefits plans have "actively at work" requirements. It is advisable to communicate with insurers and administrators, as well as with an experienced employee benefits attorney to determine how work changes may impact employee benefits.

☐ **Review Guidelines on Proper Cleaning of the Workplace and Ensure the Workplace is properly Cleaned and Disinfected.** CDC Cleaning & Disinfecting your facility

☐ **Develop Return to Workplace Procedures after an Employee has been Exposed to or Diagnosed with COVID19.**

Additional resources:

Georgia Department of Labor https://dol.georgia.gov/covid-19-employer-faqs
OSHA Guidance on Preparing Workplaces for COVID-19 Publications OSHA 3990.pdf
U.S. Department of Homeland Security Guidance on the Essential Critical Infrastructure

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