

# EMPLOYERS' RETURN TO WORK CHECKLIST

## PRACTICES AND POLICIES



### PLANNING A SAFE AND EFFECTIVE RETURN: INITIAL STEPS

#### Identify a Return-to-Work (RTW) planning team or task force:

- Include key decision-makers
- Appoint a COVID officer to ensure compliance with polices and safety guidelines
- Develop a "tracking" program: how will your company monitor and ensure that key milestones are met, policies are actually implemented, and being followed?

#### Develop a RTW Plan – must address:

- Which employees will return first?
- When they will return?
- What is the criteria for return?
- Who will, or will continue to, telework?
- What medical clearance will you require?

#### Consider how will you deal with key issues, including:

- Safety in the workplace
  - Lower employee "density" in office
  - Best office hygiene practices (social distancing, temperature checks, sanitizer, etc.)
  - How to handle day-to-day safety logistics
    - e.g., enforcing hygiene practices, handling sick employees in the workplace, and dealing with presence of third-parties on-site

#### Develop a communication plan

- Who are the communicators?
- Train communicators on new policies, procedures—and especially how to handle questions
- Communicate new policies to employees (see below)

### BEST PRACTICES FOR CREATING AND UPDATING COMPANY-WIDE POLICIES

#### KEY POLICIES FOR INITIAL RTW

##### Develop Employee Health Questionnaire

- Require employee self-monitoring and reporting
- Address the "when" and "how" of how employees must disclose potential exposure

##### Develop workplace screening policies

- Train screeners
- Ensure confidentiality of information gathered

##### Develop safety policies and notices:

- Workplace hygiene
- Social distancing
- Procedures for outside visitors (vendors, clients, couriers)

##### Amend existing policies

- Complaint reporting procedures
- Disability accommodation processes
- Harassment, discrimination, and retaliation

## EXPOSURE IN THE WORKPLACE POLICIES

Establish a COVID-19 disclosure protocol

Direct sick employees to stay home

- Amend sick leave and PTO policies

Develop Notice of Post-Exposure workplace clean-up

Develop standard training plan for handling sick employees and exposure

- Cross-train supervisors and managers

## LEAVE AND ACCOMMODATIONS POLICIES

Revise existing sick leave and FMLA policies to reflect changes in state and federal legislation

- e.g., the FFCRA, which remains in effect until December 31, 2020

Update Accommodation Policies to account for COVID-19 related requests

- e.g., work-from-home accommodation requests

## TELEWORK POLICIES

Revise or implement teleworking policies, including:

- Develop a standard for requests and approval of telework

Develop standard matrix to evaluate telework accommodation requests

- For those who are approved to telework:
- Develop standards for performance, hours, and expectations
- Publish standards for office setup and security protocols
- Amend disciplinary policies to address telework concerns
  - e.g., Security violations, breach of confidentiality, and time theft

Implement teleworking guidelines for managers:

- Communicating with teleworking staff
- Monitoring and documenting performance

Develop NEW workplace policies:

- Hygiene
- Self-monitoring of COVID-19 symptoms
- Social distance
- Meeting limits
- Travel limitations
- Use of Sick leave and PTO

## FOSTERING TRUST AND NEW EMPLOYEE BEHAVIORS

Communicate regularly with employees regarding the issues that matter:

- Safety practices
- Reporting employee concerns
- Policy amendments
- Updates on COVID-19 workplace matters

Establish a central source (website, weekly email, call-in) for employee check-ins

- e.g., telework request forms, FFCRA Notice, and time-keeping policies

Questions and for more information, contact:

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The Labor Days blog provides commentary on the latest legal issues affecting employers, helping them manage their workforce and reduce risk.

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