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Returning To Work In The COVID-19 Environment

What It Means For Your Business & Employees

Returning to Work in the COVID-19 Environment

Tactical Plan Considerations

As some states begin to lift “shelter in place” orders or re-evaluate which industries are considered “essential”, it is critical to have a plan in place to restart business and bring facilities back online.

Four Step Essential Return to Work Plan

1. Preparing the work force
2. Preparing the workspace
3. Managing a physical distancing environment
4. Adapt as medical advances develop



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Preparing the Work Force

Preparing the Workforce Tactical Plan Considerations



Six Groups to Consider for Return to Work Planning:

1. Those diagnosed or symptomatic of COVID-19
2. Those who can continue to work from home
3. Those at higher risk for severe illness
4. Those with childcare or family care issues
5. Those with expressed concerns or anxiety regarding returning to a work environment
6. Those who can, and will, return to work in an office environment/physical place of business

Execution

- **Identify those most likely to shelter at home and not return initially** to an office environment (physical place of business)
- **Manage those who can and will return to work**, to maximize health and safety

Preparing the Workforce Tactical Plan Considerations



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Those diagnosed or symptomatic of COVID-19:

- **Shelter at home** for a minimum 14-days
- **Try to access definitive testing** to confirm COVID-19 diagnosis
- Employee **notify human resources** to monitor and manage additional contacts
- **Determine appropriate classification:**
 - Workers' Comp (if proved they contracted at work)
 - FFCRA* (<500 employees – emergency paid sick leave up to 80 hours if not used during shelter in place)
 - Traditional employer sick pay or PTO
 - Short term disability (depending upon seriousness of condition)
 - FMLA (depending upon seriousness of condition)
 - ADA (when employee can return to work)

Preparing the Workforce Tactical Plan Considerations



Those who can continue to work from home.

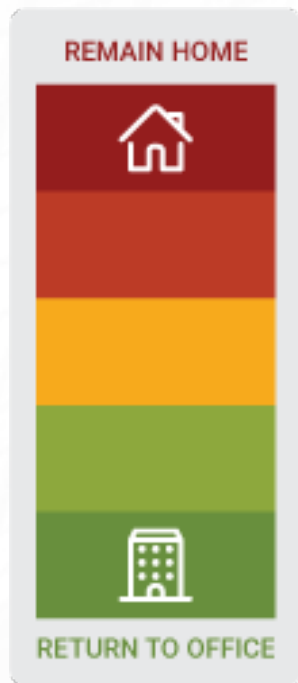
Six Groups to Consider for Return to Work Planning:

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Those who can continue to work from home:

Consider maintaining their work from home environment where the business allows (e.g., "back office"-based or phone-based work where work-from-home infrastructure can be maintained)

Preparing the Workforce Tactical Plan Considerations



Those at higher risk for severe illness.

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Per CDC, higher risk identified as:

- People **65 years and older**
- People of **all ages with underlying medical conditions**, including chronic lung disease, moderate to severe asthma, serious heart conditions, immuno-compromised, severe obesity, diabetes, chronic kidney or liver disease.

Those at higher risk for severe illness:

- Consider where possible a **work from home environment and/or flexible work schedule** for those at higher risk
- **Determine appropriate potential classification**
 - FFCRA (if employee advised by healthcare provider to self-quarantine due to COVID-19 concerns)
 - Traditional paid leave (sick pay, PTO)
 - State paid leave (limited number of states)
 - ADA (may be reasonable accommodations required, may include mental health)

Preparing the Workforce Tactical Plan Considerations



Those with childcare or family care issues.

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*If employee cannot work or telework due to childcare/school closure related to COVID-19. EFMLEA (Emergency Family & Medical Leave Expansion Act).

Those with childcare or family care issues:

- Consider a **work from home and/or flexible work schedule** for those with childcare or family care issues.
 - **Childcare:** Due to closures of schools/ daycares and remote learning initiatives, employees may have limited childcare options.
 - **Elder care:** Due to higher risk classification of senior care facilities many programs are limited/closed.
- **Determine appropriate classification:**
 - FFCRA (EFMLEA protection for 12 wks, (first 2 unpaid), with potential next 10 wks at 2/3 pay up to \$200/day*)
 - Traditional paid sick leave/PTO may qualify

Preparing the Workforce Tactical Plan Considerations



Those with expressed concerns or anxiety regarding returning to a work environment.

Six Groups to Consider for Return to Work Planning:

1. Those diagnosed or symptomatic of COVID-19
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4. Those with childcare or family care issues
5. **Those with expressed concerns or anxiety regarding returning to a work environment**
6. Those who can, and will, return to work in an office environment/physical place of business

Those with expressed concerns or anxiety regarding returning to a work environment:

- Establishing a **communication process and “return to work contact”** (e.g. manager/HR) will be important to address individual employee concerns about their return to work status and environment.
- Consider a **work from home and/or flexible work schedule** for those with expressed concerns or anxiety about returning to a work environment after explaining the precautions and protocols being taken by the employer.
- **Determine appropriate potential classification:**
 - Traditional paid sick leave/PTO may qualify
 - FFCRA not available
 - Short Term Disability likely not applicable
 - ADA reasonable accommodations may be necessary (EEOC – employees with certain pre-existing mental health conditions)

Preparing the Workforce Tactical Plan Considerations



Those who can, and will, return to work in an office environment/physical place of business.

Six Groups to Consider for Return to Work Planning:

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6. **Those who can, and will, return to work in an office environment/physical place of business**

Those who can and will return to a physical place of business

- **Advance planning and communication** enables employees to make appropriate transition arrangements.
- **Explain the adapted precautions and protocols** undertaken for employee and client/customer health and safety.
- **Explain employee responsibilities in the new protocols.** If appropriate, adjust protocols for different job classes.
- Establish a **communication process and “return to work contact”** (e.g. manager/HR) to address individual employee concerns about their return to work status/environment.
- May need to make **reasonable accommodations** per ADA regarding PPE (e.g. gloves and latex allergy).



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Preparing the Workspace

Preparing the Workspace Tactical Plan Considerations

For facilities and workspaces that have been idle or with limited use, 10 key considerations to re-start either as building owner or to ensure via your landlord/building manager.

Idle Facility Re-Start 10 Point Plan

1. Inform authorities

- Notify **police and fire** department of your intention to reoccupy the premises.
- Update your organization's **emergency contact** information and ensure local authorities have access to that information.
- Ensure the facilities rapid access system "**Knox Box**" is accessible and has up to date access tools and information.

2. Inspect the building envelope

- Visual **inspection of perimeter** walls, doors and windows to look for signs of forced entry or weather damage.
- Inspect for signs where animals/rodents may have entered the building. Revise pest management strategies as required.
- **Inspect the roof** for signs of damage, ponding water or leakage.

- Confirm that there are **no combustible materials** being stored immediately adjacent to the exterior perimeter walls.
- Confirm that **access limiting** property features such as walls, fencing, and gates are **intact and secured**.

3. Inspect the building interior

- All **lighting systems** should be operational including emergency lighting and exit signage.
- Make sure that **required exits** are operational and paths of egress remain clear.

4. Perform an inspection of the fire sprinkler system

- Arrange for a 2- inch drain and inspectors test to be performed to verify water supply integrity and alarm function.

Preparing the Workspace Tactical Plan Considerations

Idle Facility Re-Start 10 Point Plan (continued)

5. Inspect mechanical systems

- Perform an inspection of mechanical systems including idled HVAC systems, boilers, chillers, and compressors.

6. Inspect/change air filters

- Air filters should be changed on a frequent basis using appropriate PPE including respirators and gloves.
- System should be off when changing filters.
- Adjust air handlers to **bring in as much outside air as possible**.
- Ventilation systems should be brought up to operating speed** well before normal occupancy times, and for a period thereafter. Ventilation systems should not be completely shut off on weekends.

7. Inspect electrical

- At least once every 5 years, perform a **thermographic scan** of critical electrical distribution systems to **detect overheating** due to loose connections, or dirt accumulation.

8. Inspect critical production equipment

- Inspect critical production equipment and operating components **including safety devices**. Follow established lock out/tag out procedures.

9. Inventory raw materials

- Conduct a raw materials inventory and **check for shelf life**.
- Verify that suppliers** are still able to provide raw materials for production.

10. Flush drinking water

- Use EPA Flushing Best-Practice Guidelines.

Preparing the Workspace Tactical Plan Considerations

Be mindful of OSHA (Occupational Safety & Health Administration) risk pyramid classifications and protocols:

Very High – Very high exposure risk jobs are those with high potential for exposure to known or suspected sources of COVID-19 during specific medical, postmortem, or laboratory procedures, including Healthcare workers performing aerosol-generating procedures on known or suspected COVID-19 patients; Healthcare or laboratory personnel collecting or handling specimens from known or suspected COVID-19 patients; Morgue workers performing autopsies.

High – High exposure risk jobs are those with high potential for exposure to known or suspected sources of COVID-19, including Healthcare delivery and support staff exposed to known or suspected COVID-19 patients. Medical transport workers moving known or suspected COVID-19 patients in enclosed vehicles. Mortuary workers involved in preparing the bodies of people who are known to have, or suspected of having, COVID-19 at the time of their death.

Medium – Medium exposure risk jobs include those that require frequent and/or close contact with (i.e., within 6 feet of) people who are not known or suspected COVID-19 patients. In areas without ongoing community transmission, workers in this risk group may have frequent contact with travelers who may return from international locations with widespread COVID-19 transmission. In areas where there is ongoing community transmission, workers in this category may have contact with the general public (e.g., schools, high-population-density work environments, some high-volume retail settings).

Lower Risk – Lower exposure risk (caution) jobs are those that do not require contact with people known to be, or suspected of being, infected with COVID-19 nor frequent close contact with (i.e., within 6-feet of) the general public. Workers in this category have minimal occupational contact with the public and other coworkers



Occupational Risk Pyramid for COVID-19

Preparing the Workspace Tactical Plan Considerations

Four Key Action Areas | Medium & Low OSHA Occupational Risk Pyramid for COVID-19

1. Preparatory cleaning of workspace in this unique, active pandemic environment

- When choosing cleaning chemicals, employers should consult information on Environmental Protection Agency (EPA)-approved disinfectant labels with claims against emerging viral pathogens.
- **Do NOT mix cleaning products that contain bleach and ammonia.** Dangerous gases can be released and can cause severe lung damage. Provide sufficient ventilation (airflow) when using cleaning chemicals; protective clothing, gloves and safety goggles, when needed; labels on containers of cleaning chemicals; training on the hazards of cleaning chemicals you are using and safe work practices.

2. Prepare and stock hygiene stations as we remain in an active pandemic environment

- Install hygiene stations with **hand washing soap, sanitizers and paper towels.**
- Add **no touch biohazard waste receptacles** for discarded wipes, gloves, masks, etc.
- Purchase/check sufficient **stock of soap, sanitizer, paper towels, gloves, masks.**
- **Post CDC hygiene protocols** easily visible.



**Occupational Risk Pyramid
for COVID-19**

Preparing the Workspace Tactical Plan Considerations

Four Key Action Areas | Medium & Low OSHA Occupational Risk Pyramid for COVID-19

3. Potential facility reconfiguration in this pre-vaccine environment

- Determine key **“Touch Points”** (common points in the workspace where people routinely touch the same spot during the workday) and determine possible changes to reduce touch.
 - Elevators: Ask building management to re-program facility access cards so they automatically take individual to correct floor (if not feasible, place hand sanitizer in the elevator bank).
- Install **6 foot+ distancing measures**, including:
 - Plexiglass **extensions on cubicles**, doors on offices.
 - **Locked off** spaces for no entry, including **common areas/kitchens/break rooms**.
 - **“One way” signage and barriers for high traffic flow** hallways and spaces.
 - Designate **alternate entry and exit** doors where feasible.



**Occupational Risk Pyramid
for COVID-19**

Preparing the Workspace Tactical Plan Considerations

Four Key Action Areas | Medium & Low OSHA Occupational Risk Pyramid for COVID-19

4. Determine appropriate testing protocol in advance

IMPORTANT: Employers should check with their outside legal counsel to discuss federal and state regulations before providing any onsite testing related to COVID-19.

- **COVID-19 testing.** COVID-19 tests are **not currently a viable in-office option** for monitoring employees, due to: a) **local capacity** and availability issues, b) **time frame for testing results** is not immediate, c) testing **cannot be administered by onsite clinic staff** or contracted nurses (many onsite clinics/nurses may be able to provide a COVID-19 test in the future, but the tests need to be CLIA-waived, like an onsite cholesterol screening).
- **Antibody testing.** COVID-19 antibody tests (to determine whether employees have been exposed and developed potential antibodies to the virus) are **not currently a viable in-office tool** to monitor employees, due to: a) **local capacity** and availability issues, b) tests are **not being FDA reviewed or approved**.
- **Temperature testing.** Temperature/thermal testing is the **most viable testing path currently available** for employers to determine if employees or visitors are potentially sick. Employers should evaluate a) employee self-administered thermal testing with reporting/tracking, b) **third party administered** thermal testing with employer coordination, or c) **employer conducted** thermal testing.
Employees responsible for taking the temperature of other associates should be provided full personal protective equipment (PPE) and training by the employer. Staff monitoring the procedure must keep all health records separate from employment records.
- Testing will be **consistent with ADA as long as any screening implemented is consistent with advice from the CDC and public health authorities** for that type of workplace at that time.



**Occupational Risk Pyramid
for COVID-19**



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Managing a Physical Distancing Environment

Managing Physical Distancing Environment Tactical Plan Considerations

Ongoing monitoring and adjustment will be critical to manage a current physical distancing environment

Managing Physical Distancing Environment 11 Point Plan

- 1. Identify personnel to enforce/monitor the environment.**
 - Establish clear personnel responsibilities for enforcing and monitoring the control environment.
 - Stay **informed regarding local, state and federal** guidelines/directives.
 - Establish a **confidential communication path for employees** to register their questions, ideas or concerns.
- 2. Stagger employee and customer traffic to reduce interaction and increase distancing.**
 - Staggered start times/days for employees to arrive and leave.
 - Staggered opening times for customers and clients (e.g. defined hours for higher risk customers).
- 3. Limit all non-essential travel.**
 - Limit all non-essential travel, **especially air travel**.
 - Encourage **individual commuting** rather than carpooling or public transportation where feasible.
- 4. Limit all non-essential visitors.**
 - Interact remotely with non-essential visitors, vendors, others.
 - Establish **essential visitor protocols** (hours of entry, notification/registration, mask/gloves).
- 5. Enforce hygiene and distancing practices in the workspace.**
 - Close conference areas and **limit meetings to small numbers** of people with 6-foot minimum distance.
 - Use **telephonic or outdoor spaces** for essential meetings (maintaining 6-foot distance).
 - Keep **6-foot minimum distance** from customers/clients.
 - Utilize **masks, gloves, barriers, regular hand washing**.
 - Assign and maintain **individual work equipment (eliminate/limit sharing)** and clean at the start and end of each shift.
- 6. Manage entry and exit to the workspace and maintain log.**
 - Determine **employee protocol for testing**, including potential thermal testing.
 - Determine non-employee protocol for admission to workspace (e.g. testing, masks & gloves).
 - Maintain employee **contact log** for future tracking and tracing (where appropriate, e.g. B to B context).

Managing Physical Distancing Environment Tactical Plan Considerations

Ongoing monitoring and adjustment will be critical to manage a current physical distancing environment

Managing Physical Distancing Environment 11 Point Plan (continued)

7. Manage process going out to client/customer locations.

- Abide by all local, state and federal directives – if not permitted, don't go to client/customer locations.
- Consider a virtual alternative if possible.
- If permitted and a virtual alternative is not available, confirm client/ customer location is adhering to safety protocols and no confirmed COVID-19 cases prior to visiting.
- Ensure employee maintains safety protocols when visiting customer locations (e.g. masks/gloves, 6 feet+ distance, hand washing).
- Work with employees who express concerns about visiting clients to find alternatives where feasible.

8. Immediately quarantine those symptomatic.

- Send home those symptomatic and seek immediate testing (at least thermal).
- 14-day shelter at home period if symptomatic (testing and potential multi-day at home period for those in direct contact).

9. Prepare for temporary workspace closure if needed.

- Based on local, state or federal directives.
- Based on confirmed or symptomatic cases in your workspace.
- Establish emergency notification call/email protocol.

10. Provide employee and customer/client training on new protocols.

- Provide employees training on revised protocols and require acknowledgement of understanding. Visit [OSHA's Training and Reference Materials Library](#).
- Provide clients, customers and vendors notice of revised protocols.

11. Ensure appropriate reporting of workplace incidents.

- Pursuant to OSHA recordkeeping requirements, codified at 29 CFR Part 1904, covered employers must record certain work-related injuries and illnesses on their OSHA 300 log.
- Per OSHA, a key best practice is training employees about their right to report issues without delay to OSHA or an appropriate agency. Showing the agency the employer has a training regimen that reinforces employee rights can send a positive signal to an investigator who may be unsure of the workplace culture.
- If the employee reports contracting COVID-19 while at work, employer is obligated to file a workers' compensation claim.



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Adapt as Medical Advances Develop

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Tactical Plan Considerations

Until a vaccine exists, advances in testing and treatment will impact return to work protocols.

Four Step Essential Return to Work Plan

1. Preparing the work force
2. Preparing the workspace
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4. Adapt as medical advances develop

- As **acute and antibody testing becomes more widely available**, employers will need to coordinate with employees closely (with appropriate recognition of privacy regulations) to have **greater visibility** into those with COVID-19 and those with antibodies, to **allow for a more accurate set of safety protocols**.
- Continue to **monitor local, state and federal** directives and guidelines.
- Legal considerations: contact your organization's external **legal counsel and review your Return to Work recommendations** to make sure they are compliant with Federal and State guidelines.
- Ongoing Support: MBA and our partners can help you navigate and execute return to work protocols and actions. Contact your MBA Representative for next steps.

COVID-19 Support Center

We have created an online support center with detailed information regarding carrier updates, compliance bulletins, the CARES Act, and our business continuity plan as well as additional resources to help employers prepare and respond to the COVID-19 pandemic.

We Are Open & Ready to Help

- Client Employees Can Call Us With Benefit Questions
- Individual Health Insurance Solutions
- Medicare Enrollment & Assistance
- HR Support
- Webinar Recordings
- Carrier Updates
- Compliance Bulletins
- Links to External Resources



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Thank you