BEST PRACTICES FOR RETURNING TO WORK

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This document was prepared by Allison Partners based on best practice recommendations from SHRM, Anthem, the CDC, and the Commonwealth of Virginia. Some of the information shared comes directly from Governor Northam's Phase Three Executive Order; items that are from the Virginia Governor's Executive Order are noted with an * at the end. Items that are now enforceable under Virginia Emergency Temporary Standards (ETS) are marked with ** at the end. Items in **bold** are either new or substantively changed since 16 October 2020.

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WORKSPACE RECOMMENDATIONS

Reopening requires ensuring that the workspace is as safe as possible, so employees and customers feel that their safety is a priority and feel comfortable returning.

- Employers should conduct a hazard assessment to identify all potential workplace hazards and classify each job task according to the hazards employees are potentially exposed to that could increase probable risk for COVID-19. **

- Encourage telework whenever possible. *
- For businesses where telework is not feasible, adjust workstations to ensure six feet of physical distance between co-workers and members of the public. Limit the occupancy of physical spaces to ensure physical distance can be maintained. *
- Limit the number of employees allowed in common spaces at one time.
- Ensure the ventilation systems in your building are working properly.

- When in-person meetings must occur, keep them as brief as possible, limit the number of employees in attendance, and use proper physical distancing. *
- Provide a place for employees and customers to wash hands or provide alcohol-based hand sanitizers containing at least 60% alcohol. *
- Increased Sanitization: Promote hand washing; provide sanitizing stations; make sanitizing wipes available in often touched areas; clean common areas frequently; discourage sharing of equipment.
- Enhance cleaning protocols and provide access to and instructions for cleaning with EPA approved disinfectant per CDC recommendations. *
- Designate and clearly label doors as entrances and exits. Designate traffic patterns with appropriate signage to minimize congestion.
- If your office has an elevator, consider posting signage reducing capacity to a maximum of four people and marking the floor for social distancing.

WORKSPACE SAFETY TRAINING

Several states, including Virginia, require employers to provide COVID-19 workspace safety training to employees.

- Ensure that trainings include up-to-date CDC and OSHA safety protocols, as well as current state specific workplace protocols.
- Consistently review and update your trainings when needed to ensure they stay compliant with any new or modified CDC and OSHA guidance, as well as state orders and guidelines.
- Be sure to maintain training records and consider retraining employees if guidance substantially changes.

RECOMMENDED CLEANING PROTOCOLS

- Practice routine cleaning and disinfection of high contact areas and hard surfaces, including checkout stations and payment pads, any entrance push/pull pads, doorknobs/handles, dining tables/chairs, light switches, handrails, restrooms, floors, and equipment. Follow CDC reopening guidance for cleaning and disinfection and use an EPA-approved disinfectant to clean. **
- For high contact areas, routinely disinfect surfaces at least every 2 hours. Certain surfaces and objects in public spaces, such as shopping carts and point of sale keypads, should be cleaned and disinfected before each use. **
- If approved cleaning products are not available, the EPA recommends using 1/3 cup bleach diluted in one gallon of water to disinfect.

COMMUNICATION AND POLICIES

- Provide clear communications and signage for areas where individuals may congregate (including entrances, and in seating or other common areas). *
- Develop or adopt flexible sick-leave policies. These policies should allow for employees to stay at home if they are sick due to COVID-19, if they need to self-quarantine due to exposure, or if they need to care for a sick family member.
- Designate a staff person for responding to all COVID concerns. Employees should know who this is and how to contact them.
- Implement staggered shifts for work and for breaks.
- When developing staff schedules, provide short breaks to allow for more frequent hand washing. *
- Consider group scheduling where employees only work with people in their group to limit exposure.
- Develop a policy and communication for company health screening protocols.
- Develop a communication plan to support contact tracing. Have these communications ready to send in case they are needed. It's important to quickly identify potential exposures and communicate rapidly (within 24 hours) to mitigate spread, while also being sensitive to employee confidentiality. **
- Develop a communication plan for employees returning to work after COVID-19 and have a clear plan in place for what is required before an employee can return. **
- Provide best hygiene practices to employees on a regular basis, including washing hands often with soap and water for at least 20 seconds and practicing respiratory etiquette protocols. *
- Develop and implement policies and procedures for employees to report when they are experiencing symptoms consistent with COVID-19 and no alternative diagnosis has been made. **
- Emphasize that this situation is fluid and manage expectations by noting that when new information becomes available the plan will be updated. Maintain transparency by sending consistent communications as things change.

EMPLOYEE PROTOCOLS

- Avoid using other employees' phones, desks, offices, or other work tools and equipment, when possible. Clean and disinfect them before and after use.
- Use message boards or digital messaging for pre-shift meetings instead of meeting in-person.
- Limit in-person work gatherings including conferences, trade shows and other trainings. *

- Wear face coverings in all public spaces. * *
- Public space is considered anywhere you could come within six feet of another person (i.e., building entrances / exits, elevators, conference rooms, or an enclosed cubicle). Masks are not necessary if you are working in a private office with the door closed.

CUSTOMER / CLIENT PROTOCOLS

- Businesses should post signage at the entrance that no one with a fever or symptoms of COVID-19 or known exposure to a COVID-19 case in the prior ten days, is permitted in the establishment.
- Be sure all spaces allow six feet of physical distance in any area where employees would need to interact with clients or customers.
- Wear a face covering in all public spaces. **
- Direct traffic through the workplace with clear signage indicating one-way traffic patterns.
- Provide contactless delivery and pick-up (if applicable).

GUIDANCE FOR WEARING MASKS

Properly using and caring for masks is essential to their effectiveness. The CDC notes that masks should cover the mouth and nose, be secured under the chin and fit snugly on all sides.

- Face shields and masks with valves are not recommended and may expose the wearer to more germs.
- Before removing your mask, sanitize or wash your hands. Then untie the mask strings behind your head or stretch the mask ear loops to lift it off your face. Be careful not to touch your eyes, nose and mouth when removing it.
- After removing, fold the outside corners of your mask together and place it in a paper bag or on a tissue to prevent contaminating other surfaces.

BEST PRACTICES FOR GOOD HYGIENE

- Wash your hands often with soap and water for at least 20 seconds—just long enough to sing your ABCs! This is especially important after you have been in a public place, or after blowing your nose, coughing, or sneezing.
- Use a hand sanitizer that contains at least 60% alcohol if soap and water are not available. Cover all surfaces of your hands and rub them together until they feel dry.
- Avoid touching your face—eyes, nose, and mouth—with unwashed hands.

GUIDANCE FOR SCREENINGS, TESTING, AND CASES IN THE WORKPLACE

Public health contact tracing procedures vary by state. Several states, including Virginia, have introduced smartphone-enabled contact tracing apps to alert individuals to potential coronavirus exposure; employers may encourage employees to install and use these tools to augment other workplace efforts.

DAILY SELF-SCREENING QUESTIONS

Employees should self-monitor by taking their temperature and asking themselves questions like those below before leaving the house. If the answer to any of these questions is YES, they should contact their supervisor and should not report to work.

Since my last day of work, have I had any of the following:
- A new fever (100.4°F or higher)
- A new cough that cannot be attributed to another health condition
- New shortness of breath that cannot be attributed to another health condition
- New chills that cannot be attributed to another health condition
- A new sore throat that cannot be attributed to another health condition
- New muscle aches (myalgia) that cannot be attributed to another health condition or specific activity (such as physical exercise)
- A new loss of taste or smell

GUIDANCE FOR TEMPERATURE CHECKS

Temperature checks are suggested for essential workers and workers who are returning to shared office space. They should be administered by a health professional or an appointed member of the management team.

- Once an employer has identified who will administer the scans, they should provide them with protective clothing, which may include gloves, masks, eyewear and a gown.
- Scanning thermometers are recommended, but forehead versions are also a good low-contact option.
- It is not necessary to record daily temperature checks. If an employee presents a fever of 100.4 or higher, they should be sent home.
- Employee temperatures and other symptoms are considered medical information and must be kept confidential.

GUIDANCE FOR IN-OFFICE SCREENING QUESTIONS

Employers should screen employees for COVID symptoms prior to the start of each shift.

Symptoms to ask about include:
- Cough
- Shortness of breath or difficulty breathing
- Fever (CDC considers a person to have a fever when he or she has a measured temperature of 100.4 or greater, feels warm to the touch, or gives a history of feeling feverish)
- Chills
- Muscle pain
- Sore throat
- New loss of taste or smell
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

GUIDANCE FOR TESTING

Employers should be strategic about testing and have a plan for next steps when results are positive.

- The CDC has advised that anyone who has been within six feet of an infected person for at least 15 minutes should get a test.
- The ADA prohibits mandatory antibody testing before allowing employees to return to work.
- Testing is no longer recommended for determining when to discontinue home isolation as some tests present false negatives. Employees should follow a symptoms-based approach (waiting until at least 72 hours have passed since any fever and at least ten days since symptoms first appeared).

GUIDANCE FOR EMPLOYEE PRESENTING COVID-19 SYMPTOMS AT WORK

- Immediately isolate the employee from others.
- If the employee doesn't require urgent care, have them contact their healthcare provider and send them home to quarantine for at least ten days.
- Contact the company's occupational health program (if available) or supervisor (if applicable).
- If the employee is experiencing any medical emergency or emergency warning signs of COVID-19, including, but not limited to, trouble breathing, persistent pain or pressure in the chest, new confusion or inability to arouse, or bluish lips or face, call 911 and notify the operator that the person might have COVID-19. If they are not severely ill, but medical care seems needed, a healthcare facility other than a hospital emergency room should be used (if possible) and contacted prior to arrival.
- Establish procedures for safely transporting anyone sick to their home or to a healthcare facility.
- Establish a relationship with your local health department and know who to contact for questions.
- Notify workers within 24 hours of possible exposure to an infected co-worker.

IDENTIFY POTENTIAL OR CONFIRMED CASES

- Require employees to immediately report COVID-19 symptoms, or if they have a sick family member at home.
- Require employees showing COVID-19 symptoms to stay home.
- If an employee is confirmed with COVID-19, employers should inform fellow employees of their possible exposure within 24 hours. These notifications must be done without divulging the name of the employee.

GUIDANCE FOR RETURNING TO WORK AFTER COVID-19

- Employees who test positive, but never develop symptoms can end isolation and return to work ten days after testing positive.
- Employees known to have been exposed who receive a negative test and show no symptoms should continue to quarantine for 14 days before returning to work. CDC provides an exception only for employees in critical infrastructure. They may return to work after exposure to COVID-19 if they have no symptoms, wear a mask, monitor for symptoms, and stay socially distanced from other employees.
- Those with moderate to mild symptoms can end isolation after ten days if at least 24 hours have passed without a fever and other symptoms have improved.
- Those with severe symptoms may need to continue isolation for a full twenty days or longer and should consult with their local healthcare provider for guidance.

GUIDANCE FOR DEFINING EXPOSURE

Based on CDC guidance, a person is considered to have been exposed to COVID-19 if any of the following conditions are met.

- **They were within 6 feet of someone with a confirmed case of COVID-19 for a total of 15 minutes or more over a 24-hour period.**
- They provided care at home to someone who is sick with COVID-19.
- They had direct physical contact (hugged or kissed) with someone who has COVID-19.
- They shared eating or drinking utensils with someone who has COVID-19.
- Someone who has COVID-19 sneezed, coughed, or somehow got respiratory droplets on them.

MITIGATE RISK OF EXPOSURE AND INFECTION

- Immediately isolate exposed employees from others, instruct them to contact their healthcare provider and send them home to quarantine.
- Restrict the number of people entering the space.
- Open doors and windows to increase air circulation.
- Vacate (if possible) and close off any areas used for prolonged periods of time by the sick person.
- Wait 24 hours before cleaning and disinfecting to minimize potential for others being exposed to respiratory droplets. If waiting 24 hours is not feasible, wait as long as possible before cleaning.

GUIDANCE FOR WORK INVESTIGATIONS

If the employee was exposed "on the job" as part of his/her work-related duties, it may be an OSHA-recordable illness.

- A COVID-19 case must be recorded on the OSHA 300 log if three criteria are met:
  - A confirmed case of COVID-19
  - The case is work-related
  - Illness resulting in death, days away from work, restricted work or transfer, medical treatment beyond first aid, or loss of consciousness.
- Employers are required to make a reasonable effort to determine whether a case might be work related by doing the following:
  - Asking the employee limited questions about how they believe the disease was contracted.
  - Making inquiries about work and non-work activities and possible exposure leading up to the diagnosis.
  - Investigating the work environment to determine possible exposure.

- An employer can reasonably conclude that the case is not work related if the employee is the only one to contract COVID-19 and their duties do not include contact with the public.

GUIDELINES FOR ASYMPTOMATIC EMPLOYEES

Critical infrastructure workers may continue working following a potential exposure to COVID-19, provided they remain asymptomatic, and that the employee and employer take additional safety precautions including:

- Employee self-monitors for symptoms daily.
- Employer requires daily temperature checks and health screening questions.
- Employee wears a mask at all times for 14 days after the period of potential exposure.
- If the exposed employee becomes symptomatic, the employer should send the employee home immediately, disinfect the employee's workspace, and compile information on all persons who had contact with the employee while they were symptomatic, and the two days prior to symptoms showing. Other employees who had close contact (less than six feet) are now considered exposed and are subject to the above procedures.

RECOMMENDATIONS FOR BRINGING BACK HIGH-RISK EMPLOYEES

- Some employees are higher risk including individuals over age 65 and those with underlying medical conditions. Vulnerable employees should be encouraged to self-identify and employers should take care to reduce their risk of exposure while making sure they remain compliant with ADA and ADEA regulations. *
- Protect high-risk employees by allowing them to telework whenever possible. For those that must come in, offer duties that minimize contact with others as much as possible.
- Employers should try to be flexible and creative when dealing with employees with disabilities, but always document every accommodation—or offered accommodation—in writing.
- Telework is considered a reasonable accommodation if employee is considered high-risk for COVID-19 because of an underlying condition.
- The ADA prohibits retaliation claims against workers who telecommute as a reasonable accommodation. If an employee does not disclose a need to telework for health reasons, they are not entitled to remote work as an accommodation under the ADA.

4 More COVID-19 Legal Questions You Should Answer (SHRM.org)
Answers to the Most Common Coronavirus Questions (SHRM.org)
Cleaning and Disinfecting Your Facility (CDC.gov)
CDC Expands Definition of who is a 'Close Contact' of an Individual with COVID-19 **(washingtonpost.com)**
CDC Resuming Business Toolkit (CDC.gov)
CDC Updates Timeline for COVID-19 Quarantines (SHRM.org)
COVID-19 Workplace Safety Training Rules and Recommendations (SHRM.org)
Face Shields and Valve Masks Offer More Comfort but Less Protection (Nytimes.com)
Guide to Employee Temperature Checks (SHRM.org)
Take These 5 Steps When an Employee Gets COVID-19 (SHRM.org)

Virginia Specific:
Emergency Temporary Standard Guidelines (doli.viginia.gov.)
Forward-Virginia-Phase-Three-Guidelines (Governor Northam's Executive Order)