

Miscellaneous

- ☐ Designate an official COVID-19 contact person.
- ☐ Determine if any current policies need to be changed for anything on this list.
- ☐ Rules for essential personnel may vary somewhat.
https://coronavirus.health.ny.gov/system/files/documents/2020/04/doh_covid19_essentialpersonnelreturntowork_rev2_033120.pdf
- ☐ Document everything in writing.
- ☐ Will you screen customers and visitors? (see safety section below)

Recalling Employees

- ☐ Will you phase in or return all at once?
 - ◇ Do you need to recall as many as you had before?
- ☐ How to decide who returns (i.e. seniority, make sure not discriminatory)
 - ◇ Ask for volunteers first? (make sure those that don't volunteer know they might get recalled later and will have to return).
- ☐ Can you use a work-share program?
- ☐ Will there be work schedule changes?
- ☐ Will some work from home?
- ☐ What if employee refuses to return?
 - ◇ Employee who simply refuses to return has no legal protection. However, have a conversation to find out why and ensure it is not a COVID valid reason.
https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA_Poster_WH1422_Non-Federal.pdf).
 - ◇ If no valid reason, employee risks losing unemployment benefits.
- ☐ Notify NYS of return?
- ☐ Employee benefits
 - ◇ New waiting period?
 - ◇ Premiums to catch up on?
 - ◇ 401k to resume, break in service
 - ◇ Paid time off, accruals, etc.
- ☐ Compensation
 - ◇ LS form necessary?
 - ◇ Missed pay increases?
 - ◇ Were any pay cuts done, reinstate?
 - ◇ Bonus eligibility affected?
 - ◇ Hazard pay?
- ☐ Make sure FFCRA poster is posted.
https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA_Poster_WH1422_Non-Federal.pdf

Telecommuting

- ☐ Determining who can continue to work from home
- ☐ Staggering weeks / days in and out of office
- ☐ Technology needed

Communications

- ☐ Policies needed
- ☐ Exposure response communications
- ☐ Media?
- ☐ Meetings, virtual or otherwise
- ☐ Communications to employees in writing

Paperwork and related

- ☐ New I9's or other orientation paperwork needed?
- ☐ Orientation necessary?

Safety, Sickness, and Preventative Measures (see Exhibit A also)

- ☐ Health screening and health issues and what to do with results (see Exhibit A)
 - ◇ Who will do the screening and how will you protect them
 - ◇ Compensate the employee for time spent testing/screening
 - ◇ It is recommended the employer pay for or reimburse for testing
 - ◇ What will you do if the employee refuses to be tested?
 - * Suspend and consult before making decision
- ☐ Will you test or screen as a condition to enter the workplace?
- ☐ Will you do temperature checks
 - ◇ Start of each shift?
 - ◇ Throughout the day?
 - ◇ Need to test everyone and not be selective
- ☐ Health screening questions (see Exhibit A)
- ☐ Maintain results in confidential file (not employee's file)
 - ◇ Don't give the employee's name to others unless required by the health department
- ☐ Sick family member at home? (See Exhibit A)
- ☐ Place to wash hands, hand sanitizer, employees and customers
- ☐ Post OSHA poster (not mandatory to post)
<https://www.osha.gov/Publications/OSHA3994.pdf>
- ☐ PPE and personal care
 - ◇ Mandatory or voluntary PPE
 - ◇ Do masks have to be N-95? Don't use unless OSHA guidelines are followed.
 - ◇ Who provides? Will you accept those that the employee provides?
 - ◇ Masks, gloves, face shields, eyewear
 - * Masks – (see Exhibit B)
- ☐ Exposure and being sick
 - ◇ Stay at home requirements
 - ◇ Tracking and reporting
 - ◇ Communications when someone in the workplace has had COVID or been exposed
 - ◇ Telling employees who are sick to stay home (how to balance with attendance policy)
- ☐ Cleaning procedures
 - ◇ Cleaning equipment between use
 - ◇ Supplies needed/ordering of supplies
 - * Who will order
 - * Ensure SDS on file
 - * Back-up plan if run out
- ☐ Physical distancing / protection
 - * Staggered shifts, lunch, rest breaks
 - * Rotating weeks
 - * Moving workstations
 - * One-way traffic patterns (tape floor with arrows)
 - * Partitions
 - * Limiting numbers in groups
 - * Modifying restrooms
 - * One person to a vehicle
 - * Not using common clock-in equipment. Designate one person.
 - * Prop open doors when possible.
 - * Remove chairs and tables from meeting rooms as needed.
- ☐ Business travel restrictions
- ☐ Customer / visitor protocol
 - * Directing through workplace
 - * Limiting numbers
 - * No handshake, hugs, fist bumps – no contact
 - * 6 feet apart
 - * Video conferencing instead of in-person
 - * Contactless pick up and/or delivery

Exhibit A – Health and Health Screenings and Exposure

- ☐ You may require temperature testing
 - ◇ 100.4 or above could be symptom of COVID
 - * If so, will you require testing?
- ☐ You may ask questions about virus-related symptoms within the last 14 days
 - ◇ Suggest done in writing via questionnaire
 - ◇ Questions should conform to current EEOC and CDC recommendations
 - * Fever, cough, difficulty breathing, chills, headache, muscle pain, sore throat, loss of taste or smell.
- ☐ Has employee traveled within the last 14 days?
- ☐ You may administer testing (it has to be valid/reliable)
- ☐ You may require employees to report COVID related symptoms to the employer
- ☐ Sick family member
 - ◇ You can require employee to stay home
- ☐ If employee has COVID, and in some cases suspected COVID, they can be asked to leave the workplace.
 - ◇ Can request medical certification before returning to work. (Keep in mind how busy doctors may be...do you really need it.)
 - ◇ Notify the health department if employee tests positive.
 - ◇ Notify co-workers who may have come in contact with the employee within the past 14 days. Let them know they may have been exposed to COVID. (Do not tell the employees the infected employee's name).
 - ◇ Consider if leave is available for self-quarantine
 - https://www.dol.gov/sites/dolgov/files/whd/posters/ffcra_poster_wh1422_non-federal.pdf
 - <https://paidfamilyleave.ny.gov/system/files/documents/2020/03/covid-19-sick-leave-employees.pdf>
 - ◇ Consider if it has to be logged on the OSHA 300.
 - ◇ Consider other types of leaves that may run concurrently (FMLA, Disability, Workers' Compensation, PFL).
- ☐ Follow CDC cleaning guidance
- ☐ If employee was on the job within 48 hours of testing positive, clean and disinfect all areas used by the person using CDC cleaning guidelines.
 - <https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>
- ☐ Exposure and workers' compensation
- ☐ Employees who think they were exposed at work may file a workers' compensation claim or tort claim. You cannot deny them the right to file for either.

Exhibit B – Wearing Masks

- ☐ Make sure it completely covers your nose and mouth.
- ☐ Wash/sanitize your hands before and after removing it.
- ☐ Don't touch your face if you have to adjust the mask.
- ☐ Don't allow anyone else to wear your mask.
- ☐ If your mask cloth and isn't disposable wash it every day or if you feel it has been contaminated wash it sooner.
- ☐ If using a disposable mask, do not reuse it. Ensure it is disposed of an appropriate trash receptacle.
- ☐ Don't lay your mask on any surface that may contaminate either the covering or the surface.
- ☐ Don't use your mask if has holes or is otherwise damaged (unless it is the only mask you have access to).