

The past three months have not been "normal" times for employers by any means. The process for bringing workers back needs to be carefully and thoughtfully planned. Each workplace is different and there is no one-size-fits-all preparedness plan that will work for all workplaces. Unique situations are bound to arise, but many issues for returning to work will be faced by most employers.

Can't companies just tell workers to "come on back?" Or do they have to do more?

Employers need to carefully **develop a written return-to-work plan** (Infectious Disease Preparedness and Response Plan ("IDPRP")). Analyze applicable federal, state and local orders that may impact the way in which your business may reopen. Adopt procedures to ensure compliance with these orders and other federal, state and local guidance.

- Some of the requirements including those implemented at the federal, state and local level will vary based on the employer's industry.
- The White House's guidelines for "Opening Up American Again" can be found here.
- Centers for Disease Control and Prevention ("CDC") guidance for businesses and workplaces can be found <u>here.</u>

Who should come back to work and when?

- Employers should take steps to address workplace safety before workers return.
- Consider taking a "ramp-up" approach, whereby workers in essential positions return first, with others returning over a period of time.
- Evaluate whether employees can continue working remotely and/or whether there is a desire or need to continue reduced work schedules.
- Employers should consider implementing a policy to address those workers who are classified as high-risk for development of serious illness due to COVID-19 by the CDC and other health agencies. These employees may seek accommodations or be afraid to come back to work without accommodations or additional safety measures.
- Consult counsel to determine the impact that employee headcount will have on government loans and tax credits, including those provided under the federal <u>CARES Act</u>.

If you're an employee feeling anxious about returning to work, call a Best Care EAP counselor. All sessions with a BCEAP counselor are FREE and CONFIDENTIAL. The COVID counseling help line is available 24/7, call (800) 801-4182.