

The top of the page features the Morgan Lewis logo in white text on a dark background. The background is a complex network of glowing blue and red lines and dots, resembling a digital or data network. The text 'Morgan Lewis' is positioned in the upper left corner.

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NOW. NORMAL.

NEXT.

WORKPLACE REOPENING CHECKLIST

Create a Return to Work Team

- Convene a Team from Legal, HR, and Operations to Focus on Return to Work Issues
- Appoint a Point Person Responsible for Leading the Effort and Implementation

Review Existing Essential Business and/or Reopening Guidance

- Federal, State, and Local Orders, Regulations, Guidelines, and Procedures
- OSHA Guidelines and Procedures
- CDC and Local Health Department Guidelines

Implement Workplace Screening, Social Distancing, PPE, and Sanitization Policies and Procedures

- Social Distancing and Face Covering Policy and Procedures
- Symptom and Temperature Screening Policies and Procedures
- Infection Control Policy and Procedures (e.g., Regular Hand Washing, Coughing Etiquette, etc.)
- Onsite Sanitization Products and Practices
- Discipline Guidelines for New COVID-19 Policies
- Complaint and Investigation Procedures for Workplace Safety Concerns or COVID-19 Policy Violations

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- Sufficient Staffing to Ensure Proper Screening, Worksite Sanitization, and Enforcement

Training

- Conduct Training on New Workplace COVID-19 Policies and Procedures

High-Risk Employees and Individuals Who Are Unable/Unwilling to Return to Work

- Develop Process for Identifying and Addressing Needs of High-Risk Employees and Others who are Unable or Unwilling to Return to Work
- Review and Adjust (if needed) Work Arrangements Process for COVID-19

COVID-19 Monitoring

- Develop Protocol for When Employee Is Diagnosed with or Suspected of COVID-19 Infection
- Develop Communication for Notifying Employees of Known Exposure at the Worksite
- Develop Protocol for Contact Tracing per CDC Guidelines
- Develop Protocol for Disinfecting Worksite After Employee Diagnoses of COVID-19 in Accordance with Appropriate Guidance/Directives

Update or Create Additional Policies and Practices

- Prepare Return to Work Communication and Acknowledgment Forms
- Requirements for Returning Employees from Furlough
- Remote Work and Essential Travel Policy
- Compensation/Incentive Plans
- Sick Time, Vacation, PTO, and Leave of Absence Policies
- Pandemic/Business Continuity Policy and Procedure

Prepare For and Evaluate Compliance/Litigation Risks

- Liability Under State/Local Paid Sick and Leave Laws
- Wage and Hour Compensability Issues for Screening and New COVID-19 Requirements
- State/Local Requirements for Employee Scheduling Changes and Notice
- State/Local Requirements for Wage Changes and Final Wages
- State Requirements for Expense Reimbursement (Work from Home)
- Protected Status Categories in Each State, including Family Duties, Status as Unemployed, and Serious Medical Condition
- Workers' Compensation Exclusivity for Employees Claiming Workplace Infection
- OSHA Preparedness
- CBA/Union Bargaining Obligations and Employee Strikes/Walkouts
- Federal and State WARN Preparation for New Round of Layoffs
- State PTO/Vacation Requirements at Termination

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RETURN TO WORK TEAM



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