

# Legal Alerts

# 5 Steps To Reopen Your Workplace, According To CDC's Latest Guidance

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The Centers for Disease Controls and Prevention (CDC) just released guidance to assist employers in making decisions regarding reopening during the COVID-19 pandemic. Besides continuing to follow the recommendations issued by state and local health departments when determining the most appropriate actions to take, you should pay particular attention to these five steps.

#### 1. Consider Preliminary Questions Before Reopening

According to the CDC guidance, you should consider three questions when deciding whether to reopen:

- Are you in a community no longer requiring significant mitigation?
- Will reopening be in compliance with state and local orders?
- Will you be ready to protect employees at higher risk for severe illness? (e.g. teleworking, tasks that minimize contact)?

You should only consider reopening if you can answer "yes" to each of the three questions.

# 2. Take Recommended Safety Actions

Once you feel comfortable that your organization can satisfy the three preliminary questions, you should next adopt the CDC's recommended safety actions. They include:

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- Promoting healthy hygiene practices;
- Intensifying cleaning, disinfection (e.g., small static groups, no large events);
- Canceling non-essential travel, and encouraging alternative commuting and telework;
- Ensure social distancing continues, as you should consider installing physical barriers between workstations, spacing out seating (more than six feet), and staggering gathering times;
- Restricting use of any shared items and spaces; and
- Training all staff in the above safety actions.

# 3. Implement Safeguards For The Ongoing Monitoring Of Employees

Next, before reopening, you should implement safeguards for the ongoing monitoring of employees. They include:

- Encouraging employees who are sick to stay home;
- Establishing routine, daily employee health checks;
- Monitoring absenteeism and having flexible time off policies;
- Having an action plan if a staff member gets COVID-19;
- Creating and testing emergency communication channels for employees; and
- Establishing communication with state and local health authorities.

If your workplace does see a positive case of COVID-19, you should follow the guidance provided in our 4-Step Plan For Handling Confirmed COVID-19 Cases When Your Business Reopens.

# 4. Prepare Your Physical Workspace For Reopening

The final step before you reopen your doors involves preparing your physical workspace for the reentry of workers, customers, guests, and other visitors. The CDC has released guidance for cleaning and disinfecting public spaces, workplaces, businesses, schools, and homes. You should review this guidance when implementing cleaning procedures at your facilities after shelter-in-place orders are lifted.

For outdoor areas, you should maintain existing cleaning practices. As the CDC notes, viruses are killed more quickly by warmer temperatures and sunlight.

For indoor areas, the CDC recommends normal, routine cleaning for areas that have been unoccupied within the last seven days. For indoor areas that have been occupied with in the last seven days, the CDC recommends that frequently touched surfaces and objects made of hard and non-porous materials (glass, metal, or plastic) be cleaned and disinfected more frequently. Fisher Phillips

Frequently touched surfaces and objects made of soft and porous materials, such as carpet, rugs, or material in seating areas, should be thoroughly cleaned or laundered. If possible, the CDC recommends considering removing soft and porous materials in high traffic areas. Surfaces and objects that are not frequently touched should be cleaned on a routine basis.

# 5. Maintain Vigilance

Your work is not completed once you open your doors and welcome back your workers and others. The CDC recommends that you should maintain routine cleaning and disinfection procedures after reopening to reduce the potential for exposure. Finally, you should continue to monitor COVID-19 in your area, and if necessary, be prepared to close your facilities quickly if another outbreak occurs.

# Conclusion

This a constantly evolving area, with new guidance being issued nearly every day. Fisher Phillips will continue to monitor the rapidly developing COVID-19 situation and provide updates as appropriate. Make sure you are subscribed to Fisher Phillips' Alert System to get the most up-to-date information. For further information, contact your Fisher Phillips attorney, or any member of our Post-Pandemic Strategy Group Roster. You can also review the FP BEYOND THE CURVE: Post-Pandemic Back-To-Business FAQs For Employers and our FP Resource Center For Employers.

This Legal Alert provides an overview of a specific developing situation. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.

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