

Key Issues to Address in Returning to Work

By Aretta Bernard & Stephanie Olivera Mittica

Businesses preparing to reopen their doors and return their workforces must be aware of various state and federal requirements with which compliance is required. Our Roetzel Reopening America Readiness (“RRAR”) Team has been working diligently to compile and organize the rapidly evolving federal and state guidance, regulations, directives and orders relating to the real time developing issues associated with the reopening of America. Employers must be prepared to comply with these new standards and our RRAR Team can provide guidance and advice on best practices, common liability pitfalls, and assist with the unique, case-by-case scenarios, impacting your business.

To best protect your business for reopening and returning your workforce – which will look different both on a state-by-state and industry-by-industry basis -- Roetzel's employment attorneys are prepared to provide real-time guidance on all of the following, and more:

1. Industry specific guidance regarding State Orders for reopening, including best practices for implementation;
2. Industry specific guidance regarding CDC guidelines;
3. Industry specific guidance regarding OSHA guidelines;
4. Case specific analysis regarding the American with Disabilities Act, including updated guidance related to the interactive process and leave requirements;
5. Comprehensive review of current policies and collective bargaining agreements to address issues related to leave (including Families First Coronavirus Response Act implications), absences, PTO, vacation time, sick time, telework, work hours, timekeeping, and travel policies;
6. Assistance in drafting and reviewing new policies regarding back to work guidelines, including a reopening schedule, office space preparedness, social distancing, work hours/staggered schedules, cleaning and disinfecting procedures, and healthcare screenings;
7. Returning employees from furlough and temporary layoffs; and
8. Preventing and addressing pandemic-related harassment and discrimination in the workplace.

From an employment perspective, a one-size-fits-all approach for all businesses is not feasible. Return to work protocols should take into account each business's unique industry and work environment.

We are ready to assist you in preparing your business to get back to work and can assist in the preparation of your policies and provide guidance on state and federal requirements, as well as any additional requirements that may impact your industry. Please reach out to us so that we can assist you in establishing the necessary requirements for you to reopen your doors to business.

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