

On Your Marks, Get Set, Reopen: Roetzel's Reopening America Readiness Team is at Your Service

As the country strategically prepares to reopen following weeks of government-mandated shutdowns, businesses must be forward-thinking as to the countless implications that reopening America will have on its workforce and industries, both in the short and long term. The race to reopen has already begun, and we can get you to the finish line.

Reopening America will inevitably raise complex and unique issues for all types of businesses. Employers across all industries must make it a priority to stay up-to-date and well-informed of the guidance provided by federal agencies and individual states. While an overwhelming amount of information is being broadcast daily from a host of sources, Roetzel & Andress is committed to keeping you apprised of new guidelines, their implications, and strategies regarding implementation as America begins the daunting task of reopening in the midst of an unprecedented pandemic.

From the inception of the COVID-19 pandemic, Roetzel has provided its clients critical counsel and advice regarding all facets of the law, such as employment-related matters concerning the Families First Coronavirus Response Act (FFCRA), unemployment, workers' compensation, unique challenges for health care providers, and business concerns regarding breaches of contract and Small Business Act loans.

Now, Roetzel is prepared to assist you during this next phase – reopening. In that vein, Roetzel has established a Reopening America Readiness Team that is prepared to provide timely and thoughtful advice and counsel regarding any issues that may arise as businesses small and large prepare to resume operations.

Recently, the federal government has released [guidelines](#), including a three-phase approach for reopening America. Since this announcement, some agencies have provided substantive guidance regarding reopening. For instance, the Equal Employment Opportunity Commission (EEOC) updated its [COVID-19 guidelines](#) to, in part, address inquiries specific to reopening America. The Centers for Medicare & Medicaid Services (CMS) has also issued guidance with regard to [recommendations for reopening healthcare facilities](#) for non-COVID-19 care. We expect that additional guidance will be provided over the next several days – including industry specific information – from numerous other federal and state agencies. While the federal government has released its guidelines, individual states control what reopening will look like within each state. At this time, states have provided very limited guidance on what the reopening process will entail. Roetzel will continue to monitor these developments.

Notwithstanding the limited guidance available at this time, businesses – with the assistance of Roetzel – should be thinking ahead about issues they will undoubtedly face as America reopens. Some of the key areas include:

- General health and safety considerations in the workplace including issues with the Centers for Disease Control and Prevention (CDC) and Occupational Safety and Health Administration (OSHA);

- Leave issues related to employers' policies, collective bargaining agreements, the FFCRA, the Family Medical Leave Act (FMLA), and the Americans with Disabilities Act (ADA);
- Wage and hour issues related to attendance, telework, and the Fair Labor Standards Act (FLSA);
- Return to work issues related to the effects of furloughs, lay-offs, pay changes and unemployment benefits, and;
- Safety and liability concerns facing patients and healthcare providers, based on best-practice guidance from the CDC, CMS, American Dental Association, American Medical Association and other agencies setting standards for the health care industry.

Roetzel is positioned to partner with you in reopening your business and getting employees back to work. We continue to monitor all available guidance, law and industry expertise to provide appropriate direction and limit legal exposure. We know there is no time to waste in getting back to work, so let us help you get started!

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