

As several State Governors are currently allowing -- or planning to allow -- for the reopening of businesses, you are probably concerned about the health of your employees and the potential liability of opening your office. There are several challenges that must be addressed in order to provide a safe environment in which employees can work, while at the same time mitigating your risk and restoring operations. This document outlines several questions you should consider as you think about reopening your company's office.

This document is merely a list of questions to consider as you think about reopening your association's offices. This document is NOT legal advice. Please consult your legal counsel before making any decisions.

Please share additional questions you may have with [TIA Advocacy](#).

1. Some of my staff are insisting that remote work has proven effective. There are plenty of virtual associations and companies out there, they argue. How does a CEO address their point of view?
  - Listen to all the feedback from both managers and rank and file members, use this and make an honest assessment. Always be CDC and state compliant.
2. Is COVID-19 just the nudge we needed to convert our staff to a completely remote workforce?
  - Many TIA Members have made a seamless transition to tele-work. Be sure everyone who is tele-working can access full range of technology to be efficient and connected to the organization.
  - Get creative with your questions, how will this effect be hiring, firing, bonuses, day to day
  - Is it worth saving money on lease space and real estate?
3. What about commuting? What about weekend work if preferred?
  - Even with improved cleaning, some authorities are recommending that workers limit their use of mass transit when possible and be aware that surfaces can spread infection;
  - Uber reimbursement or stipend for individual needing paid parking to encourage social distancing
  - Businesses could continue to encourage telework or employ staggered arrival and departure times.

4. Consider offices, cubicles, and even more open office layouts. How do we reduce density in work areas, meetings, and kitchens?
  - Layered shifts of individuals going into different rooms;
  - Use open rooms to spread people out;
  - Open the conversation up to staff on ways to get creative with real estate to keep people from interacting.
  
5. How do we handle shared office equipment like phones, copiers and postage machines?
  - Mandatory wipe down post usage;
  - Office administrator doing cleaning rounds in the office;
  - Use cell phones in place of shared work phone.
  
6. How about lunch breaks?
  - Some authorities have recommended that employees bring food from home or having prepackaged lunches delivered. Other experts have recommended against allowing employees to run to the corner store and bring lunch back.
  
7. What is the cleaning protocol? Some authorities have recommended giving employees disinfecting wipes to clean their keyboards, phones, desks, etc. What will your policy be?
  - Mandatory office space clean;
  - Janitorial service for evenings and weekends.
  
8. Should employers require the use of masks in the office?
  - Yes, if office is set up in scenario that obviously calls for it. If along in closed door office, no mask. Out in public area, mask. When you enter someone's office, mask.
  
9. Is there any concern in disinfecting mail or other deliveries?
  - The TIA Operations Committee determined based on studies and information disseminated from other trade association that COVID-19 stays on cardboard materials for 24 hours.
  
10. Should employers urge that employees take their temperature before leaving for the office?
  - Yes, check temperature but also consider hourly wage workers waiting in line while on the clock.

11. Should employers encourage or mandate COVID-19 testing for employees on a routine basis? Speak with an attorney to mitigate your risk.
  - Test routinely with all employees (if available), be sure to clear all plans through attorney for potential room for lawsuits,
  
12. What about parents with children at home because there is no school or day care?
  - Parents with children at home should work from home, and employers try to implement a flexible work schedule.
  
13. What do we do if an employee is a Conscientious Objector and just doesn't feel comfortable coming to the office?
  - Create an internal policy and procedure for these individual to follow. Have a list of reasons for someone to object and work from home.
  
14. Will performance appraisal processes need to be updated?
  - Nothing changes on this front, simply work from home and continue with goals.
  
15. When do we re-open? To what extent do we follow the guidance of state and local officials? Speak with your attorney to reduce your risk.
  - Follow your states guidelines as each state has a Coronavirus designated website.
  
16. Can we create flexible policies that give staff a choice on when to return to the office?
  - Yes, flexibility yet efficiency. You must balance the company's foreseeable future with the flexibility of staff to be comfortable at work and working from home.
  
17. How do we ensure availability of supplies to sanitize the office and PPE for employees?
  - Do due diligence and find a direct supplier, janitorial services are available as well. Contact your Member of Congress they might be able to help.
  
18. What about things like soap or toilet paper that are in high demand?
  - Using janitorial services while also staying on top of commercial janitorial supplies like Cintas who regularly drop off supplies to business

19. What is the protocol if an employer learns that a staff member is infected? For the infected person? For other employees?
- Close your entire shop for 15 days, mandatory work from home. Clean entire office with disinfectant.
20. Should we create different teams that have staggered work hours to alleviate office congestion?
- Yes, having late start, late finish team, and early start- early finish teams could alleviate the stress of having too many individuals in a business at once.
  - A weekend crew could also play a role in scheduling.
  - It is important to let individual telework if they can.
21. As contact tracing becomes more common, what is our legal liability if it is found that our employees led to the spread of the virus, or deaths of other employees, or their family members?
- Congress continues to weigh liability protection for employers with the concern of employee rights and protections.

Government guidance:

[OSHA guidelines for CV19](#)

[CDC guidelines for business response](#)

Resource articles:

<https://www.wsj.com/articles/going-back-to-work-tips-on-what-your-boss-canand-cantmake-you-do-11587682455?mod=e2li>

<https://www.dropbox.com/s/10q7lf53n6wn8q7/Safe%20Work%20Playbook.pdf?dl=0>

<https://www.asaecenter.org/resources/roundup/issue-roundup-coronavirus#/Resources>