

RETURNING WORKERS TO THE WORKPLACE

Implications for Employers Webinar Series

June 2, 2020



ABOUT THE CHAMBER

The **Aurora Regional Chamber of Commerce** is the catalyst for business success. We unite businesses with the community by creating economic prosperity and facilitating community leaders.

- **Reach:** Serving the greater Aurora region across 4 counties
- **Members:** Representing nearly 600 businesses
- **History:** 110 year Chamber history
- **Accreditation:** 5 star accreditation from the U.S. Chamber of Commerce



FEATURED SPEAKERS



JULIE A. PROSCIA

Partner, SmithAmundsen

Julie provides labor and employment counsel that is outcome based. Julie represents many public sector/municipal employers in traditional labor and employment issues. Most commonly, Julie represents municipalities in labor disputes, including negotiations, grievances, ULP defense, and arbitration.



REBECCA DOBBS BUSH

Partner, SmithAmundsen

Rebecca thoughtfully and skillfully provides management with advice and counsel in human resource matters, wage and hour issues, employee benefit compliance and employment litigation. When Rebecca advises on difficult matters relating to compliance with ERISA and the tax code, she is able to consolidate the complexities of compliance into understandable and practical advice and guidance.

Re-Opening the Economy: Returning Workers to the Workplace

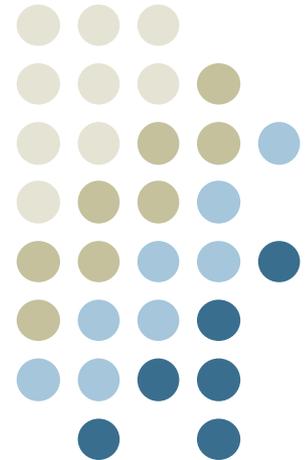
June 2, 2020

Presenters:

Julie A. Proscia— Partner

Rebecca Dobbs Bush- Partner

COVID -19 RESOURCE CENTER: www.saLAWus.com
www.laborandemploymentlawupdate.com



Initial Thoughts...



- The multitude of patchwork re-opening plans across the country has created confusion for employers on how to effectively and safely open their businesses in light of the ongoing pandemic.
- This presentation will provide some guidance for businesses looking to re-open and/or to continue operations in the future.
- There is no “one size fits all” way to reopen your business and bring back workers.
- The 2 most important things to keep in mind from a business perspective: 1) the health, welfare and safety of everyone (employees, contractors, customers, suppliers, the public, etc.) and 2) the ability to operate your business as effectively as possible.
- We must identify the LOCAL & STATE mandates and guidelines in place at any given time --- and they seem to be constantly changing. Remember... what you implement in St Louis, MO for your manufacturing plant is different than what you implement for your Chicago, IL corporate office, which is different than your Atlanta, GA warehouse. Day to day... week to week... month to month... THINGS ARE CHANGING!



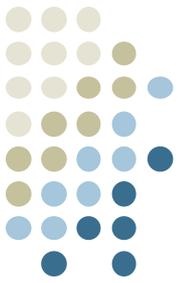
We Will Discuss And Cover:

- The latest guidance from local, state, and federal government on phasing in workers
- Screening employees, including temperature checks at the door, and related privacy concerns
- Protecting employees, including identifying appropriate PPE
- Public transportation and commuting issues
- Managing childcare issues
- Avoiding discrimination claims and related pitfalls
- Latest from OSHA
- Diminishing the threat of workers compensation claims
- Supporting subcontractors/independent contractors without making them employees
- Managing public relations
- And, more....

Does the Employer Have a Right to Require the Employee to Report to Work?

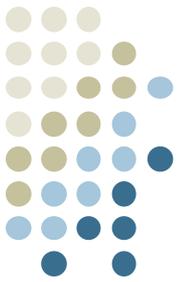


- Yes. As businesses are given the authorization to re-open and go back to “business as usual” with the necessary safety measures, they will need to require employees to return to work in order to provide their services, generate income and operate on a regular basis.
- Employers will need to have their workforce ready, willing and able to work as needed.
- Keep in mind, those who chose not to return, risk forfeiting their unemployment benefits.



Phasing in Workers

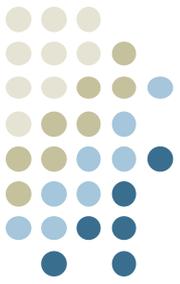
- CDC recommends that businesses remain closed until they can implement a number of safeguards to combat the spread of COVID-19.
- The safeguards include:
 - use of healthy hygiene practices
 - intensified cleaning, disinfection, and ventilation
 - social distancing
 - telework and cancellation of non-essential travel
 - seating distance of at least 6 feet and staggered gathering (starting/closing) times
 - restricted use of any shared items or spaces
 - training all staff in all of the safety actions



PPE (not face masks)

- OSHA may require it:
 - If the workplace is or is likely to be exposed to COVID-19, then an employer is required to equip its employees with PPE “wherever it is *necessary* by reason of hazards of processes or environment.”
 - Nothing requires an employer to provide PPE to its entire workforce, as long as employees who need PPE receive it. However, an employer’s determination of who does and does not need PPE must be objectively reasonable.
- ADA may be implicated:
 - Employees may request accommodations based on a disability or religious belief and you must engage in the interactive process to determine if reasonable accommodations can be provided.

Public Transportation and Commuting for your Employees Returning to Work



- Generally, employers are not required to provide transportation to work or assist with an employee's commute.
- However, during the pandemic, employee fears about using various forms of public transit—subways, buses, or shared rides—could interfere with their willingness to return to work.
- As part of an overall plan to maintain operations and a safe work environment, employers may want to consider whether it is feasible to find ways to temporarily reduce reliance on public transit, which could take the form of parking benefits or commuting stipends that would allow employees to take private transportation to work.
- Employers could also consider schedule flexibility to allow workers to use public transit at off-peak hours.
- Carpooling may be an issue given close contact; consider discouraging or prohibiting for the time being.

Childcare Issues for Returning Employees...



- Even after workplaces are permitted to reopen, it is possible that employees may have children whose schools or childcare facilities have not yet reopened.
- Employers will need to be prepared to respond to requests from such employees to either continue working from home or take a leave of absence in order to care for such children.
- If an employee refuses to return to work due to child care or other COVID-19 related issues, they may be eligible for unemployment benefits under the Federal CARES Act.
 - The CARES Act expands eligibility to many who, in the past, have not qualified for unemployment benefits, including, but not limited, to those with primary caregiving responsibilities for children who are unable to attend school or child care due to COVID-19, those who have been diagnosed with COVID-19, those with a household member who has been diagnosed with COVID-19, and those providing care to a family or household member with COVID-19.

Childcare Issues (Cont'd)



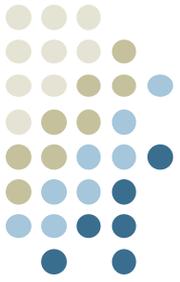
- Just because some daycare facilities are open does not mean the employee's daycare facility is open.
 - If the employee's facility remains closed, the FFCRA leave law kicks in.
- As more businesses re-open, childcare alternatives should become available.
- The responsibility to secure childcare will ultimately fall on the employee and while the employer may alter the return to work date to allow the employee to secure reliable childcare while school is out, come June, employees will be expected to return to work as summer childcare alternatives should be in place regardless of COVID-19.

Childcare Issues...and Solutions



- Employers will be faced with the challenge of creating shifts or alternating schedules to accommodate remote these issues and childcare while ensuring that their business needs are met.
- Many business owners have staggered return dates per job positions to minimize exposure and to allow employees the time to arrange for childcare.

Checking Employee/Visitor Temperatures



- The EEOC permits temperature and symptom checks of employees --- for this particular pandemic. Some localities and states are MANDATING such screening.
 - Consider using a questionnaire/checklist for each employee entering the site.
- Temperature checks follow ADA requirements that mandatory employee medical testing must be “job related and consistent with business necessity,” and recognizes that any employee infected with COVID-19 who enters the workplace poses a direct threat to others’ health.
- Employers should notify their employees of temperature and symptom screening measures in advance and inform the employees that the purpose of temperature screening is solely to protect the employees by keeping individuals with symptoms consistent with COVID-19 offsite and not to determine if an employee has any other illness, impairment or disability.
- Messaging should make clear that screening is not intended to be, nor is it a substitute for, a clinical diagnosis.

Checking Employee/Visitor Temperatures (Cont'd)



- This guidance allowing temperature checks is specific to current pandemic conditions and may change if more effective COVID-19 prevention and treatment options are discovered and the level of threat to the general population abates.
- Take into consideration how potential requests to be excused from a testing requirement for medical or faith-based reasons will be handled.
- Ensure you have the equipment, personnel and protocols in place to implement such checks and respond properly to any signs of illness.

Checking Employee/Visitor Temperatures (Cont'd)



- From a logistical and administrative standpoint, it is important to consider where the screening will be conducted, and if it is done onsite, how to maintain social distancing for employees waiting to be screened as well as those who may be required to leave the screening site without entering the workplace based on the screening result.
 - Consider whether to use a current employee or outside vendor to conduct the screening. STRICT CONFIDENTIALITY OF ALL INFORMATION/DATE OBTAINED MUST BE PRESERVED AT ALL TIMES.
- Visitor and vendor screening is a further consideration if such third parties will be needed onsite to support the regular workforce's return to the workplace.

Safety and Procedures for Taking Employees' Temperatures



- To protect the individual who is taking the temperature, you must first conduct an evaluation of reasonably anticipated safety and health hazards and assess the risk to which the individual may be exposed.
 - The safest thing to do would be to assume the testers are going to be exposed potentially to someone who is infected who may cough or sneeze during their interaction.
- Based on that anticipated exposure, you must then determine what mitigation efforts can be taken to protect the employee by eliminating or minimizing the hazard, including PPE.
 - Different types of devices can take temperature without exposure to bodily fluids.
 - The person should, at a minimum, wear a gown, mask and gloves. The person could also have a face shield in case someone sneezes or coughs. Ensure proper hand hygiene can be followed.

Additional Guidance on Temperature Taking...



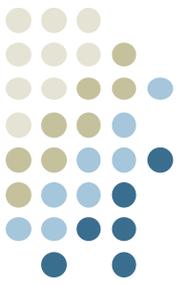
- **Maintaining Proper Social Distancing**

- Ensure safety measures are taken for workers waiting in line to be screened.
 - This includes ensuring employees stand six feet or more from each other while they wait to have their temperature taken.

- **Logistics**

- You may have to screen a large number of employees prior to the beginning of each shift. This likely will cause delays and create disruption to normal production activities. Be prepared to create outdoor waiting areas (e.g. tents and other temporary structures) if employees must be in lengthy spaced-out lines prior to entering the facility.
- Employee privacy, especially where screening takes place and results are announced, should be accounted for during this time.

What if an Employee has Symptoms of COVID-19 (Not Diagnosed)?



- Tell the employee to leave work immediately and seek medical attention.
- Do not allow employee to return to work until 1) symptom free (without using medication) for 72 hours AND 10 days have passed since onset of symptoms OR medical professional certifies that the worker does not have COVID.
- If an employee tests or is presumed positive (even if asymptomatic), the local health department will likely tell you when employee can return (usually 14 days).

Do I Need to Compensate Employees for the Time Taking Their Temperatures?



It depends...

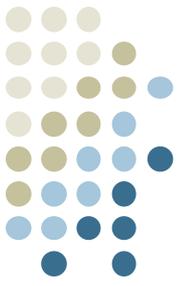
- Federal law likely does not require it.
- However, some states have wage and hour laws that would require it.
 - Needs to be determined on a case-by-case basis.
- In Illinois & Wisconsin (for example) it is likely that the employees will need to be compensated. Likely not in IN, OH or MO (for example) under current case law --- but, it will be litigated everywhere!
- Time to be compensated includes:
 - Time spent waiting to be screened, taking the screen, and, if applicable, waiting for the result before entering the workplace and starting work.

Protecting Health/Privacy of Employees re: Screening



- To the extent screening results lead to a decision to send an employee home, you should maintain a record of the results and treat the record as an employment medical record.
 - Keep separate from employee's regular personnel file.
 - DO NOT share the employee's name with other employees who may have been exposed.
 - But do inform them of the exposure.
- All other information should only be retained as long as necessary to manage risk during the COVID-19 crisis and should be permanently deleted once it is no longer needed.

Other Considerations Regarding Employee Health Data



- Does HIPAA apply?
 - Not likely. It only applies to “covered entities” such as medical providers or employer-sponsored group health plans, and then only in connection with individually identifiable health information. Employers are not covered entities, so if you have medical information in your employment records, it is not subject to HIPAA restrictions.
 - Disclosures should be made only to authorized personnel, and care should be taken even in disclosures to government personnel. Further, you should be careful not to release information to someone until you have properly identified them. The health department (state and local) is authorized to obtain information regarding employees as part of its infectious disease control responsibilities.
- Do Privacy rights apply?
 - Not likely, but depends on technology used. Under Illinois law, for example, BIPA is very easy to violate and can cost employers a lot of money if they don’t have a written BIPA policy and written consent when obtaining “biometric” identifying information. Under BIPA, biometric information includes “retina or iris scans, fingerprints, voiceprints, or hand scans or face geometry.” It expressly excludes “human biological samples used for valid scientific testing or screening.” *****NOTE: Some Technology is Imaging Faces for Timekeeping Purposes to avoid fingerprints scans.**

Potential Discrimination Pitfalls



- Employers should be careful to implement policies, procedures and protocols in a way that does not single out employees based on any protected characteristic, but particularly national origin or ethnicity.

Harassment Related to COVID-19



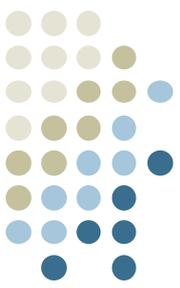
- There continue to be reports of xenophobia and backlash toward Asian employees, and particularly Chinese workers.
- Employers should advise supervisors and managers of their roles in watching for, stopping, and reporting any harassment or other discrimination, with a particular focus on discrimination and harassment related to race or national origin.
- An employer should also make clear that it will immediately review any allegations of harassment or discrimination and take appropriate action.

Fear Alone? (retaliation concerns to keep in mind...)



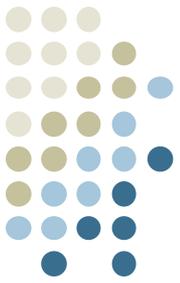
- FEAR alone is not generally protected – and someone who refuses to work based solely on fear is likely abandoning their employment.
- However, remember, employees need only have a “good faith” belief that the workplace is not safe. Terminating a worker for voicing genuine concerns for safety must be avoided. Counseling the worker and educating him/her on actual facts is key.
- Best Advice: NEVER take adverse action based on an employee’s “complaint.”
- Also note:
 - Anxiety, depression could trigger “disability” protections under local/state laws and ADA.
 - Anxiety, depression and/or underlying medical conditions could be certified as a “serious medical condition” for purposes of the FMLA.

What if an Employee is in Contact with Someone at work who is Diagnosed with COVID-19?



- Contact Tracing... employers must reasonably cooperate with local and state authorities on contact tracing efforts.
- CLOSE CONTACT vs. NO CLOSE CONTACT --- big distinction --- we must inform those in CLOSE CONTACT with someone who has COVID-19. The individual needs to stay home and contact medical professionals. Likely out for 14 days.
- Close Contact – generally means, being within 6-feet for a prolonged period of time (i.e. 10 or 15 minutes) with, or being directly coughed or sneezed on by, an individual who has COVID --- without PPE. *NOTE: Face masks are not PPE!!!*

What if an Employee is Diagnosed with COVID-19?



- Follow local, state and federal guidance in real time. What is most cautious/conservative?
- Typically, this individual will be out until symptom free for at least 3 days (72 hours), without medication, AND 10 days have passed from first day of symptoms.
- We need to figure if the contraction of the virus was in the workplace.

OSHA Revises COVID-19 Guidance... Again



- Previously, OSHA issued guidance indicating that most employers only had to record or report confirmed COVID-19 cases when provided with *objective evidence* that an employee contracted COVID-19 at work. In practice, this put the burden on employees to submit evidence to employers establishing that their COVID-19 cases were contracted at work.
- OSHA recently issued revised NEW guidance on this issue, which went into effect on May 26, 2020. Under the revised guidance, OSHA puts the burden on the employer to make a “reasonable determination” as to whether a confirmed COVID-19 case was contracted at work. In order to make that determination, OSHA suggests that employers:
 1. Question the employee as to how he/she believes he/she contracted COVID-19;
 2. Discuss with the employee his/her out-of-work activities that may have resulted in exposure; and
 3. Review the employee’s work environment for potential COVID-19 exposure.

OSHA Revises COVID-19 Guidance... Again



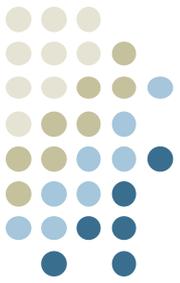
- If, after taking those steps, the only logical explanation is that the employee contracted COVID-19 at work, then the case should be recorded or reported to OSHA, as appropriate.
- Moving forward, employers should prepare a questionnaire to be filled out by employees with confirmed COVID-19 cases, inquiring as to the topics OSHA has identified in its guidance—much like an accident report. Employers can use those questionnaires to guide them in their OSHA-related decision making process, as well as if/when a workers' compensation or civil suit is filed.

Workers' Compensation



- Generally, under normal workers' compensation procedures, the burden is on the employee to establish that their injury or illness was directly caused by their duties.
- However, some states are creating new rebuttable presumptions that a first responder or front-line worker or ANY worker (i.e. IL) who contracts COVID-19 is covered by workers' compensation.
- Prepare a Questionnaire for any employee who is diagnosed with COVID-19 to determine the likelihood that they were infected at the workplace and have them certify their responses.

COVID-19 General Questionnaire – for use re: Work Comp Investigations and OSHA Compliance



EMPLOYEE NAME: _____ DATE: _____

INSTRUCTIONS: The following questions should be asked of any Employee who has informed you that she or he has either tested positive for COVID-19 or has been told by a medical treater or provider they presumptively have COVID-19. This questionnaire is to be kept **confidential** and in Employee's medical file with access by only select individuals designated by the Company.

1. What is the date that you first exhibited symptoms, if any, of COVID-19? Date: _____

2. What were the symptoms?

- Fever: Yes No
- Headache: Yes No
- Chills: Yes No
- Cough: Yes No
- Sore throat: Yes No
- Muscle aches: Yes No
- Loss of taste/smell: Yes No
- Shortness of breath: Yes No
- Other: _____ (describe)

COVID-19 General Questionnaire



3. When were you diagnosed with COVID-19 or presumed to have COVID-19?

- Date: _____
- Tested positive: Yes No
- Presumed to be positive: Yes No

4. Name of medical professional or health care provider giving you the result or telling you that you are presumed to be positive: _____

5. What are your current symptoms?

- Fever (100.4°F or higher): Yes No
- Headache: Yes No
- Chills: Yes No
- Cough: Yes No
- Sore throat that you cannot attribute to another health condition: Yes No
- Muscle aches that you cannot attribute to another health condition, or that may have been caused by a specific activity (such as physical exercise): Yes No
- Loss of taste/smell: Yes No
- Shortness of breath: Yes No
- Other: _____(describe)

COVID-19 General Questionnaire



6. Have you been told by a medical professional to self-quarantine? Yes No

- If yes, for how long (in days)? _____
- If yes, have you been self-quarantined? _____
- If yes, since what date? _____

7. In the previous 30 days, have you had close contact with an individual confirmed or presumed to have COVID-19 (i.e. spent longer than 10 minutes within 6 feet of the individual, or being coughed or sneezed on)? Yes No

- If yes, give the date of last contact: _____
- If yes, explain your relationship to individual(s) with COVID-19: _____
- If yes, identify the location of last contact: _____
- If yes, identify whether any such contact is or was in your household: _____

8. In the previous 30 days, have you traveled to, or stopped over in, a country for which the CDC has issued a travel health notice (including but not limited to China, Iran, or Europe)?

Yes No

- If yes, give country name and dates of travel: _____

COVID-19 General Questionnaire



9. In the previous 30 days, have you traveled domestically by airplane, bus or train? Yes No

- Details: _____
- Date(s) of Travel: _____

10. In the previous 30 days have you used mass transit or public transportation? Yes No

- Details: _____
- Date(s) of Travel: _____

11. Outside of work, have you attended any event or visited any public place in the previous 30 days where more than 10 individuals were in attendance and you were, at any time, within 6 feet from any one individual for more than 10 minutes? Yes No

- Location: _____
- Date(s): _____

I certify that the above information was provided to me by telephone discussion with the above-named individual on the ____ day of _____, 20____, and is accurately recorded herein.

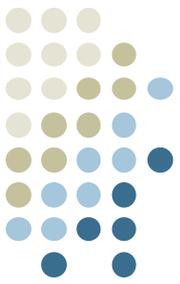
By: _____

Print Full Name

Signature: _____

Title: _____

Confidential Checklist for Employer -- - to be completed at same time as the Questionnaire



1. Did you receive any paperwork from Employee regarding their diagnosis of COVID-19? Yes No
If yes, include in file with the Employee Response to COVID-19 Questionnaire.
2. Did you review any and all publicly available social media accounts of the employee to document recent travel or social interaction? Yes
No
If any, print and include in file with the Employee Response to COVID-19 Questionnaire.
3. Did you inform all of Employee's co-workers who were in close contact with the individual in the past 14 days of the Employee's positive test/presumptive positive (without disclosing the Employee's name)?
Yes No

Confidential Checklist for Employer (cont'd)

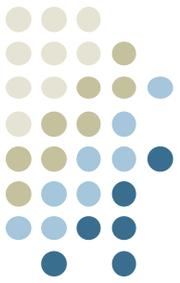


4. Did you disinfect, pursuant to latest CDC guidelines, any and all workspaces and surfaces that the Employee had been in contact with over the past 14 days? Yes No

5. Have you implemented the latest CDC and OSHA guidelines concerning maintaining a safe and healthy workplace, including any and all applicable PPE mandates? Yes No

6. Have you implemented the latest guidelines or mandates from any local or state regulatory body or government official applicable to your operations (i.e. state or county department of public health, local mayor's order or state governor's order)?

Likely Lawsuits Related to COVID-19

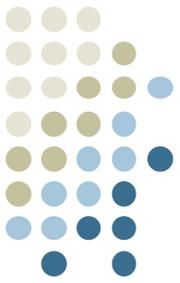


- Wage and hour, including timekeeping
- New leave laws
- Retaliation for genuine safety concerns
- ADA/Reasonable Accommodations
- WARN (proper notice for mass layoffs)
 - Was the pandemic “not foreseeable”?
- NLRA
 - Even without union employees the law applies in certain situations (discussing terms and conditions of employment)

Public Relations/Media Inquiries

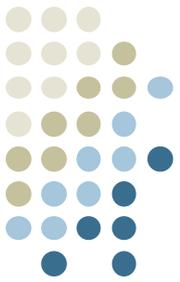


- Companies have already been bombarded with inquiries and/or stories regarding outbreaks at their facilities.
- Make sure you communicate to your employees all safety protocols and procedures implemented by you.
 - Tie them to CDC & Public Health guidelines and any Executive Orders.
- Always reiterate that the health and safety of your employees is your #1 priority.
- Stress that you are committed to continuing to implement the latest guidance and mandates from the CDC, OSHA, public health departments, and the Governor's Office.



Waiver for Employees

- **Not a good idea**
- Liability waivers for employees have traditionally been unenforceable due to the unequal bargaining power between parties
- Employees can't waive work comp rights anyway
- Creates a perception that you are evading workers compensation and OSHA obligations
- Will produce a negative reaction from employees and the public



Waivers for Customers

- May be an effective deterrent
- Generally, waivers for a party's liability for standard negligence can be valid and enforceable
 - Cannot be contrary to public policy
 - Cannot waive intentional, reckless, or grossly negligent conduct
 - Parties should be of equal footing in the relationship
 - Must be clear and unambiguous
 - Some states are more flexible, while others are not --- actual enforceability is dictated by state law

General **Sample** Reopening Guidance for Employees



In an effort to ensure that we re-open our office in a manner that protects our employees from exposure to COVID-19 while at the same time allowing us to resume operations, we are adopting the following policies and protocols that all employees must note and follow:

- Employee symptom monitoring:
 - Employees must monitor themselves for the development of any of the following symptoms: fever (temperature of 100.4 F or higher), cough, shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache (not related to hunger, migraine, etc.), sore throat, nausea or new loss of taste or smell. If an employee develops any of these symptoms, they must notify their supervisor and stay home.
 - We will be screening employees for COVID-19 symptoms each day before they start work. Employees who have a fever of 100.4 F or higher or any of the symptoms described above upon arrival to work will be sent home immediately.
 - If an employee develops any COVID-19 symptoms while at work, they should notify their supervisor and leave work immediately.
 - Any employee who is off work or sent home from work due to having COVID-19 symptoms must stay off work until the employee is symptom free for 72 hours (without the use of fever reducing or other medication) AND at least 10 days have passed since the symptoms first appeared.

General **Sample** Reopening Guidance for Employees



- Employees who test positive for or are presumed to have COVID-19 and close contacts:
 - Any employee who tests positive for or is presumed to have COVID-19 is required to stay off work for either the length of time required by the local health department OR, if no requirement is imposed by the local health department, until the employee is symptom free for 72 hours (without the use of fever reducing or other medication) AND at least 10 days have passed since the symptoms first appeared OR a health care provider releases the employee to return to work, whichever is longer.
 - Any employees who were in close contact with the ill employee will be instructed to stay off work for 14 days from their last contact with the ill employee. Close contacts will either be contacted by the local health department or us. “Close contact” means being within six feet of the ill employee for at least 10 minutes during the time the ill employee was likely contagious or being coughed or sneezed on by the ill employee. Confidentiality of the ill employee will be maintained.
 - Employees who have a household member with COVID-19 or who have been informed that they are a close contact of someone who has COVID-19 should notify their supervisor and stay off work for 14 days or for as long as instructed by the local health department. If the employee develops symptom, the timeline set forth above applies.

General **Sample** Reopening Guidance for Employees



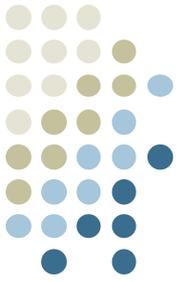
- In order to reduce the transmission of COVID-19 in the office, all employees must take the following steps:
 - Wear a face mask at all times while in the office unless they are in their own office with the door closed or otherwise appropriate isolated area. We are providing face masks.
 - Wash their hands frequently with warm, soapy water for at least 20 seconds. If soap and water are not readily available, use hand sanitizer. In addition to our normal access to soap and water, we are providing hand sanitizer.
 - Cover their mouth with tissues whenever they sneeze, and discard used tissues in the trash. We are providing tissues and no-touch disposal receptacles.
 - Clean frequently touched surfaces with sanitizing wipes. This includes all equipment that they touch during the course of the work day. We are providing sanitizing wipes.
 - Maintain social distancing while at work to the extent possible, which means keeping six feet between themselves and others. We have installed dividers between cubicles.
 - No more than ____ people at a time may be in the break room.

General **Sample** Reopening Guidance for Employees



- We have made the following changes to the office to reduce the spread of COVID-19:
 - Established enhanced cleaning protocol for the office, targeting frequently touched surfaces.
 - Eliminated the shared coffee maker, water cooler, refrigerator, microwave, reusable mugs/cups/flatware/etc. We will provide bottled water for employees. Employees should bring their own coffee with them.
 - Visitors to the office should be kept to a minimum and should wear face masks and follow social distancing guidelines.
 - Meetings should be held virtually to the extent possible. Any on-site meetings must be limited in size so that social distancing may be maintained. All attendees at live meetings must wear face masks.

General **Sample** Reopening Guidance for Employees

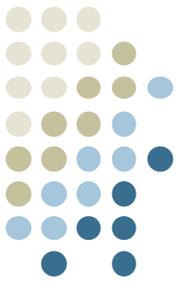


- Travel restrictions:
 - All non-essential business travel by any mode of public transportation or by airplane is prohibited.
 - Any essential business travel by any mode of public transportation or by airplane must be pre-approved by the company president. No international business travel will be allowed until further notice.
 - Any employee who travels by airplane domestically, whether for business or pleasure, must stay home for 72 hours after returning from such travel and self-monitor for symptoms of COVID-19. If symptoms develop, the timelines established above must be followed.
 - Any employee who travels internationally must stay home for 14 days after returning from such travel and self-monitor for symptoms of COVID-19. If symptoms develop, the timelines established above must be followed.

Your health and well-being are of utmost importance to us. As always, you should contact _____ with any questions or concerns.

The protocols established here are subject to change at any time due to new public guidelines, legal mandates and/or operational needs.

IN CONCLUSION: Food for Thought...



- The laws, regulations, and guidance for businesses re-opening are constantly changing.
 - Need to evaluate your individual circumstances
 - Look to others in your industry
 - Look to local/state guidance and orders
- SmithAmundsen's COVID-19 webpage & blog have insight and resources:
 - <https://www.salawus.com/practices-covid19-task-force.html>
 - www.laborandemploymentlawupdate.com

Thank You!!



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SMITHAMUNDSEN COVID-19 RESOURCE CENTER

<https://www.salawus.com/practices-covid19-task-force.html>

Q&A



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