An Introductory Guide to
REOPENING YOUR BUSINESS IN THE ERA OF COVID-19

Policies & Procedures for Employers to Consider in Order to Prepare for the Reopening of the Kentucky Economy

PRESENTED BY:

150
1870 Years *2020*
WesBanco

Compiled by Commerce Lexington Inc. from a variety of on-line sources and with assistance from several area businesses and organizations.

INTRODUCTION:

This guide is meant to be a starting point for COVID-19 considerations prior to re-opening your business. This is **NOT** an exhaustive list, as guidelines and applications of recommendations will vary greatly across different industries. **Presented by WesBanco Bank**, this document was compiled by Commerce Lexington Inc. and includes a cross-section of recommendations from the Commonwealth of Kentucky, the Lexington-Fayette Co. Health Department, the CDC, and a variety of businesses and local human resources professionals. In all cases, your company should consult a human resources firm and/or law firm to develop policies that both work for your business and comply with FFCRA, EEO, ADA, HIPAA, and many other laws and regulations. To find an area human resources firm or law firm, visit **www.CommerceLexington.com** and click on **Business Directory**.

ADDITIONAL GUIDANCE & INFORMATION:

CDC: www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html
OSHA: www.osha.gov/Publications/OSHA3990.pdf
THE WHITE HOUSE REOPENING AMERICA PLAN: www.whitehouse.gov/openingamerica
KENTUCKY'S HEALTHY AT WORK PLAN: http://healthyatwork.ky.gov
CITY OF LEXINGTON: www.lexingtonky.gov/COVID-19
LEXINGTON HEALTH DEPARTMENT: https://lexingtonhealthdepartment.org/covid19
COMMERCE LEXINGTON INC.: www.commercelexington.com/return-to-work-resources.html

HEALTHY AT WORK:

Governor Andy Beshear recently introduced the Healthy at Work plan, which is a phased approach to reopening Kentucky's economy. It is based on criteria set by public health experts and advice from industry experts. Each phase will be rolled out in steps to ensure the Commonwealth's citizens can safely return to work, while still protecting the most vulnerable Kentuckians. Before any reopening can begin, the Governor will determine whether Kentucky has met certain public health benchmarks for reopening Kentucky's economy. People should be prepared for state and local public health orders to be extended, amended, or changed as needed to protect public health.

GOV. BESHEAR'S TIMELINE OF REOPENINGS

Healthcare Phased Reopening:

On **April 27**, the first of four Kentucky healthcare re-opening phases began with health care practitioners being allowed to resume non-urgent/emergent health care services, diagnostic radiology and lab services in the following areas, provided they follow the guidelines set forth by the state's guidelines.

- Hospital outpatient setting.
- Health care clinics and medical offices.
- Physical therapy settings, chiropractic offices and optometrists.
- Dental offices (with enhanced aerosol protections).

Other Healthcare Reopening Phases:

Phase 2 of the healthcare reopening is set for **May 6**, when outpatient/ambulatory surgery and invasive procedures may resume. On **May 13**, healthcare reopening **Phase 3** will allow non-emergent/non-urgent inpatient surgery and procedures to resume at 50% of pre-COVID-19 shutdown volume. Finally, **Phase 4** starting on **May 27** will permit non-emergent/non-urgent inpatient surgery and procedures to resume at a volume determined by each facility.

Businesses Reopening (May 11):

On May 11, Kentucky will begin Phase 1 of Healthy at Work. The first step of Phase 1 will include the reopening of some non-life-sustaining businesses in the following economic sectors. Find additional guidance on each sector on-line at **http://healthyatwork.ky.gov**.

- Manufacturing, distribution & supply chain
- Construction
- Vehicle & vessel dealerships
- Office-based businesses (at 50%)
- Horse racing (no fans)
- Pet care, grooming & boarding
- Photography

Reopening May 18:
- Government offices and agencies

Reopening May 20:
- Retail (in a reduced capacity)
- Funeral homes
- Houses of worship ****Moved to May 9th due to court ruling.**

Reopening May 22:
- Restaurants (at 33% capacity + outdoor seating)
- 10 person social gatherings can resume

Reopening May 25:
- Acupuncturists; Cosmetology Businesses; Hair Salons/Barbershops; Massage Therapy; Nail Salons; Tanning Salons; and Tattoo Parlors

Reopening June 1:
- Movie theaters and fitness centers

Reopening June 11:
- Campgrounds

Reopening June 15:
- Some Childcare
- Youth sports (low touch & outdoors)

Reopening July 1:
- Bars and groups of 50 people.

NOTE: People should be prepared for state and local public health orders to be extended, amended, or changed as needed to protect public health.

Review Minimum Requirements on the Next Page for Businesses to Reopen Under the Healthy at Work Plan.

REOPENING REQUIREMENTS:

FIND THIS FULL DOCUMENT ON-LINE AT http://healthyatwork.ky.gov

For closed businesses that will be reopening, each business must meet the following minimum requirements before they can reopen. If any business in a sector being reopened cannot comply with the minimum requirements set out below, they must wait to reopen until they are able to do so or until some or all of these restrictions are lifted. **For those businesses** that have been deemed life-sustaining and **remained operating**, they will be expected to meet the following minimum requirements no later than May 11, 2020.

1.
Continue telework where possible.

2.
Implement phased return to work for staff.

3.
Enforce social distancing. [6 feet apart]

4.
Limit face-to-face interaction.

5.
Provide masks & any other necessary PPE for employees. Masking is NOT necessary for employees working alone in an enclosed space. Encourage customers to wear masks.

6.
Provide hand sanitizer & encourage hand washing.

7.
Restrict common areas.

8.
Sanitize frequently touched surfaces.

9.
Require employees to conduct daily temperature and health checks before coming to or entering work.

10.
Create a testing plan for employees.

11.
Make special accommodations for employees & customers at higher risk of illness.

12.
Designate a workplace Healthy at Work main point of contact.

13.
Educate & train employees.

14.
Ensure that managers and employees participate in contact tracing.

FREQUENTLY ASKED QUESTIONS:

MORE FREQUENTLY ASKED QUESTIONS ON-LINE AT https://govstatus.egov.com/ky-healthy-at-work-faq

Q: Can I begin reopening my business if it has been previously closed? **A:** You may begin reopening only after it has been determined that your sector is safe to reopen (review schedule on Page 3) and that you meet the minimum requirements (listed on Page 4) and industry specific guidelines posted at **http://healthyatwork.ky.gov**.
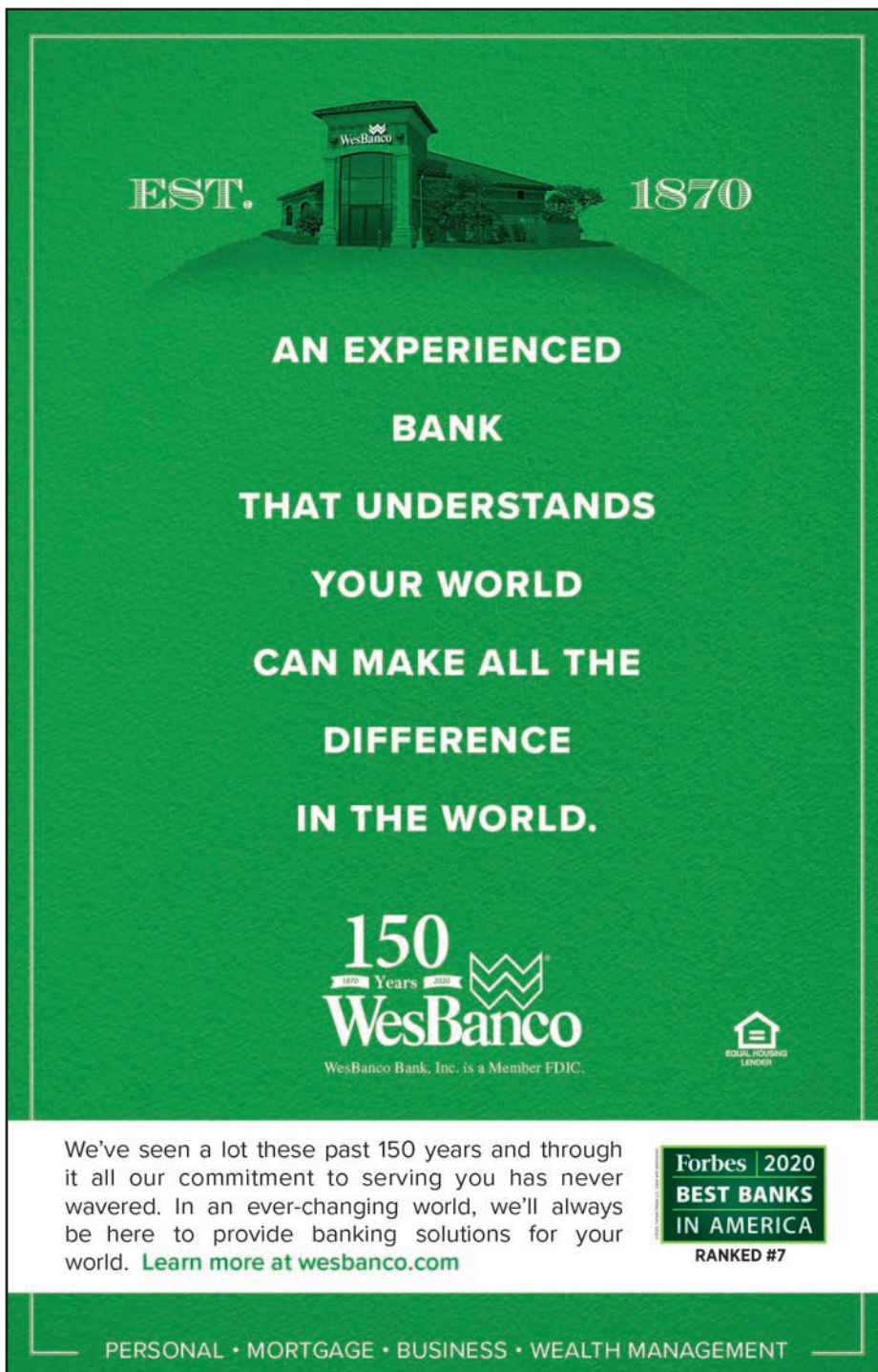
Q: My business was never closed because it was deemed life-sustaining – do I have to change anything I am doing? **A:** Yes – because of the additional contacts we all will be having now that portions of the economy are reopening, even those businesses that were previously open must adopt new safeguards to ensure there is not another spike in COVID-19. All businesses that have remained opened because they were deemed life-sustaining must also meet the minimum requirements (listed on Page 4) by May 11th as well as any sector specific requirements that will be released.

Q: Do I have to submit a proposal to this website in order to reopen? **A:** No. You are not required to submit a proposal. The Governor will be making decisions on which sectors to reopen regardless of whether or not a business or business association submits a proposal. However, he encourages the input of all our businesses and business associations through this website and will rely on the proposals and information they provide in making his decisions on when to reopen and the appropriate requirements for each sector.

Q: I see that masks are required for employees; however, I believe it would be a safety hazard for my employees to wear masks because of their duties. Do they still have to wear masks? **A:** All employees should generally be required to wear masks, and it is recommended that all Kentuckians wear masks when in public around individuals outside of their family unit. However, the Healthy At Work requirements do not require employees to wear masks if doing so would represent a health or safety risk to the employee. Employees also do not have to wear a mask while working alone in an enclosed space.

Q: Are there required forms for health or temperature checks? **A:** No – as long as the entity ensures that individuals are receiving a health and temperature check once every 24 hours and that any sign of COVID-19 is quickly acted upon per the guidance, there are no required forms. However, it is recommended that businesses create some kind of form to document the health and temperature checks in case it is later necessary to review the information of an employee who tests positive for COVID-19.

Weekly Webinar Series Helping Businesses Adapt to the New Normal for Reopening

In an effort to help businesses adjust to the "new normal" as things start to reopen over the coming weeks and months, Commerce Lexington Inc. has launched a weekly webinar series called 4 O'Clock Focus with the help of Bill Dotson (Rocker) and Debbie Green (Bringing in the Green). Each Wednesday through June 10th starting at 4 p.m., a variety of guests and topics will feature best practices and lessons learned during the era of COVID-19 for business.

The April 29th webinar featured a discussion on human resources policies, and the May 6th edition featured a segment on legal guidance and compliance in the new workplace. You can register for upcoming 4 O'Clock Focus webinars at **https://tinyurl.com/focusatfour**. There are also other best practices like sample communications to clients and customers posted online at **www.commercelexington.com/return-to-work-resources.html**.
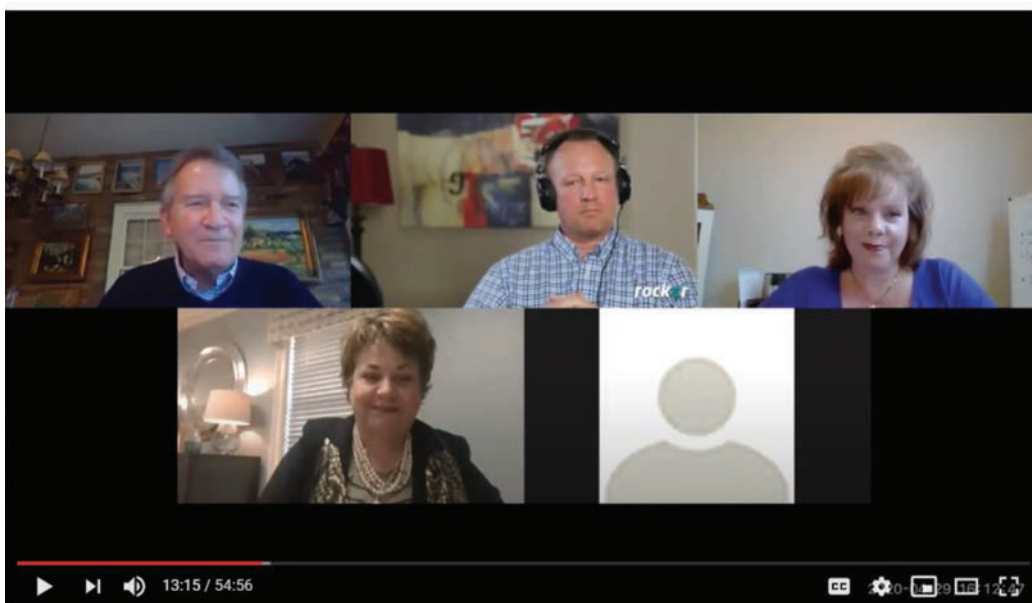
4 O'Clock Focus Human Resources

4 O'Clock Focus Legal Guidance

OTHER RECOMMENDATIONS:

Companies should always consult a human resources firm and/or law firm to develop policies that both work for your business and comply with FFCRA, EEO, ADA, HIPAA, and many other laws and regulations.

Managing the New Normal in Your Workplace

- **Identify a workplace coordinator** or a group of people in your office who will manage COVID-related items, communicate to staff, and ensure policies and procedures are being followed.
- **Communicate** to your staff everything that is expected of them and emphasize the importance of their actions. Consider a conference call or videoconference with all employees to discuss the new expectations and answer questions.
- **Post all COVID-19 documents**, resources, and company protocols on the company's shared network that allows all employees to access them.

Staff Policies & Procedures to Consider

- **Always encourage sick employees to stay home.**
- **Evaluate sick leave policies** to ensure flexibility and that fall within public health guidelines.
  - How will your company handle employees who need to stay home to care for a sick family member or children who are home because of school and/or childcare closures?
  - Could the company offer advances on future sick leave or allow employees to donate sick days to each other?
  - If your company does NOT currently offer sick leave to all employees, it is recommended to draft non-punitive emergency sick leave policies.
  - Waive the requirement for a medical professional's or doctor's note for employees to be eligible for sick leave or return to work.

- **Social distancing policies should be established inside the workplace.**
  - Social distancing guidelines should be followed inside the business as recommended by state and local health officials (at least 6 feet at all times).

Staff Policies & Procedures to Consider

- **Develop policies for staff teleworking.**
  - Working environment: Staff should have the appropriate electronic devices and connectivity to effectively work from home. Employer may need to provide or arrange for equipment.
  - Productivity requirements.
  - Periodic check-ins with supervisor/manager.
  - Required tech security in home environment.

- **Travel policies for staff:** Employers will need to take a close look at their employee travel policy, and for employees who travel for the job, decide what your guidelines will be for when they are allowed to return to work? Will they need to stay at home for two weeks following travel outside the state or country? Or, what length of time would you propose?
  - If possible, utilize videoconferencing to avoid unnecessary person-to-person contact.
  - If employees do travel out of state for work, ensure they practice safe social distancing and follow guidelines while gone, so that they would not be required to self-quarantine upon return.

- **Meetings and gatherings:**
  - Once meetings and gatherings are allowed again, what will be your company's policies be regarding meetings for your employees off-site? What about meetings inside your own workplace between employees or from outside groups?
  - If meetings must be held, require them to be conducted in well ventilated areas with appropriate social distancing.

- **Review all human resources policies** to ensure they are consistent with public health recommendations and federal and state workplace laws.
  - Depending on the industry and the size of the business, compliance with FFCRA, EEO, ADA, HIPAA, and many other laws and regulations, is vital as it relates to safely bringing employees back to the worksite/office.

Companies should always consult a human resources firm and/or law firm to ensure that policies wotk for your business & comply with FFCRA, EEO, ADA, HIPPA & other laws & regulations.

Assess Your Physical Workplace

- Assess and **identify common touchpoints within the facility**, such as doors, countertops, desks, elevators, bathrooms, meeting spaces, payment processing touch screens, etc.
- Develop a **cleaning and disinfecting policy/schedule**, identifying who will clean what items inside the office and how often. For guidance on cleaning and disinfecting public spaces and workplaces, the CDC has information posted on-line at **www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html**.
- Identify potentially tight spaces, such as narrow hallways, stairwells, elevators, small break rooms and **restrict the number of people** in these areas at a given time, to allow for physical spacing. Think about how many staff and customers you can accommodate in the public areas, given the square footage of the areas.
- Other **modifications to the workplace** might include replacing doorknobs with easy to use handles or hooks, using non-touch trash cans, and adding air cleaning systems.
- Inspect, and if necessary, improve the **building's ventilation system** (i.e. increase the amount of outdoor air circulating into the system).
- Are plastic or **plexiglass barriers** necessary between employees and the public?
- Reconfigure your **lobby area** to conform to social distancing guidelines or close lobby area to the public and encourage people to wait in vehicles until their meeting time.

Protect Your Workforce

- Ask **staff to take temperatures** and monitor themselves for symptoms of cough, chills, shortness of breath or diarrhea daily before coming to work. Tell staff not to come to work if they have fever or symptoms.
- Evaluate **which positions in your workplace are essential** (may need to be at the office more regularly) and those that are non-essential and could continue to work from home.
- As you begin to bring employees back to your business, **consider staggered shifts**, spacing out shifts, or rotating staff with block scheduling to adhere to social distancing policies.
- Identify the **most at-risk employees in your workforce**. Allow them to telework as long as possible or give them tasks that keep them away from others.
- Discouraging or **prohibit employees from using other employees' phones, desks, computers**, etc.
- Put up **posters in bathrooms and common areas** promoting proper handwashing.
- Inform staff that **gathering in common areas is prohibited**, such as breakrooms. Discourage gatherings of staff in cars, outside in smoking areas or in other alternate places, since break rooms and meeting rooms will have fewer chairs.
- Restrict **movement between departments**, and instead encourage use of Microsoft Teams, Google docs or other project sharing software.
- Encourage **single-use coffee, bottled water, and other items**, rather than water coolers & coffee pots.
- Develop a **cleaning and disinfecting policy/schedule**, identifying who will clean what items inside the office and how often.
- Some workplaces are **adjusting the placement of workers**, so they are not side-by-side, installing plastic barriers between workers, requiring face shields, etc.
- Institute **universal masking of staff and customers** with surgical or cloth masks, except when staff are working alone in an enclosed space.
- Employers are **responsible for providing personal protective equipment (PPE) items** such as gloves, face masks or shields, surface disinfectant, hand sanitizer, tissues, etc.
- Employers are **permitted/encouraged to conduct temperature checks and assess employee health** prior to workers entering the facility.
- Decide **how to handle deliveries** and contracted vendor services entering the building.
- Determine **COVID-19 testing availability**, should staff need to be tested.
- Determine the plan for **how your company will respond if an employee tests positive for COVID-19**. Do you know when each employee worked and who they potentially had close contact with? Do you have good contact info for staff and clients who have been close contacts of a case?

Do you need PPE items or safety signage for your business?
Visit www.commercelexington.com/purchase-ppe.html
to find a member company to purchase PPE items.

Protect Your Clients & The Public

- Ensure **appropriate space for public traffic** inside the building.
- Develop **modified plan and protocols for intake of clients**, members, patients, etc.
  - Communicate your new plan welcoming customers, clients, patients into your building. Review some sample customer communications at **www.commercelexington.com/return-to-work-resources.html**.
- Implement a **"No Handshake Zone"** with appropriate signage inside your facility.
- Put up **posters in public bathrooms** promoting proper handwashing.
- If necessary, **install plastic or plexiglass barriers** between employees and the public.
- Consider **limiting access to bathrooms to one or two people at a time**, depending on the size.
- If possible, **limit the number of people utilizing an elevator** at one time.
- Provide **hand sanitizer or hand-washing stations** for the public.
- Provide **masks for clients/customers** or require that customers wear their own mask.
- Clean and **disinfect common touchpoints regularly** or after each use if needed.
- Use **appropriate signage and visual floor markers** to communicate rules and guidelines for social distancing, use of PPE, deliveries, client meetings, etc. Visit **www.commercelexington.com/purchase-ppe.html**