

# You Are An Essential Business, Now What?

03.30.2020

As the COVID-19 pandemic continues to grow, businesses need to continue to monitor their response to the impact on employees—especially businesses deemed essential by local governments.

As mentioned in our prior message on employer/employee relations, it is important for employers to refer to the Occupational Safety and Health Administration's (OSHA) recently-published "Guidance in Preparing Workforces for COVID-19." That publication details measures employers can and likely should take to protect their workforce.

Other factors employers should consider, include but are not limited to:

- Adopt a workplace policy that promotes social distancing (i.e., mandating that staff work remotely)
- Remind employees of their rights to sick leave if they or a family member is diagnosed with COVID-19
- Consider amending sick leave policies to assist employees who have been diagnosed with COVID-19

If social distancing is a challenge or is inapplicable to the entire workforce:

- Consider amending sick leave policies to encourage sick employees to seek appropriate medical treatment and avoid coming into contact with the workforce
- Limit social interactions in the workplace (i.e., limit common area availability and encourage solo dining)
- Consider staggering work times for employees to further minimize social interaction
- Publish safety precautions for combating the spread of COVID-19 in the workplace and make available ample washing areas and soap/cleaning supplies
- Ask employees who appear ill to get tested by an appropriate medical professional for COVID-19
- Send home employees who work closely with an individual diagnosed with or reasonably suspected of having COVID-19 for at least a 14-day period

YOU ARE AN ESSENTIAL BUSINESS, NOW WHAT?

- Communicate with clients/customers who have had contact with an infected employee
- Given the pandemic designation, employers can and must require employees to report to their supervisors the fact of their confirmed diagnosis of COVID-19
- Perhaps most importantly, openly communicate with the workforce and clients/customers about expectations and concerns relating to the pandemic

Above all, staying safe and healthy is a priority. Please contact Bailey Glasser if you need counseling on employment matters.

## **Attorneys**

Mary Pat "MP" Statler