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HR Leaders: Facilitate a Safe "Return to Work" Plan

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Over the past couple of months, companies have gone through mass organizational transformations. This has included reacting quickly to comply with new legislation that addresses medical and sick leaves, workplace safety, remote workforce, shutting down operations, cybersecurity, unemployment, payroll taxes, and so much more as a result of the COVID-19 pandemic.

HR leaders have been running at lightning speed to ensure compliance and workplace "wellness," but also supporting employees during this time of crisis. Now with the federal government and local leaders shifting gears and looking forward at re-opening commerce soon, HR is tasked with supporting the transition back to the workplace.

With heightened awareness about personal health and hygiene, social distancing, and overall employee wellness, it would benefit HR departments to not only be proactive in planning this transition back to work but also to analyze potential impact.

Lack of planning can result in a cascade of failures, which highlights the need to take the time to anticipate the needs of both employers and employees. Executives, managers, and employees will be looking to HR to take the lead and guide them during this process. Here are some key considerations:

- What does the "new normal" look like?
- What actions need to take place?
- What is the impact of decisions and actions?
- What could be some unintended consequences?
- How are the changes going to impact compensation and benefits, if any?
- What needs to be communicated and when and to whom? How?
- What resources are available to help?
- What is the cost/budget to do so?

By answering and thinking through these issues, it will help with conceptualizing a framework and practical approach that addresses organizational needs from an employer and worker perspective.

The New Norm

Depending on operations and what is considered critical for the business, employers may want to implement a phased approach to returning back to work.

- Are there employee groups that directly impact revenue and physically need to be at the worksite to start up production?

- Are there key employees or management who are critical to provide oversight and supervision of operations at the beginning?
- Are there projects that take priority?
- Are there departments/functions that should be first to come back?
- Who can remain working remotely during the initial phase with minimal to no disruption to the business?

Finally, school closures will most likely remain an issue during this time of transition back. Employers would need to devise a working plan for those who cannot physically return to the worksite due to lack of childcare.

Once employee groups have been identified, determine the actual workplace environment.

What Needs to Change?

Workplace health and safety are the most important aspects of the transition back. This could include an employer requiring temperature checks prior to starting the workday.

If this becomes a requirement, then who should be in charge of taking temperature and what would be the minimal requirements or skill set needed to do so? How would this person be compensated? Furthermore, what would be the new protocol if a worker arrives and has a high temperature?

When incorporating health checks, utilize the information provided by the Equal Employment Opportunity Commission (EEOC) about taking temperatures of employees and performing other health checks that are acceptable in the workplace.

During the height of the COVID-19 pandemic, the EEOC assured employers that a temperature check is acceptable and not a violation of anti-discrimination laws or Americans with Disabilities Act (ADA). The EEOC stated:

“Generally, measuring an employee's body temperature is a medical examination. Because the CDC and state/local health authorities have acknowledged community spread of COVID-19 and issued attendant precautions, employers may measure employees' body temperature. However, employers should be aware that some people with COVID-19 do not have a fever.”

Companies will need to map out a process and clearly communicate the process based on all the different scenarios because it could impact current policies and procedures. Think about what employment laws may come into play in a situation when an employee cannot begin work and is sent home due to a potential exposure or actual COVID-19 illness (Title VII, FLSA, FMLA, and CARES Act).

To further address workplace health and safety, companies will need to consider sanitation standards and specific health and safety standards per OSHA regulations. Perhaps employers will need to provide PPE and hand sanitizers to workers.

As immediate planning is underway, will there be supplies to purchase in the market or is there an anticipated shortage? With supply and demand at the forefront, cost should be a major consideration as well.

Depending on the workforce and work groups that are coming back to the office or worksite, companies may need to re-configure office spaces and general common areas such as bathrooms and break areas. Again, evaluate how this may impact current policies, procedures, business practices, and certain employment laws may need to be considered to ensure compliance and address unintended impact.

With a phased approach, there would be groups of employees going back to traditional work at a certain time, but the timing of "go" for each group should not be based on time but rather certain benchmarks and milestones set by the company. Make plans for certain benchmarks that will be used to identify when it's safe for each successive group to join their coworkers in the office. Decide now what those key benchmarks will be as part of the plan.

Standards and recommendations are available from reputable and reliable resources such as SHRM, WHO, OSHA, and DHHS. Each resource has valuable information to help with the planning process and creating a new working environment that supports an ongoing safety and healthy environment.

OSHA in particular, has published a helpful roadmap for HR leaders to utilize in the form of their new guidance on "Preparing Workplaces for COVID-19." The new OSHA document includes information on reducing workers' risk for exposure to COVID-19, how to classify worker exposure, low-medium-high risk work environments, and how to account for the resumption of travel.

Remember that each action or program that is implemented should be reviewed for cost. The goal here is to avoid setting expectations and programs to help support employees during this time, but if they are cost-prohibited and cannot be executed, it should not be communicated at all. Each company's situation is unique, so be sure to spend time analyzing and evaluating what is the best course of action.

Communication & Support

Once thorough analysis has taken place and a return-to-work plan has been created, a communication plan is needed. A way to gauge employee sentiments and what employees are feeling, wanting, and needing during this time is to conduct a survey. This can be relatively easy to administer with online survey tools (e.g. Survey Monkey).

With this approach, employers and the HR team learn what are top concerns from an employee perspective, anticipate their needs and can prioritize how to support workers through these difficult times transitioning back.

The communication could be a staged approach as well, engaging in conversations to employee groups that are expected to return to the worksite first. From each communication session, obtain feedback so that issues can be addressed immediately but also to include in the following communication sessions to other work groups.

Total communication should be inclusive of different media and formats such as written, webinar, live/web-based meetings, email, and/or push communication through smart phone apps.

Help employees by providing a single-site or link that contains common reliable sources on COVID-19, physical health, mental health, financial health, family, etc. It can be overwhelming to search for information, so this would be very helpful for employees.

As additional support during this time, employers may consider having Employee Assistance Program (EAP) staff on-site to provide counseling, referral services, and to address employee needs in a timely manner. For some employers, this service may be outsourced, so contacting the benefits consultant/broker will be necessary at this point.

Be sure to include in every communication:

- The plan and timeline for each return to work employee group.
- Describe in detail the “new norm” and working environment and expected sanitation and health/safety standards and what is expected of both the employer and employee.
- Changes to policies and procedures or guidelines the company has taken on since COVID-19.
- Highlight employee rights and benefits under specific and relevant employment legislation.
- Provide a procedure to report or address various worker-related concerns.

In Conclusion

Most importantly, remain optimistic and positive. Have a flexible mindset knowing that this is the first for everyone and to expect more changes as the “new norm.” Express the company’s intent, which is to regain operations with safety and health as the top priority.

Acknowledge that change is difficult. Communicate change in a way that expresses support and togetherness.

To summarize and to provide a checklist for developing a “return to work” plan, consider these actions:

- ✔ Define the “new norm”
- ✔ List out the actions and decisions that need to take place
- ✔ Evaluate employee and employer impact for each action/decision
- ✔ Think about potential unintended impact
- ✔ Evaluate impact on employee compensation and benefits
- ✔ Evaluate and analyze employer cost for every action/decision or program
- ✔ List the resources needed to implement the plan
- ✔ Design the communication plan

Focus on careful communication with each level of the organization to offer support throughout the transition. This will help you navigate each challenge associated with helping your organization return to work.

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