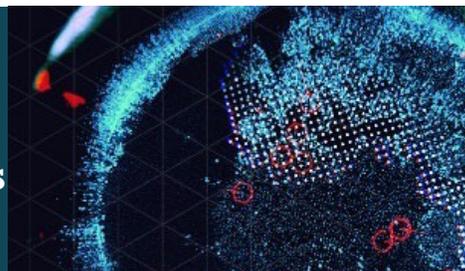


Coronavirus/COVID-19 Checklist for U.S. Employer Considerations



April 8, 2020

Employers are facing unprecedented challenges in responding to COVID-19 and its implications for their workplaces in the United States. The checklist below will assist in thinking through the issues most likely to need attention in the immediate future. Information, agency guidance, and potential responses to COVID-19 are changing rapidly. This checklist was last updated on April 8, 2020.

1

Communication and Planning

- Disseminate, as appropriate, CDC, WHO, OSHA, and local health authority websites, including the below guidance from the CDC:
 - Updated information on [Coronavirus Disease 2019 \(COVID-19\)](#)
 - [Interim Guidance for Businesses and Employers: Plan and Respond to Coronavirus Disease 2019](#)
 - [Public Health Recommendations for Community-Related Exposure](#)
 - Information regarding employee travel: [Traveler's Health](#)
- Adjust business operations and staffing levels in accordance with government-ordered closures of non-essential businesses and “shelter in place” orders
- Develop a written plan of action to implement if a worker becomes sick with COVID-19
- Review or adopt telework policy, and evaluate workforce to determine which jobs can be performed remotely via telework and which cannot
- Evaluate ability to provide technological support and access for significant numbers of employees performing remote work
- Review or adopt emergency preparedness policy
- Determine availability of company vacation and company and statutory paid sick leave while employees remain out of work (quarantine or office closure); consider any needed flexibility
- Communicate with employees about safety precautions and procedures to follow in the event of various scenarios

2 Workplace Safety

- Review applicable OSHA (and state OSHA) and CDC standards, including OSHA's ["Guidance on Preparing Workplaces for COVID-19"](#)
- Encourage employees to check themselves for symptoms, and to stay home when not feeling well
- Educate employees regarding best practices for hygiene in the workplace
- Perform routine environmental cleanings of office, including high-touch surfaces
- Perform enhanced cleaning and disinfection if an employee is suspected or confirmed to have COVID-19
- Take immediate steps to protect workers who are exposed to COVID-19 in the workplace
- Consider providing masks, gloves, and other protective equipment
- To the extent possible (and as required by state or local authorities), permit telework
- To the extent possible, implement social distancing requirements for the workplace, and consider staggering shifts and other practices to lower the risk of contact/exposure

3 Leave Benefits

- Assess sick leave and medical leave policies in light of new legislation, including the Families First Coronavirus Response Act (FFCRA) and any applicable state paid sick leave laws
- Consider revising leave policies to accommodate employees' potential need for leave due to quarantines, isolation orders, or school closures related to COVID-19
- Track each employee's use of leave, including the duration and reasons for the leave
- Keep in mind that leave taken under the FFCRA and under certain state sick leave laws are job-protected and employees should be reinstated to their prior positions once they return

4 Response to Potential Exposure Incidents and Disclosure of Information

- Consult guidance from state and local public health departments
- Encourage employees to self-report if they have been diagnosed with or exposed to COVID-19 or have recently traveled to high-risk locations
- Consider asking any employees who have been exposed to COVID-19 or traveled to a high-risk location to work from home for the COVID-19 incubation period (currently 14 days from the date of exposure, according to the CDC)
- If an employee has been diagnosed with COVID-19:
 - Ask the affected employee to identify all individuals (co-workers, contractors, customers, clients, vendors) who have worked in close proximity with the employee for the period beginning two days prior to the onset of symptoms to the present
 - Inform other employees of their possible exposure to COVID-19 in the workplace, *but keep the identity of the infected or exposed individual confidential*
- If needed, consider implementing non-invasive screenings of employees (such as body temperature checks or symptom questionnaires) entering the workplace; consult guidance from the EEOC and other federal, state, or local agencies regarding permissible medical inquiries in light of COVID-19
- Monitor employee conduct and enforce anti-harassment and anti-discrimination policies

5 Individual Quarantine and Return to Work Policies

- If an employee is suspected or confirmed to have COVID-19, request self-quarantine or mandatory quarantine pursuant to CDC guidelines and any quarantine/isolation orders from federal, state, or local health authorities
 - Consider requiring medical clearance from a doctor before the employee returns to the workplace, but note that this may delay return because health care providers will be overwhelmed; consider instead requiring employees be completely symptom-free and past the incubation period before returning
 - Consult guidance from CDC and state and local health authorities before allowing the employee to return to work
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6

Reductions in Pay, Furloughs, or Closures

- Consider whether employees who are sent home due to an office closure will be paid or unpaid
- Follow all applicable wage and hour rules for employees who telework; be aware of differences concerning exempt and non-exempt employees with respect to time worked and furloughs
- To avoid layoffs, consider adopting a short-time compensation program (also known as work share) that may permit employees whose hours or pay have been reduced to receive partial unemployment benefits from the state
- Assess potential applicability of federal and state WARN Act requirements if a mass layoff or plant closing is necessary
- Inform workers who have been laid off, furloughed, or have had their hours or pay reduced about their potential eligibility for federal and state unemployment insurance benefits, including expanded benefits under the CARES Act

If you have any questions regarding your workplace responses to COVID-19, please contact the following members of our Employment practice:

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