

This document is subject to updates as more information becomes available and we recommend you check back often.

1 Planning/Considerations for Returning to the Workplace

Company Policies

- Review your company's Paid Sick Leave, Paid Time Off, Vacation and Personal Time Off policies and adjust as needed. (These policies should only be adjusted prospectively, not retroactively, and with advance communication to affected worksite employees.)
 - Review leave policies to ensure they are flexible and non-punitive to allow sick worksite employees to stay home.
 - Leave policies should account for those worksite employees needing to stay home with children due to school or day care closures or to care for sick family members.
 - Review state and local leave requirements for compliance on TriNet (login.TriNet.com) COVID-19 Resources > Resource Library and FAQs > COVID-19 Resource Center. You will be redirected to the ComplianceHR tool, click COVID-19 Compliance References > Paid Sick and Safe Time Laws in Relation To COVID-19.
- Remind worksite employees of your paid time off programs and policies.
- Review teleworking policies to ensure it meets company objectives. Consider developing a teleworking policy if one is not in place.
- If applicable, review any expense reimbursement policies to address telework expenses.
- Review your travel policy against the Centers for Disease Control and Prevention (CDC) [guidelines](#) and your company objectives. Explore alternatives to travel when available.
- If travel is required, prepare to address worksite employee concerns or fear over traveling.
- Review your company's accommodation policy and ensure compliance with the latest EEOC and state and local guidance on COVID-19 issues.
- Review worksite employee meal and break policies to ensure they are safe and compliant.
 - Ensure non-exempt worksite employee break policies state they must refrain from working during their break if they choose to remain at their desk.
 - Some states and municipalities require that worksite employees are allowed to leave the premises during break periods.

Posting Notices

- If applicable, post new [notices](#) in the workplace related to Families First Coronavirus Response Act (FFCRA). Any applicable state and local notices, such as those for emergency paid sick leave, should be posted. Share notices electronically if your worksite employees are working remotely.

Workplace Safety

Deciding the Right Time to Reopen the Workplace:

- Monitor federal, state and local re-opening guidance.
- Review [Occupational Safety and Health Act \(OSHA\)](#) CDC, relevant state and local guidance for best practices and requirements for employers. Be aware of potential negligence claims if worksite employees are brought back too soon or into unsafe work conditions.
- Consider whether some or all worksite employees should continue to telework or work remotely to lessen the impact of a sudden opening and to address safety concerns and consider whether worksite employees should ramp up their hours spent in the office.

Classify Worker Exposure and Develop Controls:

- Classify the risk of worker exposure based upon the [OSHA classification pyramid](#).
- Review OSHA guidance for [specific industries](#), as applicable to your business.
- Develop and implement [engineering and administrative controls](#).
- Identify personal protective equipment (PPE) needed based upon worker classification of risk, secure appropriate PPE for workers and prepare training on the use, donning, doffing, limitations and disposal of PPE. Note: face coverings or surgical masks are not respirators and do not provide the same level of protection to workers as properly fitted [respirators](#).

Infected Worksite Employees

- Develop an infectious disease policy.
- Develop protocol for dealing with worksite employees with known or suspected COVID-19 symptoms. Protocol should include considerations such as:
 - A plan for how to handle worksite employees who may have encountered worksite employees or customers with known or suspected COVID-19 symptoms.
 - A process for cleaning and disinfecting the workplace.
 - A communication plan for worksite employees.
- Determine what sick leave or work from home steps may be necessary.
- Develop social distancing protocols for the workplace consistent with federal, state and local-level guidance.

Cleaning and Disinfecting

- Develop cleaning and disinfecting protocols based on the [CDC guidelines](#).
- Develop cleaning and disinfecting protocols when there are known or suspected cases of COVID-19 at the workplace.
- Consult or contract with custodial or janitorial service to ensure frequent and thorough cleaning of the workplace, including during and after work hours prior to the next workday.
- Make cleaning/sanitizing supplies available to worksite employees.

Office Visitors

- Determine office visitor protocol.
 - Will visitors be allowed in the workplace? Under what conditions?
 - Are there new procedures for vendors that come into the workplace? How will you communicate those procedures or new requirements to vendors?
 - How will you address clients and prospects that visit the workplace?
 - Ensure visitor area has enough space for social distancing.

Masks and Face Coverings

- Determine your mask or face covering protocol based on CDC or state and local public health department [guidelines](#) and determine if there are applicable state or local orders requiring worksite employees to wear face coverings in the workplace and/or when interacting with the public.
 - Will you require worksite employees to wear masks or face coverings? It is recommended employers pay for masks or face coverings for worksite employees, and in some locations and in some industries, the employer is required to pay for such items.
 - How will you address a worksite employee that refuses to wear a mask or face covering or wears one incorrectly? Work remotely? Worksite employee discipline?

Office Equipment

- Consider removing shared tools such as printers, paper cutters, microwaves, refrigerators, coffee makers, etc. or provide disinfecting products next to the shared tools for worksite employee use.
- Consider temporarily switching to disposable items where possible to limit exposure.

Handwashing

- Post handwashing signs near sinks and throughout the workplace.
- Ensure paper towels and soap dispensers are regularly filled.

Workplace Space

- Evaluate conference room configurations to ensure seats are six feet apart.
- Consider temporarily closing some common areas.
- Evaluate break rooms and ensure:
 - A cleaning procedure has been established.
 - Configuration of the room meets [CDC guidelines](#).
 - Consider setting limits to occupancy or staggering breaks to limit exposure.
 - Post appropriate signage.
 - Communicate to worksite employees that heightened cleaning protocols are in place.
- Review cubicle configurations to ensure they meet the [CDC guidelines](#).
 - Consider adding plexiglass dividers.
 - Consider establishing one-way hallways and walk paths.
- Consider increasing air circulation and improving air filtration.
- Review changes to occupancy requirements.

Management Coaching

- Establish the company's priorities and ensure managers lead with these priorities (e.g., workplace health and safety, customer focus, etc.).
- Educate managers on your company's updated paid time off processes and ensure they respond to requests with empathy and uniformity.
- Ensure managers can address worksite employee concerns related to returning to the workplace.
- Ensure managers are aligned with company policy and priorities to avoid inconsistent treatment of worksite employees to help prevent potential discrimination claims.

Return to the Workplace

- Develop a plan to obtain equipment that was issued to worksite employees for remote work.
- Develop a process for responding to worksite employee concerns regarding COVID-19 exposure or requests to remain working remotely.
- Evaluate if there are any considerations that may prevent a worksite employee from returning to the workplace.
 - Are childcare facilities open?
 - Is the worksite employee under a shelter in place or other municipal restrictions?
 - Is safe transportation available for the worksite employee to get to the workplace?
- Develop a plan to communicate new policies and safety protocols prior to worksite employees returning to the workplace.
 - Reach out to your TriNet Customer Experience contact to discuss how to communicate with furloughed worksite employees who may not have access to their work email.

2 Worksite Employee Considerations

Hiring (including rehires) and Onboarding for New Worksite Employees

- Review recruitment processes.
 - How will interviews be conducted?
 - Do current job postings need to be adjusted due to changes in skill requirements or job duties?
Tip: Consider expanding the recruitment area if remote work is available
- For worksite employees hired during the workplace closing, remember to have them provide the required I-9 documentation within three days of opening the workplace.
- Review onboarding procedures. Do changes need to be made regarding equipment, network access, etc.?
- Review onboarding procedures for remote worksite employees.
- Consider any applicable predictive scheduling requirements.
- Follow all onboarding procedures for rehires, including Form I-9, Form W-4, benefits election, and acknowledgment of company policies.
- Evaluate whether any terminated or furloughed worksite employees are service members and, if so, determine whether the USERRA applies and they are entitled to reemployment.

Compensation

- Review any changes that were made to compensation and evaluate if prospective adjustments should be made.
 - Worksite employees moved from exempt to non-exempt or from salary to hourly.
 - Worksite employees changed from full time to part time or their work hours changed.
 - Provide appropriate notification to any worksite employee you plan to return to their prior status, compensation, work hours, etc.
- Evaluate if any changes need to be made to bring worksite employees back to work.
 - Do they need to return at a different (lower) compensation or fewer hours?
 - Will worksite employees require higher compensation based on increased responsibilities?
- Review annual increase processes and bonus programs to see if they need to be adjusted.
- Establish a compliant repayment process for any loans, advances, benefits made to or paid on behalf of worksite employees.

Payroll

- Review compensation compliance for returning exempt worksite employees to the workplace. Exempt worksite employees returning to work in the middle or end of your established workweek are required to be compensated for the entire workweek. Consider having exempt worksite employees report to the workplace at the beginning of the workweek.
- If you plan to conduct temperature scanning, time spent undergoing scanning may be compensable for non-exempt employees.

Return Worksite Employee to Pay

- Review paid time off accrual balances that were not paid out prior to furlough for accuracy. Communicate any changes to TriNet and to worksite employees.
- Re-issue equipment and update network status.
- Provide all non-exempt worksite employees returning from furlough required Wage Theft Prevention Act Notices, as applicable.
- Provide worksite employees returning from furlough with required Wage Theft Prevention Act Notices, as applicable. To understand if you are required to provide a written notice, visit [TriNet](https://login.TriNet.com) (login.TriNet.com) > Admin View > Compliance tab on the left-hand menu > Compliance HR Navigator Suite > Rapid Reference under Wage and Hour Section > Navigator Rate Change > select Specific State or All States.
- Change status in the [TriNet](https://login.TriNet.com) (login.TriNet.com) platform.
- Unemployment considerations: A worksite employee's refusal to return to work may result in a loss of unemployment benefits eligibility and may trigger an employer's obligation to report the worksite employee's refusal to return to work.
- Review benefit action items for returning worksite employees.

Worksite Employee Terminations

- Notify any worksite employees that are terminated or will not be brought back from furlough.
- Consider offering severance and/or outplacement services in exchange for a release of claims and liability.
- Provide appropriate unemployment documentation at the time of termination.
- Discuss termination protocol when terminating remotely versus an in-person termination.
- Determine how a worksite employee will obtain personal items previously left in the workplace.
- Develop a process to obtain office equipment issued to worksite employees for remote work.

Health and Wellness Benefits

- Remind worksite employees the Employee Assistance Plan (EAP) is available for confidential counseling, resources and learning opportunities.
 - Worksite employees can access the EAP program by logging on to [TriNet](https://login.TriNet.com) (login.TriNet.com) and clicking Benefits > Health and Counseling.

3 Reopening the Workplace

Worksite Employee Screening

- Develop a protocol for screening or monitoring worksite employees coming into the workplace.
 - If you plan to take worksite employees' temperatures, ensure it is compliant with state and local [requirements](#). Additionally, ensure you have a procedure that is consistently applied.
 - Require worksite employees experiencing [COVID-19 symptoms](#) to leave work.
 - Encourage worksite employees to stay home when feeling sick or experiencing symptoms of COVID-19.
- Develop procedures that encourage worksite employees to self-monitor for symptoms of COVID-19 and to report when they are sick or experiencing symptoms of COVID-19.
- Ensure that any tests administered are accurate and reliable. Check CDC or FDA guidance to keep informed in this rapidly changing area.
- Keep in mind that screens are medical exams that must be conducted in a confidential way and the results need to be maintained in a separated medical file.
- Provide appropriate PPE and training on proper PPE use to worksite employees administering screens or tests.

Performance Management

- Establish and communicate new or updated company priorities to ensure leadership alignment.
- Review and update job descriptions as worksite employees' roles may have changed.
- Review goals and metrics.
 - Have goals or metrics changed based on remote work force?
 - Do adjustments need to be made?
- Evaluate performance review periods.
 - Do review periods need to be adjusted?
 - Will reviews be conducted remotely instead of in person?

Training

- Ensure managers and worksite employees receive compliance training preventing harassment and discrimination in the workplace.
- Review the onboarding process and trainings for new worksite employees to address any new processes, benefits or policies.
- Review information technology security protocols to support a remote work environment and ensure worksite employees receive applicable training.

Reopening Procedures

- Develop procedures to reevaluate the work environment and monitor CDC, state, and local guidelines for workplace reopening.
 - Be prepared for changes (expansion or contraction of workplace occupancy).
 - Evaluate building leases, office equipment, etc.
- Evaluate if you need to bring all worksite employees back to the workplace at the same time or if some worksite employees should remain remote.
 - Will worksite employees returning to the workplace be brought back full time or part time?
- Are there required changes to worksite employee shifts to promote social distancing?
- Determine who will communicate changes to worksite employees after they have returned to the workplace.
- Determine any impact on returning worksite employees to your federal, state or local government loan proceeds or assistance programs.