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Employment Update: Things Employers Should Keep in Mind with New Orders *Posted June 8, 2020*

As more and more businesses begin to reopen there are a few things we should all keep in mind.

1. Your county order is most relevant. Although directives are announced by the Governor, the county health order where your business operates is most relevant to what you can and cannot do. Make sure you are in compliance with your county's most recent order. All orders have social distancing protocol requirements and other specific requirements that may impact your business. If you need help determining what applies to your business, please contact us for assistance.
2. If employees can telework, they should continue to do so. Although more activities and businesses have been cleared to open, the directive remains that people should stay home as much as possible and only venture out to do the things that are allowed. The directives also indicate that employees who can telework should continue to do so.
3. Vulnerable people (65+ and chronic health conditions) are still advised to stay home and isolate. Again, although more activities and businesses have been cleared to open, the directive for vulnerable people to stay home except for essential activities still remains. This has an impact for businesses. Vulnerable people must be allowed not to come to work. This can be accomplished through telework or through a leave of absence. For more details how to navigate this situation, contact us.
4. You should be familiar with the statewide industry guidance applicable to your business. In addition to county guidance, that may be more restrictive, you should be familiar with the statewide industry guidance from the California Department of Public Health (CDPH). <https://covid19.ca.gov/industry-guidance/>
5. You should have a COVID Exposure Protocol. You should have a protocol for what to do when and if employees contract COVID or become exposed. If you need assistance with this please contact us.
6. Be aware that there are workers' compensation implications with COVID in the workplace. There is a presumption that if someone contracts COVID within 14 days of working at your facility (not at home) it is work-related and covered under insurance. Contact your insurance broker for more details and assistance with this.
7. You must reimburse your teleworkers' expenses. If you have teleworkers you need to reimburse them for business expenses, including portions of home internet, cell phone and supplies, if they are using them for business purposes. If you need assistance figuring out what is reasonable to reimburse and how to implement a retroactive plan, please contact us to discuss.
8. You must train employees on self-check procedures. If your business is open, you need to train your employees on the need to self-check for symptoms before arriving to work. This is in addition to any actual screening you are doing at the workplace. If you would like assistance in preparing documentation for self-check procedures, please contact us.

9. Beware of temperature checks. Some counties are requiring temperature checks for certain industries or types of businesses. Unless the temperature check is required (for example, food handlers in Sonoma County) we do not recommend conducting this screening yourselves. Most industry orders allow employees to do a self-check before work as an alternative to taking employee's temperatures at work. Because the privacy and safety risks in our opinion outweigh the benefit of obtaining the information, we do not recommend temperature checks for everyone. There may be compelling reasons to do it for certain businesses, and if you already have a process in place to take temperatures we do not recommend changing it. Every business must make their own decision about this.
10. You must wear and provide masks. Masks are a work necessity. You must provide masks for your employees to use while working and make sure you have clear instructions about their proper use.
11. You must properly sanitize your workplace. In all industry guidance enhanced sanitation is required. You must make sure you have proper procedures and supplies on hand to sanitize all high-touch areas.
12. You should close off shared spaces. In workplaces that are open, it is recommended that businesses limit the number of common spaces people share. To the extent possible, break rooms should be closed off and employees required to eat alone off premises, in cars or at desks. If you have separate departments, you should limit access from one department to another. This will reduce the number of people potentially exposed should one employee contract COVID.
13. SoCo COVID-19 Check App. For Sonoma County employers the app is still not completely up and running and as of today, reporting health data to the county is not mandatory. The county has stated that once the mobile app is fully available, employers will be given 7 days notice. Here is a link to the relevant information from the county: <https://socoemergency.org/emergency/novel-coronavirus/soco-covid-19-check/>. We are hoping the county will revise the reporting requirements and make them all voluntary. No other county has this requirement. We will keep you posted.