



Return to Business:

Phase 1 of Massachusetts Reopening— Practical Considerations for Employers

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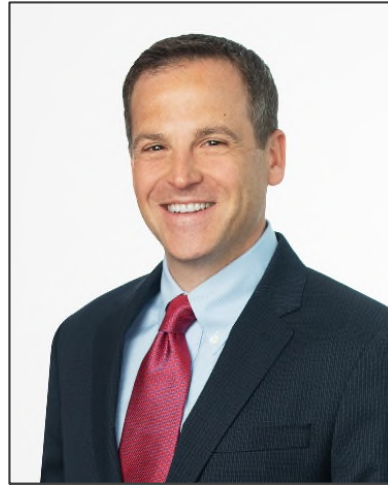
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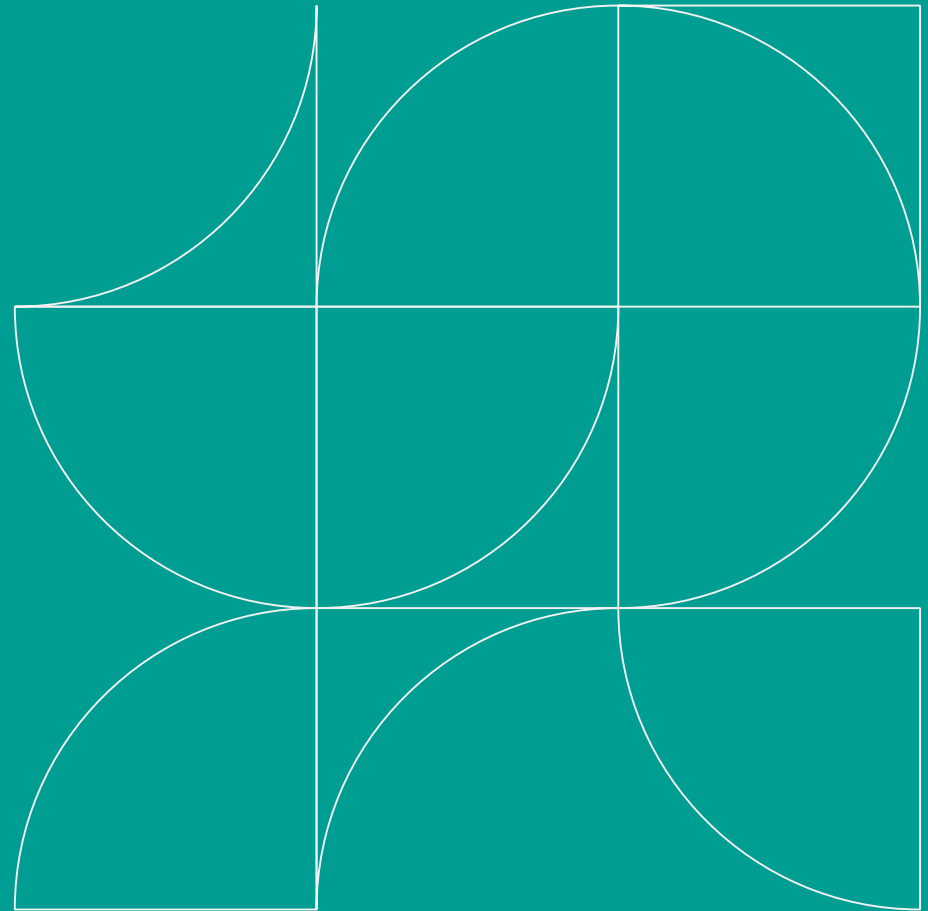


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Agenda

- **Overview of Reopening Plan and Phase 1**
- **Mandatory Safety Protocols for All Sectors**
- **Office Spaces & Essential Businesses**
- **Manufacturing & Construction**
- **Retail**
- **Lab Space / Life Sciences**
- **What to Expect in Phase 2**
- **Questions**







Overview of Reopening Plan and Phase 1



Four-Phased Reopening Plan

- 1. Start:** Limited industries will resume operations with severe COVID-19 related restrictions. The industries enabled to reopen under Phase 1 will be those that are more naturally able to limit face-to-face interactions and close contact.
- 2. Cautious:** Additional industries will resume operations with COVID-19 related restrictions and workplace capacity limits.
- 3. Vigilant:** Additional industries will resume operations with guidance and a potential softening of COVID-19 restrictions.
- 4. New Normal:** The development of a vaccine and/or therapies to treat COVID-19 will enable the state to move to a new normal.

Reopening Will Be Driven By Public Health Data

Indicator	Status
1 COVID-19 positive test rate	
2 Number of individuals who died from COVID-19	
3 Number of patients with COVID-19 in hospitals	
4 Healthcare system readiness	
5 Testing capacity	
6 Contact tracing capabilities	

REOPENING MASSACHUSETTS IN PHASES

Phased approach and reopening summary plan (II)

	Current state: Stay at home	Phase 1: Start	Phase 2: Cautious	Phase 3: Vigilant	Phase 4: New normal
Worship	Gathering restrictions	On May 18 open with guidelines, outdoor services are encouraged	Open with updated guidelines, outdoor services are encouraged	Open with updated guidelines, outdoor services are encouraged	Full resumption of activity in the "new normal"
Business	Essential businesses only (Remain open across all phases with guidelines)	With restrictions, some capacity limitations, staggered start: On May 18 : <ul style="list-style-type: none"> • Essential business • Manufacturing • Construction On May 25 : <ul style="list-style-type: none"> • Lab space • Office space • Limited Personal Services <ul style="list-style-type: none"> - Hair - Pet grooming - Car washes • Retail <ul style="list-style-type: none"> - Remote fulfillment - Curbside pick-up On June 1 : <ul style="list-style-type: none"> • Office space: Boston 	Potentially updated guidance for Phase 1 businesses With restrictions and some capacity limitations: <ul style="list-style-type: none"> • Retail • Restaurants* • Lodging* • Additional Personal Services <ul style="list-style-type: none"> - e.g., Nail salons - e.g., Day spas 	Potentially updated guidance for Phase 1 & 2 businesses With restrictions and some capacity limitations: <ul style="list-style-type: none"> • Bars • Arts & Entertainment <ul style="list-style-type: none"> - e.g., Casinos - e.g., Fitness, gyms - e.g., Museums • All other business activities resume except for nightclubs and large venues 	Full resumption of activity (e.g., large venues and night clubs)

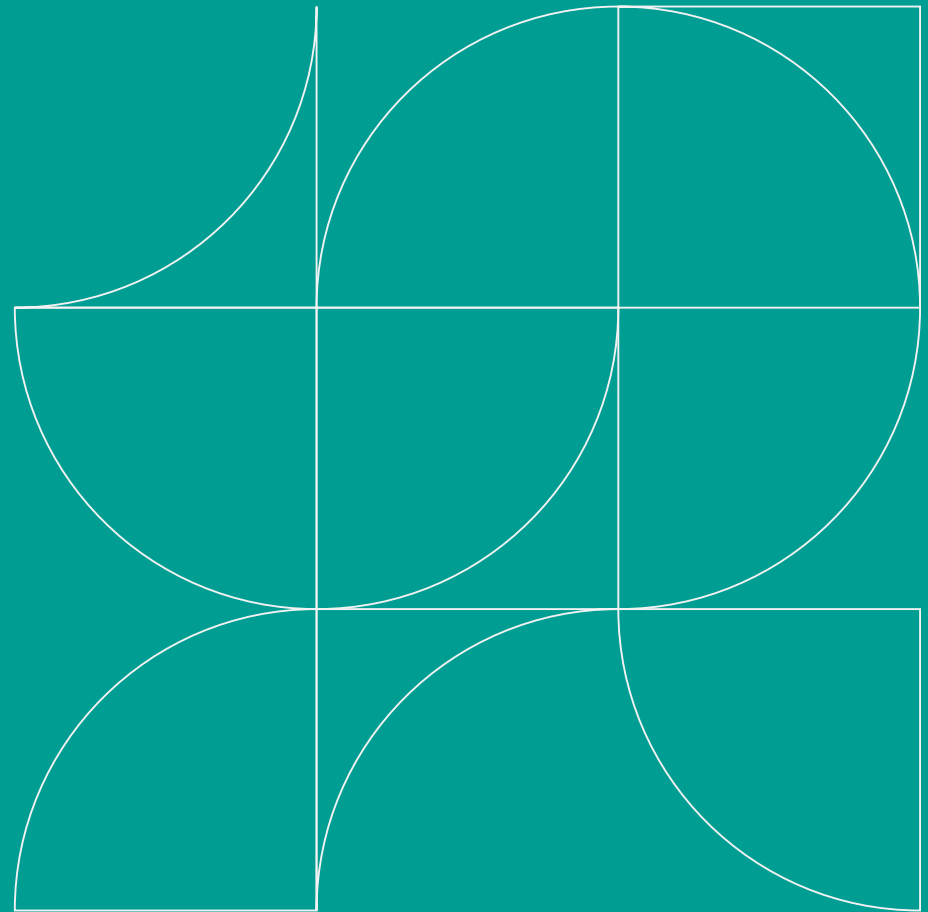
Overview of Phase 1 (“Start”) for Businesses

- For each of the three Mondays during Phase 1, the following businesses may join “essential businesses” in reopening:
 - May 18:
 - *Hospitals and community health centers* allowed to provide high-priority preventative care, pediatric care, and treatment for high-risk conditions
 - Manufacturing
 - Construction
 - May 25:
 - Office Space outside Boston
 - Lab Space
 - Retail (remote fulfillment and curbside pickup)
 - Limited Personal Services (Hair, Pet Grooming, Car Washes)
 - June 1:
 - Office Space within Boston

Phase 1 Reopening Generally

- Social Guidance (across all Phases)
 - Cover face, wash hands, socially distance, be vigilant for symptoms, and stay home if feel sick
- Phase 1:
 - Safer At Home Advisory
 - High Risk Populations: Should work from home if possible; priority consideration for workplace accommodations
 - Gathering Size: < 10 people
 - Travel: All travelers to MA urged to self-quarantine for 14 days; lodging restricted to essential workers only

Mandatory Safety Protocols For All Sectors



Phase 1 - Mandatory Workplace Safety Standards

1. Social Distancing
2. Hygiene Protocols
3. Staffing & Operations
4. Cleaning & Disinfecting
5. Sector-specific Safety Protocols

1. Social Distancing

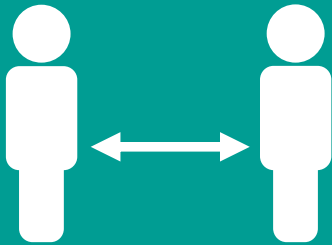
- All persons, including employees, customers, and vendors should remain at least six feet apart to the greatest extent possible, both inside and outside workplaces
- Establish protocols to ensure that employees can practice adequate social distancing
- Provide signage for safe social distancing
- Require face coverings or masks for all employees



Social Distancing Protocols

Considerations for Reconfiguring Workspaces:

- Ability to maintain at least six foot distance
- Workstation paths (e.g., one-way aisles and floor markers to facilitate social distancing)
- Redesign of production lines (e.g. to increase space between employees)
- Use of physical barriers (e.g., Plexiglass, etc.)
- Repurposing conference rooms, lunch rooms, and other communal spaces to allow for more distance
- Limiting in-person meetings
- Posters



Social Distancing Protocols

Considerations for Reconfiguring Schedules:

- Reconfigure / stagger work schedules and/or shifts to limit the number of employees physically present in a specific office, facility, plant, or other work location at any one time
- Staggering of meal periods and rest breaks to the extent consistent with applicable law; consider requiring employees to eat at their work stations
- Implementation of full-time and/or part-time work-from-home arrangements for positions where it is feasible for employees to work from home, either full-time or a number of days each week

2. Hygiene Protocols

- Provide hand washing capabilities throughout the workplace
- Ensure frequent hand washing by employees and adequate supplies to do so (sanitizer \geq 60% alcohol)
- Provide regular sanitization of high touch areas, such as workstations, equipment, screens, doorknobs, restrooms throughout work site

3. Staffing and Operations

- Provide training for employees regarding the social distancing and hygiene protocols
- Employees who are displaying COVID-19-like symptoms do not report to work
- Establish a plan for employees getting ill from COVID-19 at work, and a return-to-work plan

RTW Plan: When Can Employees With COVID-19 Come Back To Work?

- Option 1 – Symptom-Based
 - no fever for at least 72 hours
 - respiratory symptoms have improved
 - at least 10 days have passed since symptoms first appeared
 - if asymptomatic – since their positive test
- Option 2 – Test-Based
 - depends on locally available testing resources
 - no fever
 - respiratory symptoms have improved
 - received two negative tests in a row
 - if asymptomatic, just two negative tests

4. Cleaning and Disinfecting

- Establish and maintain cleaning protocols specific to the business
- When an active employee is diagnosed with COVID-19, cleaning and disinfecting must be performed
- Disinfection of all common surfaces must take place at intervals appropriate to said workplace



Other Cleaning Protocols – Best Practices

- Perform deep workplace cleaning prior to reopening
- Consider implementation of more frequent or robust routine cleaning
- Develop protocol around cleaning work stations
- Coordinate with landlords and building management
 - Adequate cleaning of common areas
 - Social distancing protocols in common areas
 - Notification protocols in event of COVID-19 positive test in building
- Consider temporarily removing shared items (e.g., staplers, three-hole punchers, and other office supplies; coffee mugs; etc.)
- Develop a protocol for shared tools and other items (e.g., leave it for the other employee to pick up rather than handing it off in person, cleaning tools before each use, etc.)



Other Health and Safety Protocols

- **Best Practices**

- Identify point person to keep track of changes
- Evaluate need to retain outside safety consultant
- Determine minimum legal requirements — MA Orders, OSHA, CDC guidance
 - Perform a hazard assessment as required by OSHA
- Consider type(s) of health screens to implement (questionnaires, temperature checks, testing, etc.)
 - Frequency
 - Self-checks vs. employer-administered checks
 - ADA & privacy considerations
 - Wage-hour considerations (e.g. compensable time for non-exempts?)



Employee Pre-Shift Screening

- EEOC approved checking for symptoms and sending home symptomatic employees
- Types of pre-shift screenings
 - Written, oral, posting

What should/can you ask? (CDC Symptoms – updated 5.13.20)

- Have you had in the past 10 days?:
 - Cough
 - Shortness of breath or difficulty breathing
 - Fever
 - Chills
 - Muscle pain
 - Sore throat
 - New loss of taste or smell

This list is not all possible symptoms. Other less common symptoms have been reported, including gastrointestinal symptoms like nausea, vomiting, or diarrhea.”

- Have you had close contact with a person who has confirmed COVID-19?
- Have you had close contact with a person experiencing symptoms of COVID-19?
- Do you currently have a fever ≥ 100.4 ?

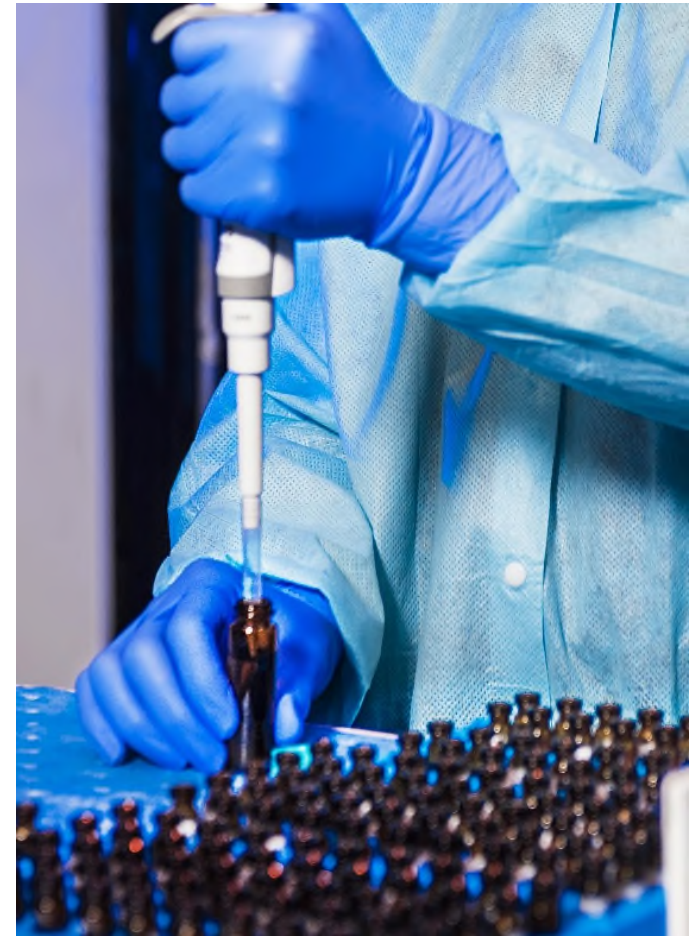


Temperature Screening

- Also currently permitted by the EEOC
- Types of temperature screening
 - Thermal, oral, confirmation of employee self check/self assessment
- Have a protocol
 - Protect the screener
 - Self-administered when possible
 - What is an elevated temperature?
 - Sanitization
 - Privacy Considerations

Testing Is Not A Cure-All

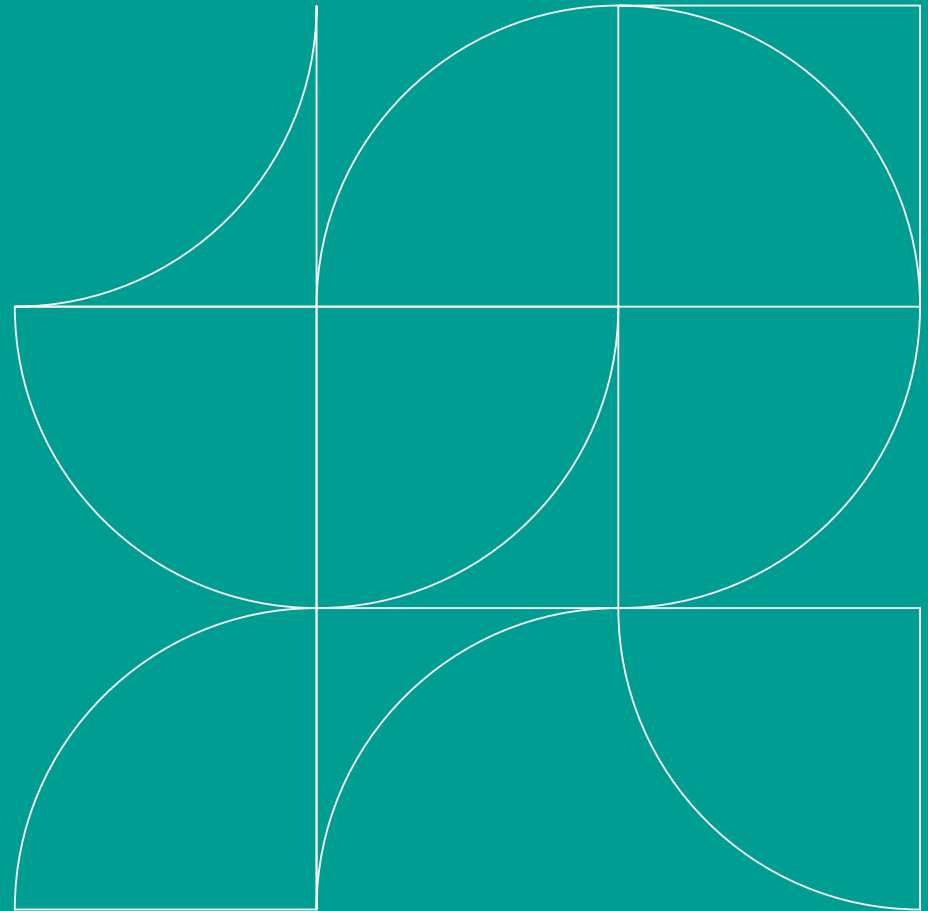
- Diagnostic test shortcomings
 - Negative result today says nothing about possible future infection
 - EEOC has not approved repeated testing
- Antibody test shortcomings
 - “Negative” result does not mean an individual is virus free (employee may have COVID-19 but antibodies have not yet developed; don’t use antibody test as a diagnostic test)
 - Best suited for those most likely exposed: healthcare workers and first responders
 - Antibody tests are more effective where infection rates are high: more cases = more resistance
 - Unlikely to be effective in areas with low infection rates
- Practical challenges with testing
 - Shortage of clinical lab technicians to perform tests
 - Results must be analyzed by FDA-certified labs
 - Cost and access issues



Phase 1 - Self-Certification Requirement To Reopen

- In order to reopen, a business **must** develop a written **COVID-19 Control Plan** outlining how its workplace will prevent the spread of COVID-19. Required Materials are located on [mass.gov/reopening](https://www.mass.gov/reopening) and include:
- **Control Plan** (template available) **does not need to be submitted** to a state agency for approval, but must be retained on the premises of the business and be provided in the event of an inspection.
- **Compliance Attestation Poster:** Required to sign a poster, attesting that have completed a COVID-19 Control Plan, and post it in an area within the premises visible to employees and visitors.
- **Employer & Worker Posters:** Required to post signs and posters describing the rules for maintaining social distancing, hygiene protocols, cleaning, and disinfecting

Office Spaces and Essential Businesses





Office-Space Businesses: Sector-Specific Requirements

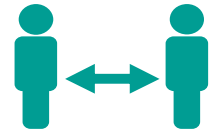
Minimum requirements for office-based businesses:

1. Social Distancing
2. Hygiene Protocols
3. Staffing and Operations
4. Cleaning and Disinfecting the Workplace

Office-Based Businesses:

Social Distancing

Office Capacity Limits



- Limit office space use to 25% of:
 - maximum occupancy level; or
 - the office’s typical occupancy as of March 1, 2020
- COVID-19 Essential Services as of May 18, 2020 have until July 1, 2020 to comply

Note: Workers must continue to telework if feasible

- Businesses may exceed the maximum capacity level based on “demonstrated need for relief based on public health or public safety considerations or where strict compliance may interfere with the continued delivery of critical service.”

Office-Based Businesses:

Social Distancing

Physical Separation in the Workplace

- Ensure six feet of separation between individuals
 - Must wear face cover if not possible, except when unsafe due to a medical condition or disability
- Close or reconfigure common spaces
- Redesign workstations to ensure physical distancing (e.g., separate tables, use distance markers)
- Limitations on cafeteria use
- Use physical partitions when six feet of space is not possible (must be taller than standing workers)
- Establish directional hallways and passages for foot traffic, if possible
- Post clearly visible signage regarding these measures
- Stagger work schedules and improve ventilation, if possible
- Minimize use of confined spaces (elevators, cars)

Office-Based Businesses:

Hygiene Protocols

Cleaning and Sanitation

- Access to handwashing facilities
- Encouraging frequent handwashing
 - Soap and running water, or
 - 60% alcohol-based sanitizer
- Supply adequate cleaning products (sanitizer, disinfecting wipes)
- Daily cleaning and sanitation of high-touch areas such as workstations, door handles, restrooms
- Avoid sharing office equipment
- Post signage reminders of hygiene protocols

Office-Based
Businesses:

Staffing &
Operations

COVID-19 Prevention Plan

- Establish and communicate a worksite specific COVID-19 Prevention Plan for all office locations:
 - Government contact information
 - Regular evaluation of workspaces
 - Isolation, contact tracing, and communication plan for when an employee is diagnosed with COVID-19, or comes in close contact (6 feet, 10 minutes) with an individual diagnosed with COVID-19.

Office-Based Businesses:

Staffing & Operations

Training Employees

- Conduct Employee Training Prior to Restarting Operations (if possible)
- Critical that Employees Understand the New Procedures
- Update/Refresh Training Regularly
- Topics Include:
 - Social distancing, handwashing, proper use of face coverings;
 - Self screening at home, including temperature checks;
 - Importance of not coming to work when feeling ill;
 - Seeking medical attention if symptoms become severe;
 - Which underlying health conditions make an employee more susceptible to contracting severe case.

Office-Based Businesses:

Staffing & Operations

Other Safety Measures

- Establish staggered hours and shifts if possible
- Limit visitors (shipping & deliveries should be done in a designated area)
- Limit business-sponsored travel

Office-Based Businesses:

Staffing & Operations

Best Practices

- Workers are strongly encouraged to self-identify symptoms or any close contact to a known or suspected COVID-19 positive case to employer
- Encourage workers who test positive for COVID-19 to disclose that information to employer
 - Employer should clean/disinfect, and conduct contact tracing;
 - Employer should notify the local Board of Health for help with tracing contacts and advising employees to self-quarantine.
- Post notice to workers and customers
- Log everyone who comes in contact with site to enable contact tracing (e.g., temporary visitors, those conducting drop-offs, deliveries).



Office-Based Businesses: Cleaning & Disinfecting

- Conduct frequent cleaning and disinfecting of worksite (at least daily, and more frequently if feasible);
 - High-touch surfaces: doorknobs, elevator buttons, railings, staircases, vending machines, bathrooms.
- Keep cleaning logs that include date, time, and scope of cleaning;
- Clean shared spaces (e.g. conference rooms) between use and maintain supply of cleaning products;
- In the event of a positive case:
 - Shut down site for deep cleaning and disinfecting, in accordance with CDC guidance



Office-Based Businesses: Determine Which Employees Will Return to Work (and How & When)

- Decide when to bring employees back
- Determine which / how many employees are legally permitted to return to the worksite (Telework still required if feasible)
- Decide which employees to return to the worksite immediately (and timing for others)
- Consider that certain employees may be prohibited from returning to the worksite due to actual COVID-19, symptoms, potential exposure, isolation or quarantine by a health care provider or public health officer, etc.
- Determine which employees are on legally-protected leaves (plan for business impact of anticipated future requests)
- Decide how to handle high-risk employees
- Decide how to handle employees with logistical/other barriers to returning to the worksite (e.g., child care, transportation)



Office-Based Business: Determine an Organizational Approach

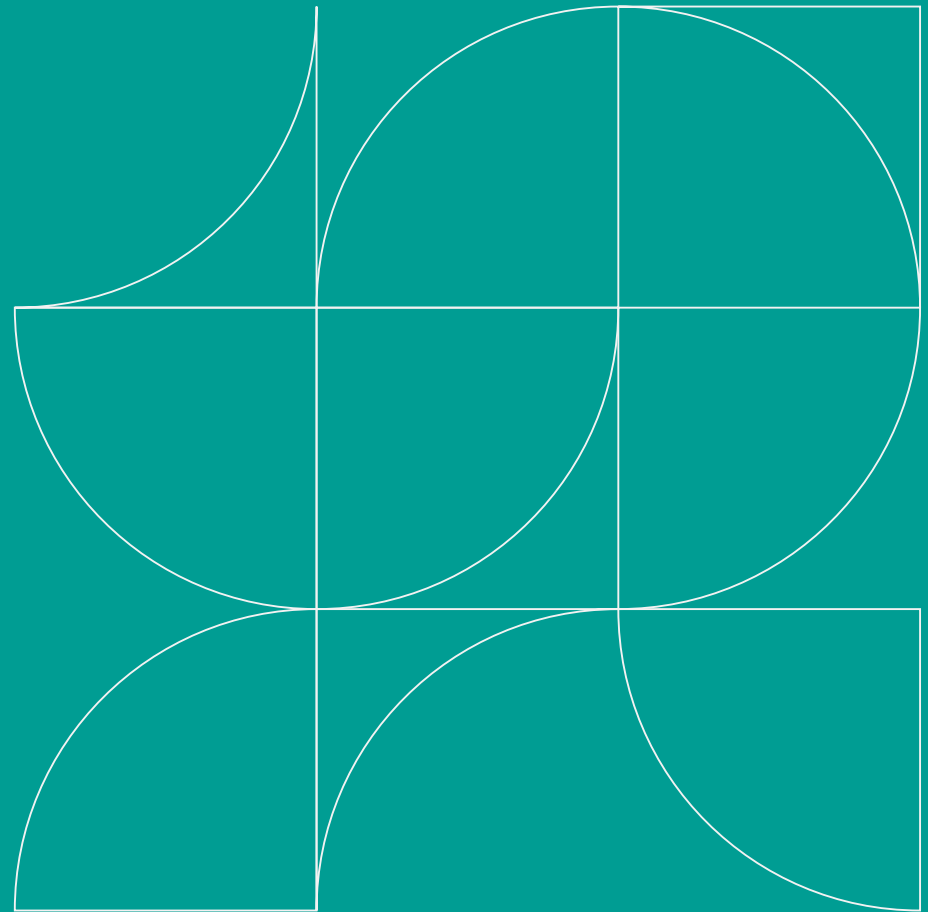
- Designate a point person or core Return To Work team who can make company-wide policy decisions
 - HR
 - IT
 - Building Facilities
 - Health & Safety
 - Office Managers
 - Senior Management
- Determine an approach that is right for the business and the workforce

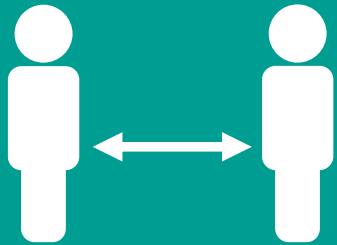


Office-Based Businesses: Requests to Work Remotely After Worksite Opens

- Has overall philosophy toward remote work changed since COVID-19?
 - Requests for reasonable accommodations for a disability (including potential need to revisit pre-COVID-19 accommodation request denials)
 - Requests due to fear of COVID-19 (note: potential ADA and whistleblower issues)
 - Requests due to membership in a vulnerable population
 - Requests due to allegation(s) of violations of health and safety orders and/or laws or need to quarantine due to potential exposure
 - Requests due to child/senior care challenges
 - Requests due to transportation challenges
 - Requests due to household family members being in a vulnerable population (pre-vaccine) (e.g. household family members with underlying medical conditions/immuno-compromised or who are senior citizens)
 - Requests due to other personal reasons

Manufacturing & Construction





Manufacturing

- Some critical manufacturing was deemed essential and thus permitted to be open
- May 18: All other manufacturing is permitted to open, provided businesses comply with sector specific protocols
- All workers “must continue to telework if feasible”



Manufacturing: Social Distancing Standards

- Ensure six foot social distancing between work stations unless unsafe
- Reengineer work stations to delineate six foot separation
- Close or reconfigure common spaces
- Limit movement by workers in the facility
- Cafeterias must practice physical distancing
- Stagger lunch and break times
- Required face coverings, unless a safety hazard
- Minimize use of confined spaces by more than one worker at a time
- May require physical partitions



Manufacturing: Hygiene Protocols

- Ensure access to handwashing facilities or hand sanitizer
- Supply adequate cleaning products (sanitizer, wipes)
- At least daily cleaning and sanitation of high touch areas
- Post visible signage about hygiene protocols



Manufacturing: Staffing and Operations

- Provide training to workers on safety information and precautions
- Facilities with highly manual work should reopen gradually
- Limit visitors and service providers on site
- Log everyone at the site for contact tracing
- Workers must stay home if sick
- Encourage vulnerable workers to stay home
- Encourage workers to self-identify symptoms
- Encourage workers who test positive to disclose positive test for cleaning and contact tracing

Manufacturing: Cleaning and Disinfecting

- Must conduct cleaning and disinfection at least after each shift
- Keep cleaning logs
- Frequent disinfecting of high traffic areas, machinery and high touch surfaces
- In the event of a positive case, the site must be shut down for a deep cleaning and disinfecting





Construction

- Some construction and building material installation were deemed essential
- Stalled construction projects may restart as of May 18, provided that specific standards are met
- Except for small residential projects, the contractor must notify the city or town and meet any requirements to show standards met
- Standards differ depending on size of project



Construction Standards

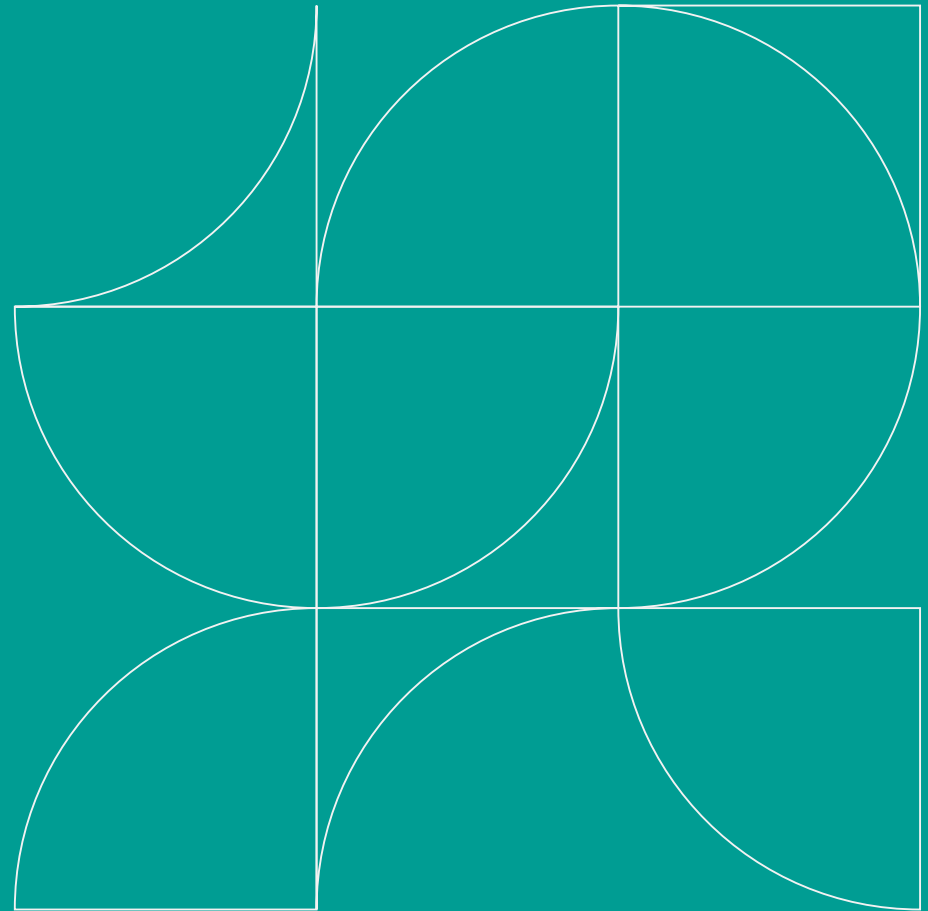
- Every site must have a specific COVID-19 officer
- Large or complex projects may require site specific risk analysis and COVID-19 safety plan
- “ZERO TOLERANCE” for sick workers reporting to work
- Employee must self-certify each shift:
 - no signs of symptoms
 - no close contact
 - not asked to self-isolate or quarantine



Construction Standards (cont.)

- No handshaking
- Keep crews at least six feet apart
- Avoid face-to-face meetings
- Employees must wear:
 - gloves
 - eye protection
 - employer provided PPE where social distancing is not possible
- Site must have installed wash stations if no access to indoor bathrooms
- Site sanitization required if worker has symptoms
- High touch areas must be cleaned at least twice a day

Retail





OPEN
24
HOURS

Approach to Retail Prior to May 18

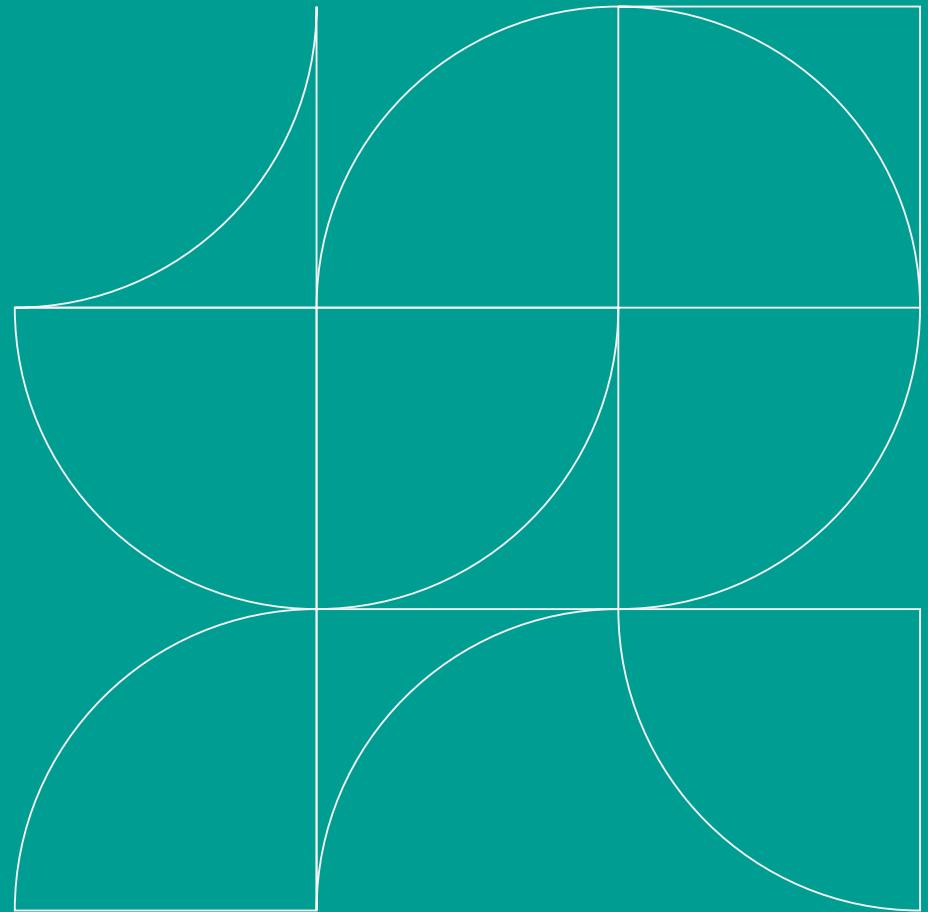
- Retail businesses that supply essential sectors have been permitted to be open
- Beginning on May 4, 2020, retailers selling non-essential goods could perform online and telephonic order fulfillment
 - Stores must be closed to the public
 - Limited to packaging and “no contact” delivery
 - Must wear face masks
 - Must maintain 6 feet social distancing
 - Staggered shift start/stop times and breaks/lunchtimes in order to minimize contact
 - Readily accessible hand sanitizer and hand washing facilities for employee use
 - Limits on numbers of employees



Limited Changes for Phase 1

- Retail stores that do not sell essential goods may not open to the public
- Beginning on May 25, may perform curbside pickup, as well as remote order fulfillment
- State anticipates that in-store browsing can resume in Phase 2

Lab Space / Life Sciences



Lab Space / Life Sciences

- Most, if not all, labs qualified as essential and thus were permitted to remain open
- May 25: All other labs are permitted to open, provided businesses comply with sector specific protocols
- All workers “must continue to telework if feasible”



Labs: Social Distancing Standards

- Ensure six foot social distancing between work positions unless unsafe
- Designate assigned work areas to limit movement and contact
- Stagger schedules and lunch/break times
- Required face coverings, unless a safety hazard or accommodation
- Minimize use of confined spaces by more than one worker at a time
- *Recommended best practice:* Improve ventilation for enclosed spaces where possible (e.g. open doors and windows)



Labs: Hygiene Protocols

- Ensure access to handwashing facilities or hand sanitizer
- Supply adequate cleaning products (sanitizer, wipes)
- At least daily cleaning and sanitation of high touch areas
- Avoid shared use of lab materials / equipment (e.g. goggles) or disinfect equipment between use
- Post visible signage about hygiene & safety protocols



Labs: Staffing and Operations

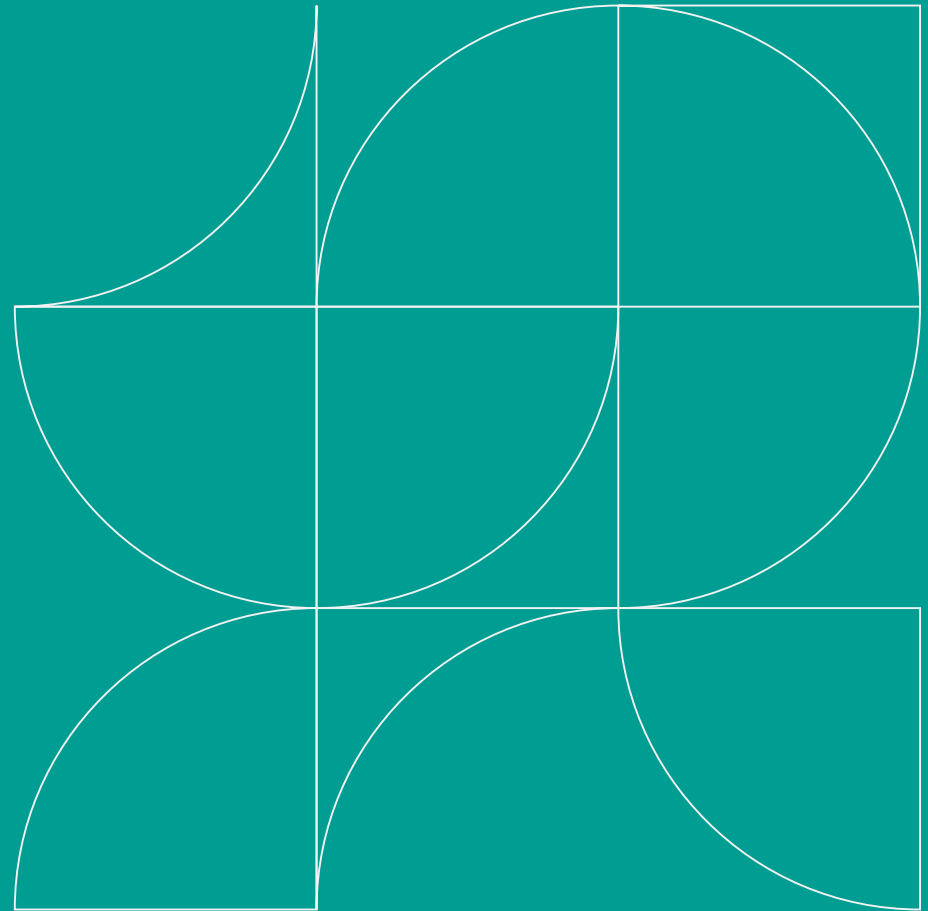
- Provide training to workers on safety information and precautions
- Employees should continue to telework if feasible
- Meetings should be remote/virtual
- Limit visitors and service providers on site
- Restrict access of office workers to lab / segment office
- Workers must stay home if sick
- Encourage vulnerable workers to stay home
- Encourage workers to self-identify symptoms
- Encourage workers who test positive to disclose positive test for cleaning and contact tracing



Labs: Cleaning and Disinfecting

- Must conduct cleaning and disinfection at least after each shift
- Keep cleaning logs
- Frequent disinfecting of high traffic areas and high touch surfaces
- Clean shared spaces between use
- In the event of a positive case, the site must be shut down for a deep cleaning and disinfecting

Phases 2 and 3



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Questions?

Thank you



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