As employers attempt to return to workplaces in the midst of & after the COVID-19 pandemic, there are a number of considerations they must be mindful of. Indeed, among other things, employers must be sure to establish a COVID-19 response plan, refine their communications and policies, examine travel policies, and ensure compliance with various central & state laws.

Below is a checklist of issues employers should be mindful of & HR has a critical role to play in this.

1. **Stay Informed**

   - Continue to monitor the Central & State announcements with respect to change in legislations & for insights relative to navigating COVID-19 issues for employers.
   
   - Learn of COVID-19 plans in the community where your business operates. Local conditions may have a significant impact on your business operations.
• Continue to stay informed relative to school and public transportation disruptions, which may affect business operations.

2. **Create and Implement a Response and Communication Plan**

• Identify a team of individuals and a point of contact for the response plan. Be sure to involve key decision-makers and managers.

• Ensure flexibility—be ready to modify or amend business practices as needed.

• Where possible, prioritize customers, identify alternative suppliers, and determine where it may be appropriate to reduce operations.

• Prepare a plan of communication to employees that addresses:
  ▸ Teleworking policies and staggered schedules, which may be effective at increasing the physical distance among employees.
  ▸ Employee anxiety and misinformation.
  ▸ Point of contact from Management & HR for any help or information.

3. **Create and Implement a Safety Plan**

• Consider where, when, and how employees may be exposed (such as from the public or other co-workers).

• Consider employees’ individual risk factors.

• Follow governmental regulations.

• Consider limitations on non-essential travel.

• Communicate basic prevention measures, consistent with governmental guidelines.

• Promote hand hygiene—frequent handwashing for all employees, visitors, and customers.

• Provide soap and water (or hand sanitizer with at least 60% alcohol) where possible.

• Encourage respiratory etiquette, including covering coughs and sneezes.

• Provide tissues and trash bins.
Consider employee screening, including temperature checks and symptom questionnaires.

Develop policies for identification and isolation of sick or exposed employees.

Encourage employees to self-monitor for signs and symptoms of COVID-19.

Ask employees who have been exposed to COVID-19 or travelled to a high-risk location to work from home for an incubation period of 14 days.

Develop clear policies for reporting to HR/Management when an employee becomes sick or begins experiencing symptoms.

Implement engineering controls such as high-efficiency air filters or sneeze guards where appropriate.

Ensure the use of personal protective equipment (PPE) where appropriate, including face masks, respiratory protection, goggles, gloves, and face shields.

Consider ensuring that the plan has general applicability to cover other infectious diseases.

4. Consider Leave Options

   Review existing policies to ensure consistency with central & state rules as part of Disaster Management Act, 2005 (DM Act).

   Track employees’ use of leave, reason for leave, and duration.

   Ensure that individuals on leave return to their prior positions.

5. Consider Confidentiality

   Require employees infected with COVID-19 to identify all individuals who have worked in close proximity.

   Inform other employees of any possible exposure, but keep the identity of infected employees confidential.

   Consider non-invasive screenings for employees, including body temperature checks and symptom questionnaires when entering the workplace. Maintain confidentiality in a manner such that:

   (1) Results are kept separate from personnel file.
Temperature results are kept confidential.

You may disclose the name of an employee that has tested positive for COVID-19 to the respective state government authority.

6. Consider Workers’ Compensation Issues

The law remains unsettled relative to workers’ compensation and COVID-19. It is advisable to remain abreast of developments.

There are questions as to whether COVID-19 will be considered an “ordinary disease of life,” which generally will not be covered.

Consider the workers’ compensation factors relative to COVID-19:

● Will the employee be able to demonstrate that he or she contracted the virus during the “course of their employment”

● Will the employee be able to demonstrate whether the contraction “arose out of” their employment.

● Did the position present the employee with an “increased risk” of contracting COVID-19?

7. Remain Cognizant of Anti-Discrimination/Anti-Harassment Policies

● Consider redistributing anti-discrimination and anti-harassment policies, including POSH.

● Consider training for supervisory staff relative to responding to comments about COVID-19 and employees who may have been affected.

8. Remote work

Telecommuting may have proven to work well during the pandemic for some employers and employees. Using it not only as a short term emergency tool to survive the next year but also as a permanent work/life balance and cost-saving measure should be considered.

Actions to consider include:

● Continuing to allow remote work where possible to keep employees safe.

● Staggering weeks in office and at home among team members, or part-time remote work on alternate weekdays.
• Responding to employee requests to continue to work from home, including long-term arrangements.

• Updating technology to support virtual workers.

• Consider the long-term cost savings or impact of offering permanent remote work.

9. **Policy changes**

It is no longer business as usual, and employers will likely need to update or create policies to reflect the new normal. Some examples include:

• Paid-leave policies adjusted to reflect regulatory requirements and actual business needs.

• Attendance policies relaxed to encourage sick employees to stay home.

• Time-off request procedures clarified to indicate when time off can be required by the employer, should sick employees need to be sent home.

• Flexible scheduling options implemented allowing for compressed workweeks.

• Meal and rest break policies adjusted to stagger times and processes implemented to encourage physical distancing.

• Travel policies updated to reflect essential versus nonessential travel and the impact of domestic or global travel restrictions.

• Telecommuting policies detailed to reflect the type of work that is able to be done remotely and the procedures for requesting telework.

• Information technology policies revised to reflect remote work hardware, software and support.

10. **Unions**

Employers with unionized workforces may have additional considerations, including:

• Determining obligations to bargain when implementing changes to mandatory bargaining subjects such as wages and benefits.

• Identifying the need to add a force majeure clause into a collective bargaining agreement to protect the employer
from contractual obligations during an event that is beyond the employer’s control.

Reviewing existing no-strike clauses to ensure continued work during future infectious disease outbreaks.
Return to Work after Covid-19 – Checklist from HR | Aparna Sharma | Senior HR Professional & Certified Corporate Director | Editor’s Collection

Chiranjeevi Pannem | Chief Human Resource Officer | Blue Square Tech Solutions Pvt Ltd

Why the CSR need to be radar of every employee | Pranav Kumar | Head ER – CSR and Skill Development | TATA Motors Limited

Workplace productivity with Covid 19 – Raising the Game

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