



This document has been prepared as a starting point for employers bringing employees back to work. Every industry, worksite and workforce is different. Unionized workforces present additional considerations which must be addressed. And, because state and local law may have more or different requirements, employers should consult with experienced L&E counsel prior to implementing this or any policy, practice or form. This document does not and cannot replace legal guidance that is protected under the attorney-client privilege. As such, employers should consult with their Akerman lawyer prior to implementing this or any policy, practice or form.

Every business is different. This document is not intended to be a definitive statement of the protocols and procedures that are applicable to every business, particularly under the unprecedented circumstances that the COVID-19 outbreak has created. This Policy is intended for use in a non-healthcare work setting with minimal interaction with the general public, work environment, such as an office. In addition, new and better information could well supersede the information included in this document. As the situation evolves, employers should continue to monitor the environment in which they are working and related developments and react accordingly.

COVID-19 EXPOSURE PREVENTION, PREPAREDNESS, AND RESPONSE POLICY

[Name of Company] (hereinafter “Company”) takes the health and safety of its employees very seriously. With the spread of the coronavirus or “COVID-19,” a disease caused by the SARS-CoV-2 virus, the Company intends to take reasonable measures to assist with slowing the spread of COVID-19. According to the Occupational Safety and Health Administration (OSHA), most American workers will not experience high exposure risk levels at their place of employment. To be safe and maintain operations, we have developed this COVID-19 Exposure Prevention, Preparedness, and Response Policy to be implemented, to the extent feasible and appropriate, throughout the Company and at all work locations. [The Company also has identified a team of employees to monitor the related guidance that U.S. Center for Disease Control and Prevention (“CDC”) and Occupational Safety and Health Administration (“OSHA”) continue to make available.]

This Policy is based on information available from the CDC and OSHA at the time of its development and is subject to change based on further information provided by the CDC, OSHA, and other public officials. The Company intends to implement this policy in a flexible way depending on the varying level of disease transmission in the Community. As a result, this Policy will likely continue to be refined. The Company also may amend this Policy based on operational needs.

I. Responsibilities of Managers and Supervisors

All managers and supervisors must be familiar with this Policy and be ready to answer questions from employees. Managers and supervisors always must set a good example by following this Policy. This involves practicing good personal hygiene and other practices to maintain healthy business operations. Managers and supervisors must encourage this same behavior from all employees.

II. Responsibilities of Employees

Employees can take steps to slow the spread of COVID-19 and maintain a healthy and safe work environment. As set forth below, the Company has instituted various housekeeping, social distancing, and other best practices at our facilities. All employees must follow these rules. In addition, employees are expected to report to [identify appropriate point of contact, i.e., Human Resources representative] if they are experiencing signs or symptoms of COVID-19, as described below. If you have a specific question about this Policy or COVID-19, please ask your manager or supervisor. If they cannot answer the question, please contact [Title of Manager or Supervisor].

OSHA and the CDC have provided the following control and preventative guidance for all workers, regardless of exposure risk:

- Frequently wash your hands with soap and water for at least 20 seconds. When soap and running water are unavailable, use an alcohol-based hand rub with at least 60% alcohol.
- Avoid touching your eyes, nose, or mouth with unwashed hands.
- Follow appropriate respiratory etiquette, which includes covering for coughs and sneezes.
- Cover your mouth and nose with a tissue when you cough or sneeze or use the inside of your elbow. Throw used tissues in the trash and immediately wash hands with soap and water for at least 20 seconds. If soap and water are not available, use hand sanitizer containing at least 60% alcohol.
- Learn more about [coughing and sneezing](#) etiquette on the CDC website.
- Avoid using other employees' phones, desks, offices, or other work equipment when possible. If necessary, clean and disinfect them before and after use.
- Practice social distancing by avoiding large gatherings and maintaining distance (6 feet) from others when possible.
- Wear a cloth face covering in public where social distancing measures cannot be maintained (and only when the mask does not interfere with employee health or safety), or as otherwise directed to by relevant federal, state, and local authorities.

In addition, employees must familiarize themselves with the symptoms of COVID-19, which may include the following:

- Coughing;
- Fever;
- Shortness of breath, difficulty breathing; and
- Other symptoms such as chills, fatigue, muscle or body aches, sore throat, headache, diarrhea, nausea/vomiting, congestion or runny nose, and/or sudden loss of taste or smell.

If you develop a fever and symptoms of respiratory illness, such as cough or shortness of breath, DO NOT GO TO WORK. Call [your supervisor or Human Resources]. Likewise, if you come into close contact with someone showing these symptoms, call your supervisor.

III. Workplace Protective Measures*

[Not all measures are applicable in all workplaces. Further, additional measures may be required depending upon the type of workplace at issue. Employers should keep abreast of relevant CDC and OSHA guidance.]

The Company has instituted the following protective measures at all Company locations. Please note that these measures may be modified or supplemented depending upon relevant guidance and

A. *General Safety Policies and Rules*

- Any employee/contractor/visitor showing symptoms of COVID-19 will be asked to leave the worksite and return home. Employees who cannot immediately leave for one reason or another will be isolated from other employees until their departure.
- Meetings will be by telephone or video conference whenever possible, even if all attendees are at the same location.
- Meetings that cannot be conducted via remote means will take place in a room large enough to permit attendees to maintain social distance measures.
- Attendance at trainings or other similar meetings will be collected verbally and the person running the meeting will sign-in each attendee. Attendance will not be tracked through passed-around sign-in sheets or mobile devices.
- During any in-person meetings, avoid gathering in groups of more than 10 people and participants must remain at least six (6) feet apart.
- Employees must avoid physical contact with others and shall direct others (co-workers/contractors/visitors) to increase personal space to at least six (6) feet, where possible.
- Employees should not congregate in the break room or in other areas for purposes of socializing.
- Employees will be encouraged to stagger breaks and lunches, if practicable, to reduce the size of any group at any one time to less than ten (10) people. High-touch areas in breakrooms will be frequently sanitized.
- In situations where handwashing is not available or impractical, the Company will provide, if available, alcohol-based hand sanitizers and/or wipes.
- Employees should limit the use of coworkers' tools and equipment. Employees should not share headsets, phones, or other objects that are near mouth or nose. To the extent tools/equipment must be shared, the Company will provide alcohol-based wipes to clean tools/equipment before and after use.
- The Company will temporarily cease providing communal food and beverages. Employees should use disposable plates, cups, mugs and utensils.

- Employees should wear cloth face coverings when social distancing measures are not practical, providing that their use does not create a hazard or interfere with the employee's health or work assignments. Employees who are returning to work after self-isolation or hospitalization due to COVID-19 may be required to wear a mask for three (3) days upon return-to-work, depending upon CDC return-to-work guidance then in effect.

B. Screening Procedures

- Employees will be screened for symptoms and elevated temperatures [prior to or upon arriving] at the worksite. Employees should refer to the Company's *COVID-19 Employee Screening Procedures Policy*. [If applicable].

C. Business Travel

- Non-essential business travel and all international business travel is suspended. Essential business travel must receive advanced approval. Employees should refer to the Company's *Business Travel During COVID-19 Pandemic Policy*. [If applicable.]
- As restrictions ease, the Company will continue to carefully consider whether travel is necessary until such time as there are no travel restrictions in place.

D. Social Distancing Strategies

As recommended by state and local health authorities, the Company may implement a variety of social distancing measures. [Outline any additional steps that will be taken, such as flexible hours, continued telework for certain roles, cross-training to prepare for spikes in absences, shift rotations, increasing physical space between employees, increasing physical space between employees and customers, eliminating certain non-essential functions during high-risk periods, delivering services remotely, delivering through curbside pick-up, discouraging clients/vendors/the public from congregating via appointments or drive through systems, etc.]

IV. Workplace Cleaning and Disinfecting

The Company has instituted regular housekeeping practices, which include cleaning and disinfecting frequently used tools and equipment, and other elements of the work environment, where possible. Employees should regularly do the same in their assigned work areas. These practices may depend, in some part, on the availability of cleaning products and protective equipment.

- The Company will perform routine environmental cleaning and disinfection.
- Break/lunchroom areas will be cleaned at least once per day. Employees performing cleaning will be issued proper personal protective equipment (“PPE”), such as nitrile, latex, or vinyl gloves and gowns, as recommended by the CDC.
- Any trash collected from the jobsite must be changed frequently by someone wearing nitrile, latex, or vinyl gloves.

- The Company will provide adequate soap and ensure that hand sanitizer dispensers are always filled, to the extent supplies permit.
- The Company will provide adequate sanitizing wipes and/or disinfectants if needed to clean and disinfect shared equipment and tools.
- Frequently touched items (*i.e.*, door pulls and toilet seats) will be disinfected frequently.
- If an employee suspected or confirmed to have COVID-19 is at the worksite, the Company will perform enhanced cleaning and disinfection using CDC guidelines.
- The Company will provide that any disinfection shall be conducted using one of the following:
 - Common EPA-registered household disinfectant;
 - Alcohol solution with at least 60% alcohol; or
 - Diluted household bleach solutions (if appropriate for the surface).
- The Company will maintain Safety Data Sheets of all disinfectants used on site.

V. Workplace Exposure Situations

Employee Exhibits COVID-19 Symptoms

If an employee exhibits COVID-19 symptoms, the employee must remain at home until he or she is symptom-free for 72 hours (3 full days) without the use of fever-reducing or other symptom-altering medicines (*e.g.*, cough suppressants) and (2) at least ten (10) days have passed since symptoms first appeared. One exception may be an employee who experiences fever only. In that instance, and only if the employee does not have a laboratory confirmed-case of COVID-19, that employee may be able to return to work after he/she has no fever for three days without taking medication to reduce fever during that time. To the extent practical, employees are required to obtain a doctor's note clearing them to return to work. However, employees who do not obtain a doctor's note may not be able to apply available paid leave to his/her absence, depending on the circumstances of the leave, type of leave, and applicable law.

Employee Tests Positive for COVID-19

An employee who tests positive for COVID-19 will be directed to self-quarantine away from work. Employees that test positive and are symptom free may return to work when at least ten (10) days have passed since the date of their first positive COVID-19 diagnostic test assuming they have not subsequently developed symptoms. If they develop symptoms, then the return-to-work criteria for symptomatic employees applies. Employees who test positive and are directed to care for themselves at home may return to work when: (1) at least 72 hours (3 full days) have passed since recovery; and (2) at least ten (10) days have passed since symptoms first appeared. Employees who test positive and have been hospitalized may return to work when directed to do so by their medical care providers. The Company will require an employee to provide documentation clearing his or her return to work.

Employee Has Close Contact with an Individual Who Has Tested Positive for COVID-19*

Employees who have come into close contact with an individual who has tested positive for COVID-19 (co-worker or otherwise) will be directed to self-quarantine for fourteen (14) days

from the last date of close contact with that individual. Close contact is defined as six (6) feet for a prolonged period (about 15 minutes or longer).

If the Company learns that an employee has tested positive, the Company will conduct an investigation to determine co-workers who may have had close contact with the confirmed-positive employee. An employee who tested positive must disclose a list of individuals with whom he or she had close contact during the period from 48 hours prior to the onset of symptoms through the time that employee meets the criteria to discontinue self-isolation. If the employee who tested positive is asymptomatic, the employee must disclose a list of individuals with whom he or she had close contact during the 48 hours prior to the test that returned a positive result until that employee meets the criteria to discontinue self-isolation. The Company may direct those individuals who have had close contact with the confirmed-positive employee to self-quarantine for 14 days from the last date of close contact with that employee. **If applicable, the Company also will notify any sub-contractors, vendors/suppliers or visitors who may have had close contact with the confirmed-positive employee.** If an employee learns that he or she has come into close contact with a confirmed-positive individual outside of the workplace, he/she must alert a manager or supervisor of the close contact and the Company may direct that the individual self-quarantine for 14 days from the last date of close contact with that individual.

VI. Confidentiality/Privacy

Except for circumstances in which the Company is legally required to report workplace occurrences of communicable disease, the confidentiality of all medical conditions will be maintained in accordance with applicable law and to the extent practical under the circumstances. When it is required, the number of persons who will be informed that an unnamed employee has tested positive will be kept to the minimum needed to comply with reporting requirements and to limit the potential for transmission to others. The Company will inform other employees that an unnamed co-worker has been diagnosed with COVID-19 if the other employees might have been exposed to the disease so the employees may take measures to protect their own health. The Company also reserves the right to inform sub-contractors, vendors/suppliers or visitors that an unnamed employee has been diagnosed with COVID-19 if they might have been exposed to the disease so those individuals may take measures to protect their own health.

VII. General Questions

Given the fast-developing nature of the COVID-19 outbreak, the Company may modify this Policy on a case by case basis. If you have any questions concerning this Plan, please contact [Title of Designated Individual].

*** The CDC has issued interim guidance providing greater flexibility for certain "critical infrastructure workers" that would permit such employee to continue working following potential exposure to COVID-19, provided they remain asymptomatic and additional precautions are implemented to protect them and the community. Employers employing critical infrastructure workers should seek guidance on this interim guidance.**

COVID-19 Fast Facts

What is COVID-19?

The novel coronavirus, COVID-19 is one of seven types of known human coronaviruses. COVID-19, like the MERS and SARS coronaviruses, likely evolved from a virus previously found in animals. The remaining known coronaviruses cause a significant percentage of colds in adults and children, and these are not a serious threat for otherwise healthy adults.

Patients with confirmed COVID-19 infection have reportedly had mild to severe respiratory illness with symptoms such as fever, cough, and shortness of breath.

How is COVID-19 Spread?

COVID-19, like other viruses, can spread between people. Infected people can spread COVID-19 through their respiratory secretions, especially when they cough or sneeze. According to the CDC, spread from person-to-person is most likely among close contacts (about 6 feet and for 15 minutes or longer). Person-to-person spread is thought to occur mainly via respiratory droplets produced when an infected person coughs or sneezes, like influenza and other respiratory pathogens. These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs. It is currently unclear if a person can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or possibly their eyes.

COVID-19 Prevention and Work Practice Controls:

Worker Responsibilities

- Frequently wash your hands with soap and water for at least 20 seconds. When soap and running water are unavailable, use an alcohol-based hand rub with at least 60% alcohol. Always wash hands that are visibly soiled.
- Cover your mouth and nose with a tissue when you cough or sneeze or use the inside of your elbow.
- Avoid touching your eyes, nose, or mouth with unwashed hands.
- Avoid close contact with people who are sick.
- Employees who have symptoms (*i.e.*, fever, cough, or shortness of breath) should notify their supervisor and stay home—**DO NOT GO TO WORK**.
- Sick employees should follow CDC-recommended steps. Employees should not return to work until the criteria to discontinue home isolation are met, in consultation with healthcare providers and state and local health departments.

General Job Site / Office Practices

- Clean AND disinfect frequently touched objects and surfaces such as workstations, keyboards, telephones, handrails, and doorknobs. Dirty surfaces can be cleaned with soap and water prior to disinfection. To disinfect, use products that meet EPA's criteria for use against SARS-CoV-2, the cause of COVID-19, and are appropriate for the surface.
- Avoid using other employees' phones, desks, offices, or other work tools and equipment, when possible. If necessary, clean and disinfect them before and after use.
- Clean and disinfect frequently used tools and equipment on a regular basis.
 - This includes other elements of the jobsite where possible.
 - Employees should regularly do the same in their assigned work areas.
- Clean shared spaces such as break/lunchrooms at least once per day.
- Disinfect shared surfaces (door handles, machinery controls, etc.) on a regular basis.
- Avoid sharing equipment and workspaces with co-workers if it can be avoided. If not, disinfect before and after each use.
- Any trash collected from the jobsite must be changed frequently by someone wearing gloves.