



Getting Vacc to Work

A Guide to Returning to In-Person Work Amid Easing Pandemic Restrictions

Presented by
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1

Today's Presenters







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2

Assess Business Needs

- Are employees effective from home?
- Assess workspaces: Is social distancing possible for all?
- Laid off employees needed?
- Furloughed employees?
- Job restructuring necessary?



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Who to Return to the Workplace? Consider: Childcare needs/issues Ability to do job from home/remotely Accommodation needs/requests

■ High-risk employees who ask for accommodation

Continued



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Who to Return to the Workplace?

- Furloughed workers Determine if recalling based on current business conditions, otherwise layoff/terminate after considering:
 - WARN
 - Disparate impact
 - Potential for discrimination claim
 - Severance/releases

Continued



5

Who to Return to the Workplace?

- Base decisions on job function, seniority or other non-discriminatory factors.
- Positions needed.
- Document analysis that goes into decision making.



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Communicate

- Emphasize the positives of in-person return.
- Emphasize safety precautions or that they will be in place.
- Invite feedback to specified person.
- Anticipate concerns and develop responsive messages.



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How to Return Employees

- Gradually bring back groups?
- Determine status of each employee:
 - In-person full time
 - Rotating schedule part-time in-person, part-time remote (indefinitely or permanently)
 - Full-time remote

Continued



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How to Return Employees

- Update/draft a MIOSHA compliant Return to Work Plan, including COVID-19 safety precautions
- Assess/reconfigure workspaces, if necessary



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CDC - May 13, 2021

- Fully-vaccinated people no longer need to wear a mask or physically distance in any setting, except where required by federal, state, local, tribal or territorial laws, rules and regulations, including local business and workplace guidance.
- Fully vaccinated with no symptoms and no known exposure exempted from routine screening programs.



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CDC – Unvaccinated People

- Continue practicing everyday preventive actions:
 - Proper mask wearing
 - Social distancing of six feet apart
 - Avoid crowds and poorly ventilated areas
 - Wash hands often
 - Sanitize and disinfect often



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MDHHS - May 15, 2021

- Fully-vaccinated individuals do not need to wear masks indoors or outdoors.
- Continues gathering restrictions and contact tracing under certain conditions
- No longer enforce face mask requirement outdoors
- If fully vaccinated, no mask indoors.



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MIOSHA as of May 19, 2021

- MIOSHA is in the process of reviewing both the emergency rules and drafting permanent rules.
- Continued requirement for masks when employees cannot maintain six feet of social distancing, or in common areas, regardless of vaccination status.

Continued



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MIOSHA

- MIOSHA will soon post updated workplace rules reflecting the CDC's recent guidance on face masks for fully vaccinated people.
- Until then, MIOSHA will consider compliance with the MDHHS order as good faith to comply when responding to employee complaints or conducting investigations related to COVID-19.



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How to Return Employees

- Communicate plans several weeks ahead of time
 - Safety plans Social distancing, personal hygiene, social distancing, PPE, regular cleanings
 - In-person/remote schedules
 - Return of company property taken home

Continued



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How to Return Employees

- Send offer letters to furloughed employees outlining terms and conditions of return:
 - Offer
 - RTW date
 - Changes to employee's position since furlough
 - Position/pay/exempt/non-exempt status

Continued



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How to Return Employees

- Benefit information/impact of furlough
- Provide policies for requesting accommodations and any new policies, especially regarding return to the workplace.
- Any retraining requirements?
- Contact info for HR.

Continued



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How to Return Employees

- Communicate to each employee whether they will be expected to:
 - $-\,$ Return to the office/workplace full-time
 - $-\,$ Rotate on a set schedule part remote part in person work
 - Continue working remotely indefinitely/ permanently

Continued



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How to Return Employees ■ When reasonable accommodations request is made... — Interactive process Continued

How to Return Employees

- Update policies.
- Remind employees of relevant policies.
 - Dress code
 - Security
 - Breaks/lunches
 - COVID-19 screenings each day



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20

19

Return of Employees

- Enforce testing/symptom assessment protocols.
- Quarantine policy for those with symptoms, positive test and/or exposure:
 - Follow CDC guidelines
 - Follow PA 339 of 2020
 - Masks or no masks
 - Allow in-person meetings/no meetings?



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Vaccinations

- Can mandate:
 - Is it appropriate/necessary for your workplace?
 - May be hard to enforce.
 - Pay or not for time off for mandated vaccines?
 - Do not obtain anything but proof of vaccine (i.e., no other medical info).

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Vaccinations

- Encourage voluntary vaccinations.
- Offer incentives not too much and follow EEOC guide.
- Must accommodate and can't discriminate against disabled and those with bona fide religious objections.
- Keep proof in medical file.

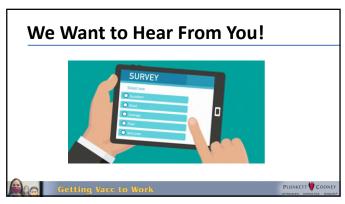


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