

CLEVELAND

2030

The number '2030' is rendered in a large, bold font. The '2' is black. The first '0' is black with a green globe icon inside. The '3' is green. The second '0' is green with a black silhouette of a city skyline and a bridge over water inside.

DISTRICT

THE BUILDING EDUCATION SERIES 2020:

**THE OSWALD BUILDING, 1100 SUPERIOR
7:30 AM NETWORKING AND REGISTRATION
8:00 – 10:00 AM PRESENTATION**

- JANUARY 16:** OUTSTANDING SUSTAINABLE COMPANIES
- FEBRUARY 19:** CHOOSING ENERGY PROVIDERS AND RECS
- MARCH 26:** GREAT RETROFIT AND NEW CONSTRUCTION CASE STUDIES - Virtual
- MAY 21:** NET ZERO BUILDING - Virtual
- JULY 16:** EXEMPLARY SOLAR PROJECTS - Virtual
- SEPTEMBER 17:** LIGHTING A TO Z
- NOVEMBER 19:** WATER CONSERVATION PROJECTS

**Past education sessions can be found on our website under District Library
www.2030districts.org/cleveland**

COVID-19 RELATED EDUCATION SESSIONS

All sessions held via webinar from Noon to 1:00 PM

MAY 13: AIR QUALITY IN COMMERCIAL BUILDINGS

JUNE 3: LEGAL ASPECTS OF RETURNING TO WORK

JUNE 10: A RETURN TO WORK CHECKLIST

JUNE 17: DESIGNING WORKSPACES FOR SOCIAL DISTANCING

Past education sessions can be found on our website under COVID-19 Information and Resources:

www.2030districts.org/cleveland

Today's Speakers:



Todd Palmer is a Partner at Calfee Halter & Griswold in its Cleveland office and Vice-Chairman of the firm's Labor and Employment practice group. Todd has more than 25 years of experience counseling management of publicly traded and privately held businesses to drive employment law compliance and solve sensitive, complex, and high-risk employment problems.



Jennifer Colvin is Senior Counsel in Calfee's Labor and Employment Group in its Cincinnati office. Jennifer assists a wide variety of clients in all aspects of employment law, including providing strategic advice, compliance counseling, training, and litigation representation on a wide variety of legal issues. Jennifer previously worked as an executive at a publicly traded insurance company responsible for management of compliance and public-company functions.

Legal Aspects of Returning to Work

Calfee, Halter & Griswold LLP

June 3, 2020



CALFEE, HALTER & GRISWOLD LLP

Returning to Work During COVID-19: Guidelines and Protocols



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Returning to Work: Goals

- Prevention/Reduce Risk of Transmission
- Resuming/Re-opening Your Business
- Minimize Risk of Liability
- Positive Employee Relations

Sources of Guidance/Protocols

- CDC Website
<https://www.cdc.gov/coronavirus/2019-ncov/index.html>
- COVID-19 Employer Information for Office Buildings
<https://www.cdc.gov/coronavirus/2019-ncov/community/office-buildings.html>
- Interim Guidance for Businesses and Employers Responding to Coronavirus Disease 2019 (COVID-19)
<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

Sources of Guidance/Protocols

- Ohio Department of Health
<https://coronavirus.ohio.gov/wps/portal/gov/covid-19/home>
- Responsible RestartOhio
<https://coronavirus.ohio.gov/wps/portal/gov/covid-19/responsible-restart-ohio/>
- Sector Specific Operating Requirements
- OSHA: <https://www.osha.gov/SLTC/covid-19/>

Categories of Guidance & Actions

- Temperature and Symptom Assessment
- Face Coverings
- Social Distancing
- Cleaning, Disinfection, and Ventilation
- Travel
- Exceptions to Return

Have a Plan

- Develop a Written Return to Work Plan
 - Help respond to any local department of health or OSHA inquiries.
 - Gives intentionality to the process.
 - More thorough.

Handling COVID-19 in the Workplace

Confirmed and Presumed Positive COVID-19
Cases



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Employee Appears for Work with Symptoms

- An employee appears for work at your workplace with symptoms of COVID-19:
 - What do you do with the employee?
 - What do you do with co-workers?
 - What do you do with the workplace?

Employee Suspected or Positive for COVID-19

- After having been in your workplace, you learn that an employee has tested positive for the COVID-19 virus or is reasonably suspected to be infected:
 - What do you do with the employee?
 - What do you do with co-workers?
 - What do you do with the workplace?
- What are the implications of designation as critical infrastructure employee?

How Do You Handle COVID-Positive Worker?

- Require the worker to remain home and follow isolation guidance
- Report COVID case to state and local health department
- Follow recommendations for Return to Work

Approved Return to Work Methodologies

- Symptoms-Based Strategy (symptomatic + test positive)
 - 72 hours without fever, unmedicated
 - 72 hours without symptoms of virus (respiratory, etc)
 - At least 10 days since symptoms first appeared
- Time-Based Strategy (asymptomatic + test positive)
 - At least 10 days since confirmed test with no symptoms
- Test-Based Strategy (asymptomatic + test positive)
 - Negative result from at least 2 consecutive respiratory specimens collected at least 24 hours apart

How Do You Handle Co-Workers?

- Determine exposure: Contact Tracing
- Inform co-workers who may have been exposed
 - Confidentiality Considerations
- Potentially-exposed workers with symptoms should self-isolate in accordance with return to work methodologies
- Potentially-exposed workers without symptoms should remain home and practice social distancing for 14 days
- Per “Responsible RestartOhio” – once available, all potentially exposed workers should be tested

How Do You Handle the Facility?

- Less than 7 days since employee was in facility:
 - Close off area of the workspace used for prolonged periods of time by ill worker
 - Wait 24 hours before cleaning and disinfecting
 - Increase air circulation to affected area
 - Deep clean/sanitization of affected area (with proper PPE for workers conducting cleaning)
- 7 days or more since employee in the facility:
 - No need for additional cleaning
 - Continue enhanced routine cleaning and disinfecting high-touch surfaces

Critical Infrastructure Workers

- Who are “Critical Infrastructure” workers?
- What is guidance for Critical Infrastructure?
 - COVID-positive/ presumed positive
 - Exposure to COVID-19

Critical Infrastructure workers exposed to COVID-19 may continue working so long as asymptomatic and both employer/employee take additional precautions.

CONTACT US



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QUESTIONS?

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