

## **SAFE AT WORK**

### **A Preliminary Framework for Louisiana's Economic Recovery**

#### **Recommendations from the Louisiana Business Community**

**April 17, 2020**

The Louisiana economy has seen job losses top 300,000 with thousands of businesses shuttered entirely. While the first wave of the COVID crisis hit the hospitality, retail, and healthcare sectors the hardest, as time goes on, consumer spending stalls and companies begin to retain capital and cut costs as they attempt to prepare for an unpredictable future. No industry sector is unaffected. The coronavirus epidemic necessitated an unprecedented shut-down of the economy to manage the virus. While Louisiana is succeeding at “flattening the curve,” the consequence has been staggering job and business losses. Federal aid, combined with state programs, is providing some short-term relief, but it is critical that we restart the economy as soon as safely possible. Not to do so will have grave economic, and health, consequences of its own.

This document has emerged from conversations with groups of business leaders and widening array of business associations and groups around Louisiana. Overall, there is broad support for the social distancing that the “Stay At Home” order has established across the state and clear recognition that it should remain through April 30<sup>th</sup>, and until the healthcare system can support a gradual reopening. At the same time, there is also broad recognition that the “Stay At Home” order and a potential “Safe At Work” order may not always be in conflict with one another. These many essential businesses that have remained open and provided for the safety of their people can guide the development of protocols for safely working in closed-but-essential business and non-essential businesses. Nearly all those sectors can develop a protocol for safely working while “Stay At Home” is in place.

This document is meant to serve as a start to the conversation for returning more employees and business to work, rather than serving as a final, prescriptive set of answers or solutions. This is also not meant to be a perfected strategy but is instead a working document to catalyze this discussion, a plan that should and will continue to be modified as new details, viewpoints and suggestions emerge.

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## Executive Summary

In considering reopening the economy, business owners and leaders commonly acknowledge that public health and safety must remain the first priority. At the same time, businesses and workers need a clear path forward from our state's leadership to urgently bring the economy back online, seeking to stem the tide of layoffs and business closures. It is evident from the essential businesses that have remained open that both Stay at Home and Safe at Work are simultaneously achievable. With transparent public health benchmarks, economic recovery should begin to take place in phases. Based on input from a diverse set of business stakeholders and health experts, the Louisiana business community submits the following framework for consideration:

### Health and Safety First

- Having enough **hospital capacity** to safely treat patients
- Ample **COVID-19 testing capacity** to support community and workplace safety, especially rapid diagnostic testing widely available across the state at multiple, accessible locations
- Creation and promotion of official guidance for **work safety and illness protocols** to include such features as testing, temperature and verbal screening of employees, PPE use, aggressive sanitation, workplace social distancing, and remote work where possible
- Precautions for **high-risk populations**, and those living with high-risk individuals, prior to returning to a work-place environment
- Health systems in each region should speak with **one voice for health care** in their communities
- Creation of a plan for **second wave response**, including expanded public health capabilities, contact tracing, rapid testing, isolation of high-risk individuals, and public alerts

### Critical Considerations for Officials and for Employers Prior to Re-Opening

- Public assistance to procure **PPE supplies** for businesses to purchase, particularly sanitizer, disinfectant, masks, and temperature scanners
- State and regional efforts to stand up **childcare** that begins with official guidance for safe daycare and summer school or camp
- **Legal protections** from the State for employers that follow official guidance for safety protocols, such as those specified by OSHA, CDC, and federal and state authorities
- **Consumers** should be encouraged to do business with those essential businesses that remain and eventually become allowed to open, while maintaining CDC guidelines for social distancing. Without consumers businesses, particularly small businesses, cannot survive.

### Gradual Reopening of the Economy

#### 1) Maximize Employment in All Current "Essential" Sectors

- Full restart to the **healthcare** industry, to include restarting elective procedures, clinical visits, routine screenings, and preventive and mental health care following proper safety protocols
- A return to full operations for those **businesses already deemed essential** (if currently scaled back or limited), including all eligible small businesses, industrial construction, manufacturers, etc.
- Additional guidance for **transportation services**, including public transit, airports, ride sharing and delivery services, and taxis, to define cleanliness standards and safety protocols
- Full restoration of **state and local government** services, particularly the courts, adhering to safety and social distancing guidance with remote work where possible

- Re-opening of **retail stores and malls** with worker screening and PPE, limited occupancy based on a percentage of Fire Marshal capacity
- Controlled access to **professional offices** such as attorneys, engineers, architects, accountants, banks and finance, corporate headquarters, veterinarians, school staff and administrators potentially with smaller daily staff combined with remote work to ensure social spacing

## 2) Expand Reopened Sectors

- Restoration of in-house **restaurant operations** and the re-opening of bars with worker screening and PPE, limited occupancy based on a percentage of Fire Marshal capacity, spaced seating to six-foot distances, and maximum number in each party
- Limited access to **salons and barber shops** with worker screening and PPE, less frequent appointments scheduled in advance only, and customer spacing at six feet
- Restricted re-opening of **health clubs and fitness centers** with limited occupancy based on a percentage of Fire Marshal capacity, six-foot spacing requirements between customers, no minors present, thorough cleaning and sanitation of all equipment between each individual use, and the ongoing closure of showers, pools, or spas.
- One-by-one review and development of a re-opening strategy for all other sectors of industry, social, and civic life that were **explicitly closed**, including places of worship, places of public amusement, personal care businesses, and large-scale events.

## 3) A New Normal Across All Sectors

As health benchmarks are met, operations in each industry sector should be expanded beyond the limitations and mandates outlined above. While business leaders are aware there will be no return to “normal” as we knew it pre-COVID in the near future, the economy should be able to operate as safely as possible in a new normal that the public and private sector work together to define.

## Introduction

There is grave concern amongst the business community about the long term and lasting damage being done to the economy, to employees, and to businesses by having so many businesses unable to conduct business during the “Stay At Home” orders. This pandemic has not gone away, so it is very important to be smarter under this new normal. There remains business support for social distancing to protect one another and our citizens as well as the healthcare community. There is support for “Stay At Home” orders remaining through April 30<sup>th</sup>, and until the healthcare system projects that it can support a gradual reopening. There is also recognition that “Stay At Home” orders and “Safe At Work” guidance are not in conflict with one another, as has been seen in those business sectors who have remained open as “essential” businesses and industries. These themes – support for Stay at Home, combined with an urgency to restart more segments of the economy – are taken into account below.

From across the state, local, regional and state business associations will have their own regional considerations. Each region will have its own unique implications and challenges to deal with regarding their economic recovery and reopening. Yet, at the same time each region and business association recognizes that we are all in this together and there’s a need to get safely back to work.

## Health and Safety First

Businesses see the health system as the primary consideration for an economic restart. Their consideration of healthcare impacts for restarting the economy fall within four categories:

- Continued **social distancing and personal protection equipment** use in work and everyday life;
- Having enough **hospital capacity** (ICUs, ventilators, bed capacity, PPE) to support an increase in general human interaction;
- Having sufficient **COVID testing** to support community safety and business needs, especially rapid diagnostic testing; and/or
- Businesses following **official guidance** of an approved protocol to manage employee and customer safety, including temperature screening, testing, PPE use as needed, aggressive sanitization, and work-based social distancing.

While it would be ideal if a vaccine were widely available today, COVID testing universally accessible, or having enough time for the virus spread to significantly decline, these are not all practical considerations when balancing the strain on the economy and the growing rate of unemployment. Employers felt that they would trust the healthcare community the most to advise on the balance of these above health considerations with regard to restarting the economy.

Business owners have reflected that they trust their health system leaders within each region to give them guidance on reopening the economy. They shared that they would most respect and welcome any guidance from healthcare leaders on the safety of reopening each region’s economy gradually and safely. Their perspective will weigh heavily on the decision of regional employers regarding the sensibility of a “safe reopening.”

In addition, during this period of severe community distress, businesses are encouraged to increase their philanthropic support, as much as possible, for food banks and vital non-profit service providers in their communities.

## A Concept for a Stay At Home and Safe at Work Order

### New Stay at Home guidance after May 1<sup>st</sup>, or on the best date certain under advice from healthcare leaders

The Governor and LDH may seek to establish employer safety considerations that will govern the ability to reopen the economy. If he were to provide employers with health and safety guidance, it could take the form of a **new “Stay at Home, Safe at Work” Order**.

In developing this document, many businesses have reflected that Essential Businesses have been able to safely operate since the Stay At Home order, even as COVID cases have flattened some at this point. This shows that social distancing, Stay At Home, and a reopening of the economy can occur simultaneously. Reopening the economy and Stay At Home are complimentary, not conflicting. Safe at Work and Stay At Home can operate together for a period of time to be determined at a later date.

- **Safe At Work**- Refresh the Essential businesses guidance in order to make clear that those businesses that are not explicitly required to remain closed, would be strongly encouraged to get back to work – remotely as much as possible, but in person as can be done safely – while following clear health and safety guidance. After work hours conclude, then....
- **Stay at Home**- Continue to follow the safety guidance for individuals to avoid congregating and avoid social interactions in large groups. Employees or contractors would only travel out for work, or for picking up products or receiving services. All purchasing and shopping is allowed but following social distancing and safety guidance.

## Be Healthier, Safer, and Smarter at Work

To support Safe At Work requires that the business community across Louisiana set the new normal for the pandemic-period work safety practices. Those employers who open a physical site or office are encouraged to follow safety precautions for their work sites to prevent the additional spread of COVID 19. Remaining consistent with the WHO and CDC (in a manner to avoid any additional confusion for employers), the Governor could spell out the expected norms for offices, businesses, and especially consumer-facing stores or service providers. For example, the Governor’s Smart, Safe Work policy could include these considerations that are being followed at many Essential Industry work sites today:

- **High-risk conditions:** Those with high-risk conditions, or those who share a residence with someone with high risk conditions (medically at risk or older age such as a parent), should be given special considerations by employers, prior to encouraging or requiring that they return to work physically. Possibly employers should consider the option of not allowing those with high risks to return to physical office locations until a later phase in recovery. There is need to understand risk for individual employees and provide alternatives for those at higher risk. Those who are known to have contracted COVID and have cleared the infection could likely return with little risk to other employees or customers. Those with higher risks such as age greater than 60 or 65, and with co-morbid conditions such as hypertension, diabetes, pulmonary disease, asthma, cancer, and heart disease should take additional precautions.
- **Six feet apart and faces covered:** All employees should be encouraged to remain at least six feet apart while in office or business settings and wear protective face coverings such as masks (cloth but not N95) as much as possible and to. Wearing a face covering or mask is not a substitute, but rather an additive protection in the event that social distancing is compromised.

- **Workplace entrance screenings:** Many employers are using fever and temperature screenings at their entrances. It is a best practice to conduct a checklist or questioning of those entering a workplace or worksite to identify those individuals that may pose an increased risk, with the possibility of supplementing with temperature screenings. While it is not encouraged to become mandatory as a work practice, it is not harmful. However, employers should be advised against relying on fever/temperature screenings, as there is broad asymptomatic spread of the virus. It would be wise to approach screening for fever carefully. According to our healthcare community, the vast majority of community members with COVID do not have high fevers. Also, there is limited supply of temperature monitoring devices available and many temperature monitoring devices are inaccurate. Temperature screening can create a false sense of security, and is a distraction from the more impactful activities, such as ensuring masks are worn and creating workflows that keep people a good distance apart. Should an employer set up temperature screenings, the employee(s) conducting the screening should be wearing full PPE (surgical mask and gloves) and should wash hand frequently while at this post.
- **Social distancing guidance:** The state should strongly consider creating or recommending office environment practices to guide social distancing. These might include guidance to limit in-person meetings and restrictions on building access to all vendors that are not cleared in advance and by-appointment only. Any in-person team meetings should require six foot spacing and be limited to the number of participants the room can accommodate to comply with spacing requirements. Additionally, meetings with external business partners, clients and stakeholders should be conducted through virtual communication whenever possible. This distancing should include closure of areas such as lounges or break rooms.
- **PPE availability:** PPE should be offered to office workers and available in sufficient quantity for workplaces that reopen.
- **Face coverings/masks:** Following CDC guidance, facial coverings are encouraged to be worn by individuals where they are interacting with, or in the presence of, coworkers or the public. Cloth masks or face coverings are considered sufficient according to medical community guidance. Masks are not required to be highly specialized (disposable surgical masks or N95s) unless required by the industry environment. It's important to note that masks protect others from the wearer, not the wearer from others.
- **Enhanced, robust cleaning** should happen daily at all businesses and offices, and surfaces wiped multiple times daily. The state should consider recommending a standard for thorough cleaning and sanitization procedures.
- **Work from home:** Some business may choose to keep some workers working from home indefinitely, if the employee or contractor can continue to fulfill their job requirements. This should continue to be encouraged to allow the social distancing protocols to be more robust.
- **Plastic shields** should separate those frequently in contact with customers/public, especially those employees at fixed locations
- **Gloves** should be worn by those handling edible products or, in certain circumstances, by those interacting with the public. Moreover, gloves need to be changed frequently and when contaminated. It is not unusual to see a food worker for instance wear gloves, touch their face and continue with their work without changing the gloves. As a general rule, gloves do not need to be worn at all time by employees. There is no difference in frequent hand washing or

washing the gloves frequently. The state should consider providing further guidance on the use of gloves.

- **Remote meeting:** Most interactions with clients should be handled via call or interactive video conference, but in-person meetings would be permitted if the client(s) or patient(s) agree to temperature checks and screening questions upon entry to the office location. All appointments must be properly spaced to avoid crowded waiting rooms.
- **Other health and safety standards** for business locations should be followed such as:
  - Frequent hand washing with warm water and soap (or an alcohol-based hand sanitizer) should continue to be done by all, particularly after coming into contact with any materials, surfaces, packages, etc.
  - Everyone should properly cover their mouth when coughing or sneezing, by using a handkerchief, disposable tissue or the inner bend of the elbow.
  - **Any one not feeling well, either with a fever or other unusual feeling, should remain at home.**
  - Establish organizational policies to guide what happens if and when a person at the workplace is found to be COVID positive, such as quarantining, enhanced cleaning and sanitization, temporary office closure, contact tracing, etc.

### Legal Protections for Recovering Businesses

Businesses are very concerned about the significant liability risk in Louisiana from lawsuits stemming from trying to get back in businesses. Businesses should follow official guidance and put in place safety policies and protocols to prevent COVID's spread. In return, the Governor and Louisiana Legislature should support businesses who are trying to restart the economy and hire back employees during this period of a declared state disaster. Either by Executive Order or state law, or both, employers should have expanded protection from COVID-related lawsuits. All sectors should be protected, once they have put in place the state's approved protocols for employee and customer safety. A business should have protection if it adopts and substantially adheres to the established protocols. The state should elevate the standard from "negligence" to "gross negligence." Other options could include providing temporary amnesty from COVID-related employment lawsuits while the disaster orders are in place. This legal liability limitation issue is as critical for getting back to work as changes to the Stay At Home and Essential Industries guidance.

### Childcare and Daycare

Businesses are very concerned about the accessibility of their workforces and teams because of the closure of schools and the lack of daycare and day camp/summer camp alternatives. The state and each community in Louisiana should be evaluating ways to provide childcare during this time, including safe alternative day camps such as those currently being held at the YMCA for the hospitals' workforce. This is a critical need to reopening the economy.

Some daycare considerations that are adopted in other countries such as Denmark may provide suggestions for a framework:

- A recommended floor area of 4m<sup>2</sup> per child, meaning some institutions may not be able to accept all children back at first.
- Children to play with the same small groups of three to five, mainly outside.
- Children to sit two meters apart at tables.

- Food not to be shared.
- Staff to supervise the children washing their hands at least every two hours, including after coughing or sneezing, before and after food.
- Regular cleaning, including cleaning toys twice a day, disinfecting surfaces such as taps, toilet flushes, tables, door handles, handrails, light switches twice a day.
- Staff meetings to be held outside or via telephone/video call.
- Those that travel on buses provided by daycare, to sit two meters apart. More buses will be provided.
- Drop off and collection to be done at intervals and if possible, outside.

With that said, the social distancing and health/safety protocols that are put into place for adults in the workplace will be minimized if employee's children are gathering with each other and being kids (putting everything in their mouths, touching each other, sneezing/coughing on each other). With intense attention paid to preventing spread among adults, it would be helpful if medical experts and epidemiologists advise on quality practices to prevent spread of the virus via our children who might be attending camps or daycares.

### **PPE Supplies for Reopening Business**

Adequate supplies of PPE for employers may be as critical to reopening the economy as the other above categories. Essential businesses that have remained open commented on the CDC's most recent guidance of facial coverings for everyone. Offices, small businesses, and mid-sized employers do not have a supply chain process for acquiring sanitizer, disinfectant, masks, gloves, and temperature scanners, especially in a period of serious shortages. Employers may require local, regional, or state assistance to gain access to and/or create a stockpile of PPE supplies. The vast majority of employers are not operating in surgical settings, therefore need for specialized PPE is not as critical as that required for hospitals (ex. cloth, homemade face coverings are sufficient and can be washed nightly). Communities should evaluate their supply of reliable PPE suppliers and producers. A verified list, including local suppliers and producers, should be made available to companies. It could be advantageous for GOHSEP, LDH, or communities to purchase PPE in bulk and sell it to employers for a temporary period at stable prices (think: fireworks tents at July 4<sup>th</sup>) or establish coordinated purchasing networks across multiple employers (think: Girl Scout cookie ordering processes).

### **Consistent Statewide Regulations for Reopening**

Variation in local measures related to public health and safety poses significant challenges, particularly for multi-jurisdictional employers that are already in the midst of navigating a difficult and evolving crisis situation. In addition, this disparity creates confusion as employers struggle to understand and comply with an emerging patchwork of laws. Therefore, as businesses re-open, we urge the State to issue one set of COVID-19 rules, regulations and/or guidelines, in conjunction with the business community and local governments. Further, the State should prevent the proliferation of local measures that stand to put public health at greater risk due to confusion and lack of clear guidance.

### **Second Wave Concerns**

Early consideration should be given to a second wave of COVID 19 infections. It is almost inevitable that a second wave will come and in order to avoid another period of strict "Stay At Home"

restrictions, our collective response to the second wave needs to be better than the first wave. Establishing a public risk alert, similar to the national terrorism advisory system, would allow more time for employers to plan and prepare. This tracking and reporting should use verifiable, established virus data metrics statewide and/or region by region. The most essential second wave measure is the availability of testing, and the capacity to deploy the tests quickly, linked to strong public health measures. Louisiana needs to expand testing capacity with rapid result tests so that people with early signs and symptoms can be detected quickly, followed by quarantining. There should also be effective contact tracing and appropriate quarantining of close personal contacts. This will help contain any subsequent outbreaks. All of this will require an expanded public health workforce. Should accurate antibody testing become available and positive results be known to be correlated with immunity, employers can play a role in helping ensure that people returning to the workplace are tested. However, rolling out antibody tests prematurely (i.e. using tests that either have high false negative or high false positive rates) will add to confusion and risk rather than help.

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## **Gradual Reopening: Considerations to restarting the economy**

### **Predicated Upon Implementation of Defined and Accepted Public Safety Procedures**

A gradual reopening of the economy might require stages of industry sectors to reopen. Those already deemed essential businesses but who have closed or minimized employment should return immediately. For the rest, this could entail ranking those industries/occupations based upon their need to be physically present in the workplace in order to conduct business. Those for whom this is most necessary might be encouraged to return first. Those who can remain remote might need to do so longer.

#### **1) Maximize Employment in all current “essential” sectors**

- **Healthcare sector restart.** The healthcare sector are the front-line first responders of this disaster, but the industry sector is getting financially destroyed. Our executives have recommended that health care be allowed to fully restart after May 1<sup>st</sup>. The healthcare community should be the best prepared to understand and follow safety standards and social distancing. They should be allowed to return to elective procedures, clinic visits, screenings and elective surgeries, following proper safety protocols. This will stabilize hospitals and clinics’ revenues, and help citizens get back to critical services such as routine screenings, preventive care, mental health assistance, and postponed procedures. With thorough office safety procedures implemented, this should be considered for dentist’s offices as well.
  - Doctors would be required to use facial mask coverages and gloves as needed or required to visit directly with patients. Surgeries could be performed in surgical clinics if properly staffed and equipped per the state's medical standards and protocols. Also, all patients would have to permit temperature checks before entry into the doctor's office, and all appointments must be properly spaced to avoid crowded waiting rooms.
  - In addition to PPE, the health care sector advocates for and requires substantial emphasis on administrative and environmental changes as a focus. This involves increasing

telehealth, scheduling, separating high risk patients from low risk patients, screening and monitoring.

- Dentist and their assistants have been wearing protective masks and gloves for years and should continue to do so. Goggles might be recommended to further protect both the dentist, the assistants, and the patients. Regular dental appointments would be permitted, but all patients would have to permit temperature checks before entry into the dental office, and all appointments must be properly spaced to avoid crowded waiting rooms.

One healthcare industry leader also pointed out the importance of restarting the overall economy: “Without a strong economy, you can’t have a strong hospital.”

Another partner has shared this quote as a way to help put the context in place to link the health care and the overall economy: “The healthcare system saves lives; the economy provides everything we need to live.”

➤ **Guide those current essential businesses to enable them to get fully back to business.** There are business and industry sectors currently unable to fully operate do business today, even though they are considered essential.

- While emphasizing safety and social distancing, the Governor and State Government should give restated, clearer guidance encouraging essential businesses to **maximize** employment and business activity, within the limitations and following the guidance of accepted safety requirements.
  - Many businesses that should not have closed after the Governor’s Stay At Home order are closed nonetheless, either because they don’t understand the guidance, have economic pressures forcing them to close, feel uncertain on procedures for how to be open, or feel their customers are not allowed to do business with them because of “Safer At Home” standards. Instead, these eligible businesses should be encouraged to reopen as soon as possible, while doing so safely.
  - The Governor’s Stay At Home website should expand the “You Can” behaviors to include “go to work once your business or store has implemented the required safety standards” and “shop safely wearing a mask at eligible small businesses and local stores, especially seeking to buy local goods online and pick-up at curbside, where possible and practical.”
- **Health Safety Standards for Returning Employees and Employers.** Similar to the idea above, LA Dept of Hospitals and the Governor’s Office should consider issuing official recommendations on employer safety standards for offices, consumer-facing enterprises, warehouses, and industrial sites. Safety standards would give guidance on temperature and/or other wellness checks at work site entrances, wearing masks or other acceptable PPE, cleaning standards, returning to work from COVID positive infections, and COVID-19 testing use. In addition, employers should also develop new administrative and environmental controls. Some examples are ongoing in grocery stores. These could include practices such as mandatory six foot spacing, limiting the number of customers at a time, dedicated hours for higher risk customers, and/or managing the check-out line.

- **Small businesses** *that are not shut by Stay At Home orders* should be encouraged, counseled, and supported to restart their operations and contact with customers. A new, temporary “small business recovery division” should be considered within LED. Give Louisiana’s small businesses these to assist:
  - Guidance and counseling regarding health and safety protocols for safety for their employees and their customers
  - Encouragement and clarity that customers can go shop at their local stores, under certain safety conditions - <https://gov.louisiana.gov/home/>
  - Guidance and access to technologies that support buy-online-pickup-in-store, shop-by-appointment, or pickup-curbside capabilities
  - Increased access to delivery services for products to reach customers
  - Readily available recommendations on where and how to access free legal advice, business counseling, and financial advice, and/or access to capital beyond the resources of the SBA (such LED, regional EDOs and chambers, SBDCs, SCORE, Entrepreneurial Organizations, and others).
  - Statewide marketing, robocalls or other communications outreach to promote state and local services that are available to assist small businesses recovering.
  
- **Transportation services.** Louisiana airports and transit systems should be evaluated that they have the capacity and protocols to return to broader operation. They should have cleanliness protocols in place immediately to be prepared for the day when air service and transit service can return to normal. The state should recommend guidance for ride sharing services, delivery services, and taxi services that define cleanliness standards and safety protocols.
  
- **Industrial construction:** While not shut by Stay At Home, many industrial construction and services companies have experienced reduced work sites to protect from virus spread for their essential teams. The energy and petrochemical sector has also suffered from demand destruction, as the global economy has contracted and reduced the size of their markets. As much as possible, industrial construction and services companies should be supported to scale up toward full operations again.
  
- **Government sector:** Many government jobs in our communities are on hold. City, Parish, and State Government offices should return to operation with staff being spaced in work shifts, as needed, to effectively achieve social distancing. Employees should be encouraged to wear facial coverings or masks, practice social distancing, and follow other state health and safety guidance for office environments workforces. Working from home should be encouraged and permitted. Furthermore, the City Court and District Court Systems should be reactivated. The presiding judge, with consultation of health and safety guidance from LDH (or other state agency), should be able to determine the number of allowed persons involved in a matter and regulate attendance to insure appropriate social spacing. Attorney, clients, defendants, plaintiffs, and court personnel should be encouraged and permitted to wear facial coverings. Members of juries can be spaced as needed, and deliberation areas provided to ensure social distancing.

- **Other retail locations and malls:** Each retail store and malls should be able to reopen, under guidance and conditions. Retail stores and malls should control entry to a certain number of customers, using the Fire Marshal's capacity limit as a guide. Retailers strongly feel that occupancy should be capped at no less than 50% of store capacity, based on fire marshal regulations, excluding employees and vendors. All employees should be encouraged to wear facial coverings, and gloves where necessary, following health and safety guidance. All open areas should be regularly cleaned and sanitized. Stores should consider the use of temperature screenings of employees and customers. Consistent policies should be developed for practices such for clothes being tried-on for sizing, for alterations being permitted after a confirmed purchase, or “quarantining” products for a sufficient period of time that come back to a retailer through exchanges or returns.
- **Professional offices,** doctors, dentists, surgeons, attorneys, engineers, architects, accountants, veterinarians, banks/bankers, corporate headquarters, business offices, school and university staffs and administrators should be permitted to reopen their offices, with a smaller staff to ensure social spacing. Alternatively, they might use a type of office shift to permit some to work on-site, while others work at home, and then switch as needed or desired. This would include clerical and administrative staffs. Masks, facial coverings, and gloves would be recommended and encouraged, following the recommended health and safety guidance.

## 2) Expanded Reopened Sectors

- **Restaurants** should be reopened to on-site dining. All tables should be spaced to meet the six-foot distance criteria. Parties might be limited to those residing in the same households. No tables larger than eight customers. Children under 15 years of age would have to be accompanied by an adult. Restaurant personnel should be required to wear gloves and masks, provided by the restaurant. Employees should be subject to health and safety screenings, following the recommended health guidance. As patrons depart, restaurants should have establish guidance for their employees regarding cleaning and disinfecting the surfaces of tables and chairs.
- **Salons and barber shops** could open, and all appointments would have to be scheduled in advance to ensure no over-crowding of waiting areas. All utensils or equipment used in the process must be properly sanitized between each use. Providers should use face coverings and gloves, as recommended by health and safety standards.
- **Health Clubs and Fitness Centers** could be opened, perhaps not immediately, but soon. They could be limited to a percentage of their capacity, based on the designated Fire Marshal's maximum capacity limits (think, 25 or 50% of allowable capacity), and with anyone inside being limited from being within six feet of each other while working out. No one under 18 years old would be permitted. Possibly they should restrict admission to those with previously set appointments to be sure that capacity limits are not exceeded. After each use of any equipment or machine, every item must be fully cleaned and sanitized. Restroom facilities can be used, but shower facilities should not be made available for use.

- **Reopening those non-essential, closed business sectors:** Other sectors that were explicitly closed should be reviewed one by one, sector by sector, to determine whether and when they can reopen in a safe manner that prevents COVID-19 spread, setting future dates or safety guidelines for each sector:
- Places of public amusement, including locations with amusement rides, carnivals, amusement parks, water parks, trampoline parks, aquariums, zoos, museums, arcades, fairs, pool halls, children’s play centers, playgrounds, theme parks, any theaters, concert and music halls, adult entertainment venues, racetracks, casinos, and other similar businesses.
  - All personal care businesses, including but not limited to, nail salons, spas, massage parlors, tattoo parlors, and other similar businesses.

### 3) A New Normal Across All Sectors

As the Stay At Home order hopefully continues to flatten the curve, and Safe At Work shows that business can reopen carefully and with smart actions to protect employee and community safety, it is hoped that a new normal for business and society can emerge. A new normal across all sectors must center around the relationship between employers, employees and consumers. They are all part of the equation of a successful reopening strategy.

As public health benchmarks are met, operations in each industry sector should be expanded beyond the limitations and mandates outlined above. While business leaders are aware there will be no return to “normal” as we knew it pre-COVID in the near future, the economy should be able to operate as safely as possible in a new normal that the public and private sector work together to define.

## Other Readings on Returning to Work

### **Brookings: How cities can reopen after COVID**

<https://www.brookings.edu/blog/the-avenue/2020/03/24/how-our-cities-can-reopen-after-the-covid-19-pandemic/>

**McKinsey Implications and business restart considerations:** <https://www.mckinsey.com/business-functions/risk/our-insights/covid-19-implications-for-business>

### **WSJ: The Employer Will Test You Now: Reopening the economy will depend on companies diagnosing coronavirus cases in the workplace**

[https://www.wsj.com/articles/the-employer-will-test-you-now-11586714684?mod=opinion\\_lead\\_pos6](https://www.wsj.com/articles/the-employer-will-test-you-now-11586714684?mod=opinion_lead_pos6)

### **US Chamber on Implementing National Return to Work concept**

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### **OSHA Guidance on Preparing Workplaces for COVID 10**

<https://www.osha.gov/Publications/OSHA3990.pdf>

### **10 Steps All Workplaces Can Take To Reduce Risk of Exposure to Coronavirus, OSHA Poster**

<https://www.osha.gov/Publications/OSHA3994.pdf>