

BASIC GUIDELINES FOR EMPLOYERS REOPENING THEIR OFFICES

Once you have confirmed that state, county, and city orders allow your office to reopen, you can prepare to bring employees back to the workplace.

Depending on the needs of your business, the size of your office, and the number of employees, it may be best to allow some employees to continue to work from home. This will allow employees to maintain social distancing while at the office. Another option to provide more space for social distancing is to have employees alternate the days that they work at home or at the office.

The [Governor's Report to Open Texas \(April 27, 2020\)](#) has specific guidelines for certain businesses, including retail establishments and restaurants. Below are guidelines for all businesses to follow:

- 1) Thoroughly clean the office. To maintain cleanliness, stock the office with hand sanitizer, hand soap, and sanitizing spray or cleaning cloths.
- 2) Have face masks available for employees to use if they choose to do so, it is required by local, state, or federal law, or social distancing is not possible in your workplace.
- 3) Place readily visible signage at the office to remind everyone of best hygiene practices, including washing hands frequently, staying at least 6 feet apart, covering coughs and sneezes, using a cloth face covering, and cleaning and disinfecting frequently used surfaces. Provide training for employees to understand these practices.
- 4) If you have not already done so, provide employees with the DOL's poster "Employee Rights: Paid Sick Leave and Expanded Family and Medical Leave under The Families First Coronavirus Response Act (FFCRA)". You can access the poster [here](#). The poster should be placed in a conspicuous place in the office, such as a lunch room. The poster may be delivered via e-mail message or posted on an employee website for employees who continue to work from home.
- 5) Screen employees when they come into the office. Confirm that employees have not been diagnosed with COVID-19 and do not have any of the following symptoms of COVID-19:
 - Cough
 - Shortness of breath or difficulty breathing
 - Chills
 - Repeated shaking with chills
 - Muscle pain

- Headache
- Sore throat
- Loss of taste or smell
- Diarrhea
- Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit (use a contactless thermometer)
- Known close contact with a person who is lab confirmed to have COVID-19

Employers should document employee screenings. Screening information should be kept confidential and treated as a medical record.

- 6) If an employee has been diagnosed with COVID-19, had known close contact to a person who is lab-confirmed to have COVID-19, or any of the symptoms of COVID-19, do not allow the employee to return to work until:
 - (a) In the case of an employee who was diagnosed with COVID-19, but is asymptomatic, the employee may return to work when at least 14 days have passed since the diagnosis.
 - (b) In the case of an employee who was diagnosed with COVID-19 and has symptoms of COVID-19, the employee may return to work the later of (a) 14 days have passed since the diagnosis, or (b) when all three of the following criteria are met: at least three days (72 hours) have passed since the employee did not have a fever without the use of fever-reducing medications); and the employee has improvement in respiratory symptoms (e.g., cough, shortness of breath); and at least 7 days have passed since symptoms first appeared.
 - (c) In the case of an employee who has symptoms of COVID-19 but does not get evaluated by a medical professional or tested for COVID-19, the employee is assumed to have COVID-19, and the employee may not return to work until the employee has met the standard set forth in (b) above.
 - (d) If the employee has symptoms that could be COVID-19 and wants to return to work before completing the self-isolation period set forth in (b), the employee must obtain a medical professional's note clearing the employee for return based on an alternative diagnosis or confirming that the employee has been tested for COVID-19 and does not have COVID-19.
 - (e) In the case of an employee who has had known close contact with an individual who is lab-confirmed to have COVID-19, the employee may return to work when at least 14 days have passed since the last date of exposure.
- 7) Employees should wash or sanitize their hands upon arrival at the office.

If you have any questions concerning this alert, please contact:

Monte K. Hurst
Shareholder

[Email](#)

214.922.4111

Molly B. Cowan
Attorney

[Email](#)

214.922.4102

Kristen A. Brumbalow
Attorney

[Email](#)

214.922.4107

Hallett & Perrin, P.C. provides this information as a service to clients and friends for educational purposes only. It should not be construed or relied on as legal advice or to create an attorney-client relationship. Readers should not act upon this information without seeking advice from an attorney.