16th Annual SHARP/VPP Conference
Virtual Style
COVID-19 Back to Work: The Game Plan
September 24, 2020

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K Scott Consults, LLC
Identify a Pandemic Response Team

Identify and develop Offensive Plays

Identify and develop Defensive Plays

Discuss those items that will give the Pandemic Response Team Field Goals and Extra Points

Discuss items that may result in Turnovers/Interceptions
The information presented in this presentation is a combination of best practices, Executive Orders, City Ordinances, Regulatory Standards. The information presented in this presentation is not meant to bypass any regulatory, nor legal advice received from those in charge of your regulatory compliance. Information presented here is being presented in a general manner, and the information can be taken to apply it to your employer’s specific situation.

The regulatory standard information is the minimum standard in which you must adhere to. Employers may (and are encouraged to) go over and above the minimum standards to ensure employee health and safety.
Roll Call of Eligible Players

Type your Industry in the Chat Section
Pandemic Response Team

“Now promise me you will all be very careful.”
Pandemic Response Team

• The Quarterback – The Plan Administrator

• The Running Back – Managers, Supervisors, Team Leads

• The Wide Receiver – The Employees
There **MUST** be a **POINT** Person.

- Have a system to stay updated on regulatory changes at the local, state, and federal level
  - *Ex: Who will watch the update from Governor Hutchinson each day and stay updated on mandates and Executive Orders*
  - Who will Employees go to for information?
  - Who will reports be made to when there is a positive case?
  - Anonymous reports
Offensive Plays

- Engineering Controls
- Administrative Practices
Engineering Controls

Hierarchy of Controls

- **Elimination**
  - Physically remove the hazard

- **Substitution**
  - Replace the hazard

- **Engineering Controls**
  - Isolate people from the hazard

- **Administrative Controls**
  - Change the way people work

- **PPE**
  - Protect the worker with Personal Protective Equipment
Engineering Controls

- Elimination/Substitution
  - Can employees work from the sidelines?
  - Can employees be rotated and work rotating shifts?

- Physical (Social) Distancing
  - Work Stations
  - Common Areas such as breakrooms, clock in areas, rest areas

- Physical Barriers
Administrative Controls

• Self Reporting and Isolation
  • Plan Administrator’s Contact
  • When to Self Report?
  • Systems in place to respond to those who self reported (See Contact Tracing Section)

• Frequent Cleaning

• Employee Tracking
Defensive Plays

Personal Protective Equipment

Sanitizing/Disinfecting

Health Screenings
The employer shall assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE). If such hazards are present, or likely to be present, the employer shall…

- Select and make appropriate PPE available
- Communicate to Employees
- Certify the Assessment

Where employees provide their own protective equipment, the employer shall be responsible to assure its adequacy, including proper maintenance, and sanitation of such equipment.

Remember Engineering Controls?

- First try to Mitigate the Hazard
- Then try to reduce the severity of the hazard or prevent the hazard from coming into contact with the employee.
- Next Apply Administrative Controls…
  - THEN…and only then
    - PPE
Defensive Plays
Sanitizing and Disinfecting

Identify those areas that have been touched/accessed by employees.

Establish cleaning schedule
- Periodic and Frequent
- After an exposure incident

Companies that use CDC/EPA approved chemicals
Defensive Plays – Player Physical
Health (Also known as Entrance) Screenings

- Maintain Social Distancing at the screening area
- Remember ADA/HIPAA in the event someone does not pass the screening
- Protect the Screener
- Post Screening Rules and Questions
- Consider electronic assessment of screening questions

- Do you have a cough, shortness of breath?
- Do you have known exposure to someone with COVID-19?
- Do you have known exposure to someone with flu-like symptoms?
- Fever (100.0°F or higher, this will be verified)
- Sore throat unrelated to seasonal allergies
- Diarrhea, not food related
- Muscle/body aches (not from normal daily activities)
- Loss of taste or smell
### Guidance when the official worksite is open

<table>
<thead>
<tr>
<th>Scenarios</th>
<th>Telework</th>
<th>Reports to work</th>
<th>Weather and COVID-19 Related Leave</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>If:</strong></td>
<td><strong>And:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>is directed by a health professional to stay home</td>
<td>✓</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>is not directed by a health professional to stay home</td>
<td>✓</td>
<td>✓</td>
<td>✗</td>
</tr>
<tr>
<td>prefers not to come to an otherwise open worksite</td>
<td>✓</td>
<td>✓</td>
<td>✗</td>
</tr>
<tr>
<td>is at high risk of COVID-19 as defined by the CDC</td>
<td>✓</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>has children at home due to school or childcare center closures</td>
<td>✓</td>
<td>✓</td>
<td>✗</td>
</tr>
<tr>
<td><strong>Employee is not exhibiting symptoms of COVID-19</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>has a family member(s) who requires care and the family member is:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>not ill</td>
<td>✓</td>
<td>✓</td>
<td>✗</td>
</tr>
<tr>
<td>ill</td>
<td>✓</td>
<td>✓</td>
<td>✗</td>
</tr>
<tr>
<td>returns from travel and is directed by a health professional or supervisor to stay home</td>
<td>✓</td>
<td>✗</td>
<td>✓</td>
</tr>
<tr>
<td>is designated as an emergency employee and ordered to report onsite</td>
<td>✓</td>
<td>✓</td>
<td>✗</td>
</tr>
<tr>
<td>is ill for other reasons</td>
<td>use sick leave</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Employee is symptomatic of COVID-19, is ill, or cannot work</strong></td>
<td>use sick leave</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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Field Goals
Continuous Regulatory Compliance

- Americans Disability Act
- Equal Employment Opportunity Commission
- Occupational Safety and Health Administration
- Environmental Protection Agency
Extra Points

• Training Sign In Sheets

• Causation Investigations

• Contact Tracing
Turnovers and Interceptions

- OSHA Recordable
- Workers Compensation Claim
Employee tests positive

Employee’s medical treatment or restrictions meets recording criteria

OSHA RECORDING & REPORTING

29 CFR 1904

K Scott Consults, LLC
Fumbles
Employee tests positive

Ready…. Break

- Causation investigation to determine if it’s work related
- Contact tracing to determine who the employee has been in contact with
- Inform employees (while abiding by HIPAA/EEOC guidelines)
- Sanitize and Disinfect
- Allow employees a chance to be tested
Regulatory Changes Updates

Remember John Elway?

- Arkansas News Conference daily @ 130 pm
- Labor Attorneys
- Arkansas Department of Health website
- Center for Diseases Control Website
- OSHA Website
- Regulatory Consultants
Overtime Extra Points

Grant Program for Assessments for Manufacturing Companies
Flag on the Play
Communicating the Plan
Remember: “The Catch”
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