

As businesses continue their “return to work” approaches and transition to managing a workplace in a pandemic, a compliant yet practical preparedness and management plan is crucial. Not only should employers be protecting against potential COVID-19 liabilities generally, but the surge in union efforts, pending legislation, and interest arising from widespread employee workplace health and safety concerns compel employers to act now.

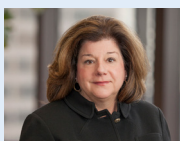
Since the beginning of the pandemic, both the Center for Disease Control (CDC) and Occupational Safety and Health Administration (OSHA) have said that a pandemic plan (or “infectious disease preparedness and response plan”) is critical – long before employers started talking about “return to work.” Per OSHA’s warning, a pandemic plan will be the starting point for any evaluation that the agency would conduct into whether or not an employer is complying with the catch-all “General Duty Clause” of the Occupational Safety and Health Act. The same goes for applicable state agencies and health departments as they (and other potential litigants and unions) evaluate whether businesses are in compliance with the workplace requirements under the applicable reopening orders of the state.

As a result, our lawyers have developed a response and management plan template that not only addresses guidance on returning to work, but includes all of the OSHA and CDC requirements, as well as guidance on the technical safety and health aspects of this issue. The plan also accounts for compliance with general discrimination laws and more, and extends far beyond general “return to work” templates that can be found online.

Implementation of this template plan will be largely guided by (1) the specific hazards of your business and industry and (2) state/local requirements under applicable environmental, safety and health regulations and “stay at home/shelter in place/re-opening” orders. Given that the foundation of the plan has already been built, however, we are offering clients an opportunity to efficiently tailor this plan for your organization. In addition to the plan, we offer on-site inspections of your operations to ensure compliance with all applicable laws.

We recognize the need to manage your legal spend effectively and are thus offering a reduced-fee structure for a tailored plan and/or inspection based on the particular needs of your organization. Because we have put in the background work, clients will receive significant savings on the comprehensive work product our experts have invested. Please contact your Squire Patton Boggs lawyer or the contacts below to find out how we can help you navigate these issues.

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