

HR Insights

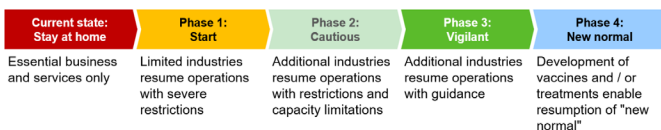
Governor Baker Announces New Requirements for Reopening Businesses

Governor Baker announced yesterday new requirements for reopening businesses in Massachusetts. The new requirements, which apply to all businesses open in Phase 1, are designed to reduce the risk of transmitting COVID-19 to employees and customers.

This issue of *HR Insights* provides an overview of the four-phase approach to reopening businesses in Massachusetts and discusses the new requirements for Phase 1. The information provided below is from televised briefings and the Mass.gov website.

Four-Phase Approach to Reopening Businesses

Before yesterday's announcement, Governor Baker and his administration laid out a four-phase approach to reopening businesses. The following diagram from the Mass.gov website shows the four phases, the goal of which is to methodically allow businesses to reopen in a way that avoids a resurgence of COVID-19 cases.



The phases for reopening will be managed as follows:

- Each phase will last a minimum of three weeks
- If health data being tracked starts trending negative, certain industries, regions, and/or the entire State may have to return to an earlier phase
- The State plans to partner with industries to develop sector specific protocols in advance of future phases (e.g., protocols for restaurants would be developed in advance of Phase 2)

New Requirements for Phase 1

To reopen in Phase 1, all businesses must meet the following requirements before reopening.

- Comply with the new Mandatory Workplace Safety Standards
- Develop a written control plan outlining how their business will comply with the new Mandatory Safety Standards
- After developing the written control plan, complete, sign, and display the Compliance Attestation Poster where it can be seen by employees and visitors

Businesses currently open to provide essential services have until May 25th to comply.

Mandatory Workplace Safety Standards

The Mandatory Workplace Safety Standards were developed by the Department of Public Health (DPH) and the COVID-19 Command Center in consultation with the Reopening Advisory Board. They were released yesterday in advance of Phase 1 to give businesses time to plan and prepare for reopening.

The new Mandatory Workplace Safety Standards include the following:

- Social distancing
- Hygiene protocols
- Staffing and operations requirements
- Cleaning and disinfecting requirements

At a later point, sector-specific safety protocols and best practices will be added to the above.

Social Distancing

To meet the social distancing requirements, all businesses must:

- Require everyone, including employees, customers, and vendors, to remain at least six feet apart to the greatest extent possible, both inside and outside the workplace

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- Establish protocols that ensure employees can practice adequate social distancing
- Provide signage for safe social distancing
- Require face coverings or masks for all employees

Hygiene Protocols

To meet the hygiene protocols, all businesses must ensure:

- Everyone in the workplace (i.e., employees and visitors) has access to wash their hands
- Employees are frequently washing their hands and have sufficient supplies to do so
- High touch areas, such as workstations, equipment, screens, doorknobs, and restrooms throughout the workplace are regularly sanitized

Staffing and Operations Requirements

To satisfy the staffing and operations requirements, businesses must:

- Train employees on social distancing and hygiene protocols
- Not allow employees with COVID-19 symptoms to report to work
- Create a plan for employees who get Covid-19 at work, and a return-to-work plan

Cleaning and Disinfecting Requirements

To satisfy the cleaning and disinfecting requirements, businesses must:

- Set and maintain cleaning protocols specific to the business
- Clean and disinfect the workplace when an active employee is diagnosed with COVID19
- Disinfect all common surfaces in the workplace at appropriate intervals

Control Plan

As stated above, all businesses open in Phase 1 must develop a written control plan outlining how their business will comply with the new Mandatory Safety Standards. To help businesses meet this requirement,

the state has provided a template that can be completed. To access the template, visit the Mass.gov website at: <https://www.mass.gov/doc/covid-19-reopening-control-plan-template/download>.

Businesses are required to self-certify that they have completed a written control plan. Use of the template will satisfy the written control plan requirement for self-certification. Businesses are not required to submit control plans for approval. However, businesses must keep the control plan at the workplace and make available for inspections or outbreaks.

Massachusetts requires all individual businesses to create a control plan even if the business is part of a larger corporation.

Compliance Attestation Poster

After developing a written control plan, a customer facing business must print, sign, and post the Compliance Attestation Poster where it can be seen by employees and visitors. To access the poster, which is basically a checklist, visit the Mass.gov website at: <https://www.mass.gov/doc/compliance-attestation/download>.

Employer and Worker Posters

The state also provides employer and worker posters that businesses can print and post. The posters describe the rules for maintaining social distancing, hygiene protocols, and cleaning and disinfecting. Both posters are available on the Mass.gov website at: <https://www.mass.gov/info-details/reopening-massachusetts>.

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