
Returning to Work: HR Review for the Next Steps

With

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Moderator: **Carol Chandler** – Partner – Stoneman, Chandler & Miller LLP



Meet Our Panelists



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VP HR Services
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Diana Hasan

Director of Human Resources
C.E. Floyd Company, Inc.
Chair of ABC's HR Committee



Moderator

Carol Chandler

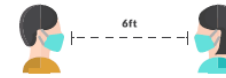
Partner
Stoneman, Chandler & Miller LLP
ABC's Labor and Employment Counsel

WHAT DO YOU NEED TO DO?

- ▶ Review Industry-Specific Protocols & Procedures
- ▶ Complete the COVID-19 Control Plan
- ▶ Complete and post the Attestation Checklist
- ▶ Post Employer and Worker Posters
- ▶ Communication Plan

Please know that we take our responsibility to keep Massachusetts safe very seriously. Be assured we have taken the following steps to comply with state mandatory safety standards for workplaces:

☐ Workers are wearing face coverings and we've put social distancing measures in place



☐ We provide hand washing capabilities and we are regularly sanitizing high-touch areas



☐ Our staff has received training regarding social distancing and hygiene protocols



☐ We have established thorough cleaning and disinfecting protocols



We ask you to do your part as well by wearing your face mask and maintaining social distance. Thanks—and we hope to see you again soon.

Signature

MP

SAFETY CHECKLIST (MA)



A. ENFORCEMENT AND OVERSIGHT

- ☐ A site-specific COVID-19 Officer (who may also be the Health and Safety Officer) shall be designated for every site except as provided below for construction and remodeling in 1-3 family residences
- ☐ Except as provided below for construction and remodeling in 1-3 family residences, the Contractor's site-specific project COVID-19 Officer shall submit a written daily report to the Owner's Representative. The COVID-19 Officer shall certify that the contractor and all subcontractors are in full compliance with sections B to D, inclusive (the "COVID-19 Construction Safety Guidance")
- ☐ For large, complicated construction projects a city or town may additionally require the Owner to develop and submit a site-specific risk analysis and enhanced COVID-19 safety plan, which may include additional requirements to address risks specific to the project or type of project. The city or town shall review and approve such plan and may require such projects to pause construction until such a risk analysis and plan is submitted and approved. Once such an enhanced COVID-19 safety plan is approved, a violation of the plan shall be treated the same as a violation of the COVID-19 Construction Safety Guidance
- ☐ For all projects undertaken, managed or funded by a state agency or authority there shall be joint enforcement responsibility between the project's public Owner and the city or town where the project is located. The Owner of a public project has the lead responsibility for compliance and enforcement including frequent on-site inspections by an employee or contractor of the state agency or authority who is familiar with the COVID-19 Construction Safety Guidance and is authorized to enforce that guidance and shut down work at the site if violations are found. The Owner of the project is required to notify the municipality where the work is taking place whenever a site is shut down or of any violations of the COVID-19 Construction Safety Guidance and the resulting corrective action plan, as well as to provide copies of the COVID-19 Officer's written daily reports upon request. While the public Owner has the lead responsibility for enforcement, cities and towns retain the authority to take enforcement action against public projects found not in compliance with the COVID-19 Construction Safety Guidance, including the authority to order the project to shut down until a corrective action plan is developed, approved and implemented
- ☐ Cities and towns are authorized to enforce the COVID-19 Construction Safety Guidance using their public health staff, building inspectors or any other appropriate official or contractor
- ☐ Cities and towns may enforce the safety and distance protocols including, if multiple violations are found, requiring the Owner and / or Contractor to safely secure the site and pause construction activities until a corrective action plan is prepared, submitted and approved by the city or town
- ☐ The city or town may require the Owner of a large, complicated private project to pay for an independent, third party inspector or inspection firm (or to pay into a pool to pay for such inspections). The third party inspector shall be accountable solely to the city or town and shall be responsible for enforcement on behalf of the city or town. A city or town may require private projects to pause construction until such a third-party inspector has been secured

SAFETY CHECKLIST (MA)



B. EMPLOYEE HEALTH PROTECTION

ZERO TOLERANCE FOR SICK WORKERS REPORTING TO WORK. IF YOU ARE SICK, STAY HOME! IF YOU FEEL SICK, GO HOME! IF YOU SEE SOMEONE SICK, SEND THEM HOME!

- ☐ If you are exhibiting any of the symptoms below, you are to report this to your supervisor (via phone, text or email) right away, and head home from the job site or stay home if already there
- ☐ If you notice a co-worker showing signs or complaining about such symptoms, he or she should be directed to their supervisor (via phone, text or email) and asked to leave the project site immediately

COVID-19 Typical Symptoms include fever, cough, shortness of breath and sore throat

Self-certify prior to shift

Prior to starting a shift, each employee will self-certify to their supervisor that they:

- ☐ Have no signs of a fever or a measured temperature above 100.3 degrees or greater, a cough or trouble breathing within the past 24 hours
- ☐ Have not had "close contact" with an individual diagnosed with COVID-19. "Close contact" means living in the same household as a person who has tested positive for COVID-19, caring for a person who has tested positive for COVID-19, being within 6 feet of a person who has tested positive for COVID-19 for about 15 minutes, or coming in direct contact with secretions (e.g., sharing utensils, being coughed on) from a person who has tested positive for COVID-19, while that person was symptomatic
- ☐ Have not been asked to self-isolate or quarantine by their doctor or a local public health official
- ☐ Employees exhibiting symptoms or unable to self-certify should be directed to leave the work site and seek medical attention and applicable testing by their health care provider. They are not to return to the work site until cleared by a medical professional

SAFETY CHECKLIST (MA)



B. EMPLOYEE HEALTH PROTECTION

A General On-the-Job Guidance to Prevent Exposure & Limit the Transmission of the Virus

- ☐ No handshaking
- ☐ Wash hands often with soap for at least 20 seconds or use an alcohol-based hand sanitizer with at least 60% ethanol or 70% isopropanol
- ☐ Contractor and State Agency Field Offices are locked down to all but authorized personnel
- ☐ Each jobsite should develop cleaning and decontamination procedures that are posted and shared. These Procedures must cover all areas including trailers, gates, equipment, vehicles, etc. and shall be posted at all entry points to the sites, and throughout the project site
- ☐ A "No Congregation" policy is in effect, individuals must implement social distancing by maintaining a minimum distance of 6-feet from other individuals
- ☐ Avoid face to face meetings – critical situations requiring in-person discussion must follow social distancing
- ☐ Conduct all meetings via conference calls, if possible. Do not convene meetings of more than 10 people. Recommend use of cell phones, texting, web meeting sites and conference calls for project discussion
- ☐ All individual work crew meetings / tailgate talks should be held outside and follow social distancing
- ☐ Please keep all crews a minimum of 6 feet apart at all times to eliminate the potential of cross contamination
- ☐ At each job briefing / tool box talk, employees are asked if they are experiencing any symptoms, and are sent home if they are
- ☐ Each jobsite should have laminated COVID-19 safety guidelines and handwashing instructions
- ☐ All restroom facilities / porta-potties should be cleaned and handwashing stations must be provided with soap, hand sanitizer and paper towels
- ☐ All surfaces should be regularly cleaned, including surfaces, door handles, laptops, etc.
- ☐ All common areas and meeting areas are to be regularly cleaned and disinfected at least once a day but preferably twice a day
- ☐ Be sure to use your own water bottle, and do not share
- ☐ To avoid external contamination, we recommend everyone bring food from home
- ☐ Please maintain Social Distancing separation during breaks and lunch
- ☐ Cover coughing or sneezing with a tissue, then throw the tissue in the trash and wash hands, if no tissue is available then cough into your elbow
- ☐ Avoid touching eyes, nose, and mouth with your hands
- ☐ To avoid sharing germs, please clean up after Yourself. DO NOT make others responsible for moving, unpacking and packing up your personal belongings
- ☐ If you or a family member is feeling ill, stay home!

SAFETY CHECKLIST (MA)

Work Site Risk Prevention Practices

- ☐ At the start of each shift, confirm with all employees that they are healthy
- ☐ We will have a 100% glove policy from today going forward. All construction workers will be required to wear cut-resistant gloves or the equivalent
- ☐ Use of eye protection (safety goggles / face shields) is recommended
- ☐ In work conditions where required social distancing is impossible to achieve affected employees shall be supplied PPE including as appropriate a standard face mask, gloves, and eye protection
- ☐ All employees should drive to work site / parking area in a single occupant vehicle. Contractors / State staff should not ride together in the same vehicle
- ☐ When entering a machine or vehicle which you are not sure you were the last person to enter, make sure that you wipe down the interior and door handles with disinfectant prior to entry
- ☐ In instances where it is possible, workers should maintain separation of 6 feet from each other per CDC guidelines
- ☐ Multi person activities will be limited where feasible (two person lifting activities)
- ☐ Large gathering places on the site such as shacks and break areas will be eliminated and instead small break areas will be used with seating limited to ensure social distancing
- ☐ Contact the cleaning person for your office trailer or office space and ensure they have proper COVID- 19 sanitation processes. Increase their cleaning visits to daily
- ☐ Clean all high contact surfaces a minimum of twice a day in order to minimize the spread of germs in areas that people touch frequently. This includes but is not limited to desks, laptops and vehicles

Wash Stations

- ☐ All site-specific projects with outside construction sites without ready access to an indoor bathroom MUST install Wash Stations.
- ☐ Install hand wash stations with hot water, if possible, and soap at fire hydrants or other water sources to be used for frequent handwashing for all onsite employees
- ☐ All onsite workers must help to maintain and keep stations clean
- ☐ If a worker notices soap or towels are running low or out, immediately notify supervisors
- ☐ Garbage barrels will be placed next to the hand wash station for disposal of tissues / towels
- ☐ Do all you can to maintain your good health by: getting adequate sleep; eating a balanced, healthy diet; avoid alcohol; and consume plenty of fluids
- ☐ Please Note: This document is not intended to replace any formalized procedures currently in place with the General Contractor
- ☐ Where these guidance does not meet or exceed the standards put forth by the General Contractor, everyone shall abide by the most stringent procedure available
- ☐ A site-specific COVID-19 Officer (who may also be the Health and Safety Officer) shall be designated for every site
- ☐ The Contractor's site specific project COVID-19 Officer shall submit a written daily report to the Owner's Representative. The COVID-19 Officer shall certify that the contractor and all subcontractors are in full compliance with these guidelines

SAFETY CHECKLIST (MA)

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- ☐ Where these guidance does not meet or exceed the standards put forth by the General Contractor, everyone shall abide by the most stringent procedure available
- ☐ A site-specific COVID-19 Officer (who may also be the Health and Safety Officer) shall be designated for every site
- ☐ The Contractor's site specific project COVID-19 Officer shall submit a written daily report to the Owner's Representative. The COVID-19 Officer shall certify that the contractor and all subcontractors are in full compliance with these guidelines

SAFETY CHECKLIST (MA)



B. EMPLOYEE HEALTH PROTECTION

- ☐ Any issue of non-compliance with these guidelines shall be a basis for the suspension of work. The contractor will be required to submit a corrective action plan detailing each issue of non-conformance and a plan to rectify the issue(s). The contractor will not be allowed to resume work until the plan is approved by the Owner. Any additional issues of non-conformance may be subject to action against the contractor's prequalification and certification status

Limiting Exposures

- ☐ Workers should follow the General On-the-Job Guidance to Prevent Exposure & Limit the Transmission of the Virus of the COVID-19 Employee Health, protection, guidance and prevention guide
- ☐ In addition, Contractors should advise workers of best practice to limit exposures off the construction site
- ☐ When leaving a construction site for breaks, lunch, or other reasons are required to wash hands with soap for at least 20 seconds or use an alcohol-based hand sanitizer with at least 60% ethanol or 70% isopropanol before leaving the site and must maintain social distancing and wear face coverings if traveling to other locations off the construction site. Frequent use of handwashing or alcohol-based hand sanitizers should be encouraged and handwashing facilities and / or alcohol-based hand sanitizers should be made readily available at work sites



C. CONSTRUCTION AND REMODELING IN 1-3 FAMILY RESIDENCES

- ☐ For construction and remodeling work in 1-3 family residential constructions, section B shall be modified as follows:
- ☐ The contractor does not need to designate a site-specific COVID-19 Officer (who may also be the Health and Safety Officer) for every site if there are 5 or less workers at the site at any given time. Instead, the contractor may designate a COVID-19 Officer for all such small sites in a given city or town who shall be in daily contact with each of the sites to ensure that the contractor and all subcontractors are in full compliance with this safety guidance. This COVID-19 safety officer shall prepare a written daily report covering all the small sites in each city or town and make a copy of that report available to a municipal official and / or the owner of the residence upon request
- ☐ If the project has restroom facilities / porta-potties they must be cleaned and handwashing stations must be provided with soap, hand sanitizer and paper towels. For outside construction sites without ready access to an indoor bathroom, the contractors must either install Wash Stations with hot water, if possible, and soap at fire hydrants or other water sources to be used for frequent handwashing for all onsite employees or provide each employee and subcontractor with a sufficient quantity of hand sanitizer to allow for frequent handwashing

SAFETY CHECKLIST (MA)



D. WORKER INFECTION PROTOCOL

- ☐ As stated above, there is a zero tolerance for sick workers reporting to work. Employees should be instructed that even those with mild symptoms of respiratory infection (cough, shortness of breath, sore throat) or fever should stay off work. Contractors shall take immediate steps to limit infections at the job site in the event that a worker discovered to have tested positive for COVID-19 or has COVID-19 related symptoms
 - ☐ Although it is understood that contractors are enforcing Work Site Risk Prevention Practices including social distancing rules and use of PPE, consistent with guidelines it is also recognized that there may be occasions where someone who has tested positive for COVID-19 or who has COVID-19 symptoms has been present in a work area
 - ☐ Prompt identification and isolation of potentially infectious individuals is a critical step in protecting workers, vendors, visitors, and others at a worksite
- Identification of Exposure**
- ☐ The Contractor shall direct workers with COVID-19 related symptoms to leave the jobsite immediately and contact their healthcare provider. The Massachusetts Department of Health (DPH) or a local board of health will make appropriate notifications to those who had direct prolonged contact with the COVID-19 positive workers
 - ☐ The Contractor shall work with the local board of health to identify any potential job site exposures, including:
 - Other workers, vendors, inspectors, or visitors to the work site with close contact to the individual
 - Work areas such as supply cabinets and designated work stations or rooms
 - Work tools and equipment
 - Common areas such as break rooms and tables, vending machines, and sanitary facilities
- Notification and Quarantine Requirements**
- ☐ As provided by law, the identity of the worker must be kept confidential
 - ☐ Upon learning of an infection, the contractor must immediately notify the designated COVID-19 safety officer, the site safety officer, and the owner

SAFETY CHECKLIST (MA)



d. WORKER INFECTION PROTOCOL

Sanitation Requirements

- ☐ After a worker with COVID-19 related symptoms has been asked to leave the job site, the contractor shall take immediate steps to sanitize common areas and direct work places. This includes all on-site bathrooms facilities, any break facilities, and any other common areas on the job site that may have been in close contact with the infected worker
- ☐ Sanitation will be conducted with personnel, equipment, and material approved for COVID-19 sanitization
- ☐ Identified areas should remain isolated from workers until sanitation process has been completed and area is deemed safe for use

Returning to Work

- ☐ All impacted workers should follow CDC and DPH recommended steps concerning return to work. Workers who are considered close contacts to a COVID-19 case by public health authorities should not return for 14 days and are subject quarantine by public health.
- ☐ Workers who leave during the work day due to COVID-19 symptoms and develop COVID-19 as confirmed by laboratory testing or diagnosis by a healthcare provider shall not return to the site until either released from isolation by healthcare provider or public health official

In All Cases

- ☐ Keep all employee names confidential as required by law
- ☐ Other employees may be sent home while a workspace is being cleaned but will return to work after cleaning unless advised otherwise by a health care provider
- ☐ Other employees should be asked to contact their health provider if they have any questions
- ☐ Remind other employees to continue to practice proper sanitation and monitor for flu like symptoms

We are in this together

Most importantly, in this time of crisis, keep yourself, your family and your community safe. We are in this together. Please feel free to reach out with any questions that you have.



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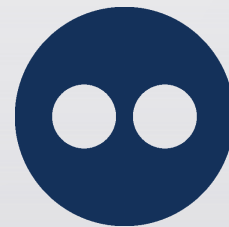
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Thank you for joining us.

If you have any remaining questions, please send your inquiry to questions@abcma.org and we will respond to you as soon as we can.

Get online with us:

www.abcma.org



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