

# HR Insights

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## 8 Policies to Review Before Returning to Work

Returning to in-person work is a top priority for many workplaces. As the impact of the COVID-19 pandemic lessens, employers are eager to get employees back in their buildings. But that comes with a series of complications.

The most significant complication is the fact that every workplace decision in the immediate future will be viewed through COVID-19-colored glasses. In other words, while the pandemic may be getting under control, it's still top of mind for many people. Knowing this, employers will need to balance policies against health concerns. This means potentially updating preexisting policies or adding new ones to conform to the current reality where employees are still dealing with the lingering effects of the COVID-19 pandemic (e.g., greater dependent responsibilities, health conditions, financial disruptions, etc.).

To assist this effort, this article outlines eight workplace policies that employers may consider revisiting prior to reopening their businesses for in-person work. Reevaluating policies now can help better transition employees back into the workplace later.

Note, this is a general information article. The law is constantly evolving, and government guidance will continue to affect all these policies moving forward. Employers should contact legal counsel when amending or drafting any workplace policy.

### 1. Return-to-Work Policy

Some workplaces have stand-alone return-to-work policies that apply to employees temporarily unable

to do their jobs due to injury or illness. These policies typically outline how an employee may still contribute to the organization while ill or injured. In other cases, return-to-work policies refer to the specifics of transitioning employees back to their regular positions or alternative arrangements. In the wake of the COVID-19 pandemic, employers may consider revising return-to-work policies to include individuals who are unwilling or unable to return to in-person work due to COVID-19 fears.

### 2. Travel Policy

Some workplaces require travel for certain positions. During a pandemic, this can make travelers wary. That's why some employers have adapted their travel policies to limit nonessential travel and specifying precautions that employees should observe while traveling. These policies often include COVID-19 tests, self-quarantining or other measures to ensure the safety of traveling employees.

### 3. Remote Work Policy

Remote work policies may have been a fringe consideration just a few years ago, but now they're nearly everywhere. And, during the COVID-19 pandemic, they have been invaluable. That's why employees and employers alike are looking for ways to retain these arrangements. To that end, employers may want to explore how they can adapt their current remote work policies to accommodate employees even after the COVID-19 pandemic ends. Remote work policies typically specify how

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employees may request remote arrangements and outline the steps in the approval process. Policies may also be adapted to cover hybrid work situations, where employees work some in-person hours and some remote-working hours. Employers interested in such arrangements may consider ways to balance scheduling flexibility with adequate staffing coverage.

#### 4. Paid Time Off Policy

Paid time off (PTO) is one of the most popular employee benefits offerings. Sometimes employees need to take time away from work for personal obligations or to simply recharge. PTO is sometimes separate from vacation time, with different restrictions as to when it may be used. For that reason, employers may choose to adapt their PTO policies to reflect the realities of the COVID-19 pandemic; this may include expanding applicable reasons to request PTO, changing how PTO is accrued or adjusting how much PTO may be used within a certain period.

#### 5. Vacation Policy

After a year of being cooped up at home, employees may be yearning for vacations. However, if everyone decides to take off at once, that could be crippling to a business. For that reason, employers may wish to review their vacation policies (if separate from PTO policies) to ensure adequate operational coverage at all times.

#### 6. Sick Leave Policy

As with vacation time and PTO, sick leave is another way for employees to take time away from work if they need it. However, this type of leave is subject to specific state and federal employment laws. For instance, during the COVID-19 pandemic, some employees were afforded guaranteed time away from work under specific circumstances. That's why it's important for employers to review their sick leave policies to ensure compliance with applicable federal and state laws; this includes continuing to monitor official guidance as it's released.

#### 7. Mask Policy

Mask-wearing has been a contentious topic during the COVID-19 pandemic. With more employees getting vaccinated, some businesses aren't requiring that masks be

worn by anyone—staff or customers. Other establishments are taking the opposite approach, even among vaccinated individuals. Deciding whether to require masks will come down to individual workplaces, but each decision will likely involve the following considerations:

- Applicable state or federal laws
- Federal/expert recommendations (nonbinding)
- Employee attitudes
- Density of COVID-19 cases in the area
- Operational variables surrounding the organization

Additionally, employers with mask policies will need to consider to whom the policies apply (e.g., all staff and customers) and in which circumstances (e.g., when within 6 feet of another person).

#### 8. Workplace COVID-19 Safeguards Policy

During the height of the COVID-19 pandemic, many workplaces adopted policies specifically aimed at reducing the spread of COVID-19. These included enforcing social distancing requirements, spacing out workstations, cleaning shared areas frequently and limiting building capacities. Even as the pandemic winds down, some employers may wish to continue these policies to provide enhanced safety and peace of mind to employees. In addition, some workplaces are introducing COVID-19 vaccination policies.

#### Conclusion

Each workplace is unique and its policies should reflect that uniqueness. When it comes to return to work, employers will need to think about how to adjust protocols to best fit their own situations. This doesn't mean redrafting everything from scratch. Rather, employers should consider the current state of affairs (i.e., the COVID-19 factor) and adapt their policies accordingly.

Reach out to Johnson & Dugan for additional workplace guidance.