



COVID-19

# RETURN TO WORK CHECKLIST



## POSTING AND POLICIES

Have we reviewed the [CDC checklist](#)?

Have we posted the [FFCRA poster](#) and distributed it electronically to all remote workers?

Have we reviewed our hiring practices?

- Are we able to use remote interviewing techniques wherever possible?

Have we reviewed our company leave policies?

- Are our policies compliant with federal, state and local laws?
  - Are we compliant with the new FFCRA ([EPLS/EFML request forms](#), use of PTO during EFML) and any local leave laws?
  - Are any new policies we've implemented compliant with FMLA?
  - Are we in compliance with FLSA (salaried, exempt workers generally must be paid full salary for every workweek in which they perform any work)?
- Are we prepared to deal with employees who have personal concerns about coming to work, including considering reasonable accommodations under the ADA and protecting concerted activity rights under the NLRA?
- Are we considering expanding the use of paid leave to promote social distancing?
  - Have we thought about utilizing loans and tax credits to help fund these leaves, such as the potentially forgivable Paycheck Protection Program, Economic Injury Disaster Loan, Employee Retention Credit, \$455 FMLA paid leave tax credits, etc.?

Have we reviewed our remote work policies?

- What are required hours for a remote employee?
- What is our communications protocol?
- What equipment is necessary for employees to perform their jobs?
- What expenses do we reimburse with employees working remotely?
- Do we need to make adjustments to duties or expectations for certain jobs?
- Have we evaluated any potential FLSA issues for hourly workers (timekeeping, off-the-clock work, meal and rest breaks, overtime)?

Have we updated our business travel policies in light of state/local orders and new practices to keep the workplace safe?

Have we updated payroll practices to track tax credits under the [FFCRA](#) and the [Employee Retention Credit](#), as well as [Payroll Protection Program](#) loan forgiveness?

Have we carefully addressed how to protect confidentiality and protect against discrimination?

Have we communicated any new or revised policies to all employees?

## BENEFITS

Have medical, telemedicine, employee assistance plan (EAP), financial wellness, and other benefits been updated and shared with employees?

Have we arranged to collect additional deductions to recover any contributions owed by employees?

- Have we communicated this deduction to employees?

**If reinstating benefits:**

- Have we ensured what's allowable, especially if coverage lapsed for failure to pay premium or due to voluntarily dropping coverage when eligibility was not lost?

### COBRA

- If furloughed or reduced hour workers won't return to full time before eligibility is lost, have we determined whether benefits can be extended again or whether to transition to COBRA?
- If laid off workers were promised some COBRA premium contributions and will not be returning, have we ceased employer contributions at the appropriate time or have we planned to do so?



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