

# RE-OPENING: PLANNING & INSIGHTS

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ATTORNEYS AT LAW

# Meet Our Presenters & Moderator



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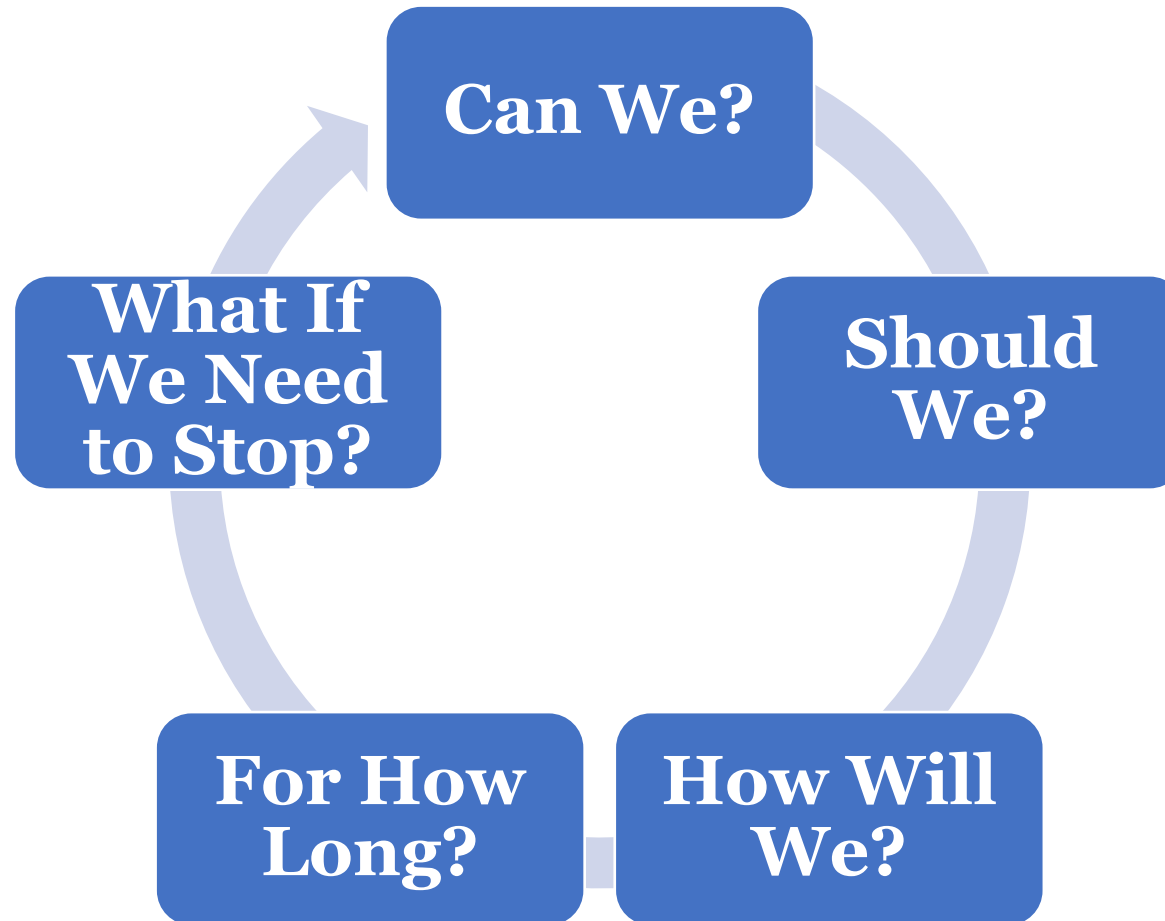
Questions? Type them in for the presenters for our Q&A Session

# Re-Opening the Common Areas



1. Re-Start Flowchart
2. Advisories and Orders
3. Best Practices & Insights
4. Specific Amenities

# The Re-start Flowchart



# Can We Open?

**Federal  
Guidelines  
(CDC)**

**State Orders  
& Advisories  
(Governor &  
DPH)**

**Municipal  
Government  
(Town Order  
& BOH)**

# Should We Open?

There are **RISKS**. Associations must act **REASONABLY** to ensure the **SAFETY** of their residents and employees. There are likely **INSURANCE** coverage **LIMITATIONS** and **EXCLUSIONS** for COVID-19 related claims. Agreements with the Association's **VENDORS & CONTRACTORS** may need to be re-visited.

# What to Know Before you Go... And Re-Open

What is the risk exposure?

How much will it cost?

Is it possible?

Do we have the staff/resources?

Is it reasonable?

Can it be done safely?

# If We Re-Open, How?

- ✓ Clear Signage & Communications
- ✓ Waivers/Acknowledgements
- ✓ Responsible & Enforceable Rules



# Examples of Responsible Rules

- Adopt Rules Consistent with Government Advisories & Local Industry Standards
- Prohibit Guests
- Prohibit Use by Individuals Who are COVID-Positive or Who Have Been Exposed to COVID-Positive Individuals
- Limit Occupancy
- Use Advance Registration
- Remove or Cover Common Furniture/Shared Equipment
- Designate Spacing
- Clean and Sanitize....and Clean and Sanitize again

# Rules Enforcement

- Who will **ENFORCE** it?
  - Third Party?
  - Employees?
  - Board?
  - Volunteers?
- What if there are **VIOLATIONS**?
  - Warnings?
  - Barring use of amenity?
  - Closing the amenity?

# Which Areas/Amenities

## Essential

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Elevators  
Lobbies  
Hallways  
Entrances  
Mailboxes

## Non-Essential (In and/Outdoor)

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Pools  
Gyms  
Courts  
Roof Decks  
Gardens  
Clubhouses  
Conference Rooms

# Construction

- What construction **ADVISORIES** exist in the Municipality?
- Does the contractor have a **COVID-19 SAFETY PLAN**?
- Is the construction **ESSENTIAL**?
- What impact may **IN-UNIT** construction have on home-bound residents?



# The Future

- Monitor progress of phased re-opening.
- Learn about updated guidance, standards and norms.
- Remember that phased re-opening could be slower, stop or retreat.

# Re-Opening Businesses



1. Business Requirements
2. Operations Assessment
3. Policies
4. Employees at Higher Risk
5. Preventing Illness in the Workplace

# Requirements for Re-Opening Businesses

1. Follow mandatory workplace **SAFETY STANDARDS**
2. Develop COVID-19 **CONTROL PLANS**
3. Print, sign and post **COMPLIANCE** attestation poster/self-certification
4. Display employer and worker **POSTERS**
5. Comply with applicable **INDUSTRY-SPECIFIC** rules

# Operations Assessment

- Allow remote work
- Devise staggered schedules
- Limit in-person meetings
- Close or limit lunchrooms, conference rooms and common spaces
- Enhance air filtration
- Reduce work travel
- Provide employees PPE
- Implement physical barriers
- Establish cleaning procedures
- Consider parking options available to expand employee transportation options.



# Plans & Policies

- Communicating plans to employees.
- Training to employees on COVID-19 plans.
- Evaluating time management (for wage and hour laws)
- Reviewing and updating your handbook policies on leave, hours of operation and work stations.
- Visitor/guest policies

# Employees at Higher Risk

- The CDC has identified certain conditions that put people at a higher risk for severe illness if COVID-19 is contracted.
- How should employers handle the “higher risk” employee?
- Handling Reasonable Accommodation Requests
- What if my employee will not show-up because they care for a person who is at high risk?

# Preventing Illness in the Workplace

- How do you ensure workers who are sick do not show up?
- Can and should we screen/test employees?
- Requiring employees to wear protective gear
- What if my employee will not wear PPE?

**Questions? Type them in.**

