



# Returning to the Workplace: A New Normal

Presented by:

Melinda M. Gau, Attorney  
Quinlivan & Hughes, P.A.

# MELINDA GAU



## **Favorite activity:**

Traveling

- First joined Quinlivan & Hughes law firm in 1994, and now serves as its CEO
- Graduated from St. Cloud State University (B.S. Finance) and University of Minnesota Law School
- Advises employers on everything from hiring and firing, to policies, accommodation and contracts
- Trainer and coach
- Workplace investigator
- Community advocate





# CDC RECOMMENDATION

## Must-have Safeguards

- Healthy hygiene practices
- Intensified cleaning, disinfection, and ventilation
- Social distancing
- Telework and cancellation of non-essential travel
- Restricted use of any shared items or spaces

## Monitoring Protocols

- Sick employees stay home
- Establish daily health checks
- Monitoring absences
- Action plan if employee tests positive
- Establish communication channels



# MN PREPAREDNESS PLAN

- Infection prevention measures
- Prompt identification and isolation of sick persons
- Engineering and administrative controls for social distancing
- Housekeeping, including cleaning, disinfecting and decontamination
- Communications and training for managers and workers necessary to implement the plan
- Provision of management and supervision necessary to ensure effective ongoing implementation of the plan



# LOGISTICS/PHYSICAL LOCATION

- Screening site
- Supplies
- Layout
- Shared workspaces and equipment
- Common areas
- Cleaning
- Travel
- Visiting customer or supplier location
- Visitors (including vendors and customers)
- Communication plan



# ADOPT GUIDELINES/MODIFY POLICIES

- Social Distancing/Hygiene
- Screening
- Sick leave
- Telework/flexible schedule
- Personal travel/activity
- Confirmed case plan
- Harassment





# WHO SHOULD RETURN FIRST?

- Needs of business
  - Productivity
  - Departments/teams
- Needs of employees
  - Children at home?
  - Health conditions?





# LEGAL CONSIDERATIONS

Keep medical information confidential, even with respect to medical testing.

Be mindful of the ADA when making decisions about who should return to work based on medical conditions.