

May 14, 2020

COVID-19 Rules For Reopening Offices In Connecticut

On May 8, Gov. Ned Lamont [released](#) sector rules for the anticipated May 20 reopening of several types of Connecticut businesses. The rules address various requirements that businesses must adhere to in order to reopen next week. Specific rules were released for several industries including restaurants, personal care/hair salons, museums and zoos, retail and malls, and offices. This advisory focuses on the specific rules for offices seeking to reopen on May 20 and should be applied in the context of other applicable federal laws, such as Occupational Safety and Health Administration rules on employee protection.

General guidelines

Any office intending to reopen on May 20 must self-certify that it complies with sector rules prior to opening. According to the Connecticut [online portal](#), the certification system came online on May 10. Offices unable to certify compliance with sector rules should delay reopening until they are able to fully comply. While adherence to the sector rules is critical to reopening, Lamont also notes that the rules are a minimum baseline of necessary precautions and businesses should take additional measures as may be indicated by industry guidance or common sense.

Offices allowed to reopen on May 20 will be limited to 50 percent capacity. Employees are still encouraged to work from home wherever possible, and those deciding or being asked to return to the office should be fully aware of the potential risks of returning. Employees over the age of 65 or with preexisting health conditions are strongly encouraged to remain at home.

Shared/common spaces

Businesses that are tenants should coordinate with building owners to ensure compliance with sector rules. Landlords are responsible for shared/common spaces used by tenants, and tenants are responsible for individual workspaces/offices.

Reopening your office

General

- Businesses reopening should share sector rules and individual policies with employees.
- Appoint a program administrator responsible for implementing sector rules.
- Minimize contact across employees by staggering start/stop and break times.
- Limit in-office visitors and on-site service providers.
- Ensure that shipping and deliveries are completed in designated areas.
- Post clear signage of new policies related to social distancing and staying home if employees are sick or experiencing symptoms, as well as information about the state hotline (211) for employees and customers to report potential violations of sector rules.
 - Employers cannot retaliate against employees for raising concerns about COVID-19-related safety and health conditions.

Training

- Employees should be trained on sector rules and reopening policies prior to returning to the office.
- Employees also should receive training on proper cleaning techniques and use of cleaning supplies.

- Training must be provided at no cost to employees and provided during working hours (i.e., employees must be paid for this training time). Materials must be provided in the employee's language and at his or her literacy level.

Cleaning

- Prior to reopening, complete a thorough office cleaning, including, without limitation:
 - Entrances/lobbies
 - Bathrooms
 - Kitchens/vending machines
 - Hallways
 - Doors (knobs, handles)
 - Computers/monitors
 - Desks
 - Chairs
 - Phones
 - Printers/scanners
 - Elevators
- After opening, continually and frequently clean the areas listed above.
- Employers must develop a cleaning checklist for offices that clearly indicates which employees are responsible for implementing the plan.
- Employers must follow federal guidelines (from the Centers for Disease Control and Prevention (CDC) and Environmental Protection Agency) on what products should be used and how.
- Post signage around the office that reinforces cleaning and disinfection policies.
- Continue to encourage employees to wash hands often and for at least 20 seconds.
- Frequently clean and disinfect bathrooms, and create a cleaning log to track bathroom cleanings. Increase the frequency of cleanings during high use.
- Ensure that cleaning and disinfectant products are available, especially near highly used areas such as bathrooms, shared equipment and coffee machines.
- If possible, hand sanitizer must be available at entrance points and in common areas.

Layout/structure

- For shared/common workspaces, rearrange space to ensure 6 feet of distance between employees.
 - If a 6-foot distance cannot be maintained, use partitions to separate employees.
 - Stagger desks to avoid employees sitting opposite each other.
 - Create discrete work zones and prevent movement between zones (e.g., restrict employees to a single floor or single part of the office).
 - Close spaces where employees congregate and nonessential spaces such as coatrooms.
 - Create social distancing markers to encourage and remind employees to maintain a distance of 6 feet between each other.
 - Increase ventilation rates and the amount of outdoor air circulating into the office system.

- Limit the use of shared equipment among employees, and ensure that any shared equipment is cleaned after each use.
- Where possible, install touchless devices such as paper towel and soap dispensers.
- Make doors no-touch, or have a door person during high-volume times.
- If your office has elevators, encourage users to practice social distancing while on and waiting for the elevator.
 - Visual markers 6 feet apart can aid in encouraging social distancing while employees are waiting for the elevator.
 - Use elevator attendants to discourage crowding and manage traffic.
 - Encourage use of the stairs.

Personal protective equipment

- Employers are required to provide personal protective equipment (PPE) for employees. If employers do not have adequate PPE, they cannot open. Prior to reopening, employers should estimate the required PPE for employees and begin procuring needed supplies.
- Employees are required to wear masks/face coverings that completely cover the employee's nose and mouth (unless the employee has a medical condition that prohibits use).
- Employees are allowed to wear their own masks/face coverings if they prefer them to those provided by the employer.
- Gloves and eye protection are required when employees are using cleaning chemicals.
- Masks/face coverings must be worn from the time an employee enters the building and while traversing through common areas, such as hallways or bathrooms. Masks/face coverings can be removed only if employees are working alone in segregated spaces, such as cubicles with walls or private offices. Employees working in congregate spaces must keep their masks/face coverings on. Continual mask/face covering use is not required in outdoor workspaces where employees do not typically come within 6 feet of another employee.
- Visitors/customers are required to wear masks/face coverings that completely cover the nose and mouth. If a visitor/customer does not have a mask/face covering, an employer may provide one or the visitor/customer is not allowed in the building.

Employee health

- Upon employees' return to the office, confirm that they have not experienced COVID-19 symptoms (on the basis of the CDC's defined criteria) in the past 14 days. Encourage employees to monitor for symptoms, such as cough, shortness of breath, etc. Employees are strongly encouraged to stay home if feeling sick.
- Employees testing positive for COVID-19 shall inform employers and follow state testing and contact tracing protocols.
- Employers must adhere to federal guidance related to paid leave for employees, including posting the Department of Labor's Families First Coronavirus Response Act poster in the office. The poster is available [here](#).

For more information, please visit the [CT Business Reopening and Recovery Center](#).

For more Day Pitney alerts and articles related to the impact of COVID-19, as well as information from other reliable sources, please visit our [COVID-19 Resource Center](#).

COVID-19 DISCLAIMER: As you are aware, as a result of the COVID-19 pandemic, things are changing quickly and the effect, enforceability and interpretation of laws may be affected by future events. The material set forth in this document is not an unequivocal statement of law, but instead represents our best interpretation of where things stand as of the date of first

publication. We have not attempted to address the potential impacts of all local, state and federal orders that may have been issued in response to the COVID-19 pandemic.

Authors



Daniel L. Schwartz
Partner

Stamford, CT | (203) 977-7536
New York, NY | (212) 297-5800
dlschwartz@daypitney.com

Glenn W. Dowd
Partner

Hartford, CT | (860) 275-0570
gwdowd@daypitney.com