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COVID-19 Reopening Checklist for Employers: Employee Health and Safety Planning

Employers are required to comply with federal and state safety and health standards. Employers also have a general duty under OSHA Section 5(a)(1) to provide employees with a workplace free from recognized hazards likely to cause death or serious physical harm. Similar duties arise under state statutes and common law with respect to both employees and third parties who may enter a workplace, such as customers and visitors. The application of these standards and best practices related to COVID-19 continue to be determined and evolve. The following considerations will help employers mitigate risks and effectively plan to promote the health and safety of their workforce and others.

Employers face difficult choices as they seek to resume or ramp up operations after partial or total shutdowns due to the COVID-19 pandemic. Their ability to reopen quickly may be impaired by issues ranging from the availability of personal protective equipment (PPE) to the difficulty of implementing reasonable precautionary measures. Practically, employers must plan for and manage health and safety risks and issues as they resume operations. This requires reviewing available information and guidance with the goal of creating a reasonable plan that actually can and will be followed. At the same time, because best practices and guidance will continue to evolve, any plan will require flexibility until a new “normal” emerges or risks and concerns diminish.

Our Checklist for Health and Safety Planning as Business Resumes can be found [here](#).

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