



Managing the Return to Work Process Following the Pandemic Lockdown

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During times of great uncertainty and change, it's natural to want a quick return to normal life. That's certainly true during the current pandemic. Few events have caused such rapid and pervasive adjustments to daily life as the stay-at-home orders instituted to mitigate the risk of spreading the coronavirus. We're all looking forward to being able to leave our homes again, to socialize and get back to the way things were just a few short months ago.

Unfortunately, it's not that easy. The Workplace Possibilities program here at The Standard has helped more than 15,000 people return to work since 2008 and, in that time, we've learned a lot about effective return to work (RTW) plans. Some of those lessons may be applicable to the coming reopening of American workplaces.

This is particularly important considering a recent survey showed that 73% of employers have no return to work strategies for reopening, even though some states are already loosening restrictions on businesses.¹

Successfully Returning to Work Requires Planning

Returning to work requires more than setting a date and time to come back into the office, although that's an important and, surprisingly, frequently overlooked element of RTW plans.^{2, 3}

A first step towards developing a return to work plan for after people are released from stay-at-home orders will be determining who needs to return to work and when. Nonessential jobs that are vital for a company's success *and* which require the employee to be physically present will likely be the priority, before jobs that can be completed remotely. Nonessential jobs that are not vital for the company's success may be eliminated or reduced, rather than being moved back to the office.⁴

Ideally, RTW planning starts as soon as an employee is out of the office and is a topic of dialogue between the employee and the employer throughout the duration of the leave. Unfortunately, that hasn't been true for most employees who've transitioned to telecommuting as a result of lockdowns. Uncertainty about the course of the pandemic has meant that companies don't have clear information to allow planning for bringing employees back into the office. It's never too late to start that communication, but it's essential that the RTW plan is developed, communicated and negotiated prior to the planned return to work date.

It is generally helpful to set an estimated return to work date as early in the process as possible, even though that may change, since doing so allows all parties to make the

¹ <https://www.businessinsurance.com/article/20200430/NEWS08/912334339/Most-companies-have-no-return-to-work-strategy-in-place-workers-compensation-Phi>; all references were accessed on 05/01/2020.

² <https://www.dol.gov/odep/return-to-work/>.

³ https://www.dir.ca.gov/chswc/Reports/2010/HandbookRTW_2010.pdf

⁴ https://www.businessgrouphealth.org/resources/return-to-work-amid-a-global-pandemic-considerations-and-challenges?utm_source=Act-On&utm_medium=email&utm_campaign=COVID19&utm_term=%5Cu2794&&utm_content=email&&.

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necessary arrangements on a timely basis. Workers with children whose schools may remain closed even after government orders are ended, as well as those with sick family members or other special circumstances, may need to make special arrangements before they can come back into an office.

It is also useful to develop formal, written return to work plans with clearly defined roles and responsibilities for each step in the process, including information for, at a minimum, the employee, their direct supervisor and the HR representative. Ideally, these plans will be created with input from employees and each employee will be provided a copy of their specific return to work plan as far in advance of the reopening as possible, even if in draft form.

This process also allows the employer to set reasonable expectations, since safety considerations for both employees and customers will generally dictate a slow, careful approach to reopening, even when government restrictions are lifted.^{5, 6} Clear and direct companywide communication about reopening plans should be shared by the executive leadership regularly throughout the process, especially as needed to reassure employees about their safety.

Review Essential Job Functions, Usual Duties, Work Hours and Work Environment

Return to work planning also requires clarity and agreement about the essential functions and usual duties of the employee, as well as work hours and work environment. These may have changed since the emergence of the coronavirus, particularly as employers implement procedures to allow social distancing and even protective gear in the office. Non-essential functions may be eliminated, and procedures associated with usual duties may have to be reengineered to reduce physical contact between employees. Work schedules may be altered to allow fewer employees in the office at any one time, including developing new collaborative approaches between employees working in the workplace with those working remotely.

Of course, companies will need to complete any necessary preparations prior to reopening, such as obtaining personal protective equipment needed for employees, setting up temperature checkpoints or reconfiguring the physical layout to facilitate social distancing.⁷ New procedures to minimize the risk of infection must be created, along with training for impacted employees.

Consider Employee Work Capacities, Including Any New Limitations and Restrictions

Identifying and addressing employee work capacities, limitations and restrictions is essential to this process, but may be overlooked in the current crisis because employers don't anticipate these to have changed during the lockdown. Obviously, people who were accommodated prior

⁵ <https://www.propertycasualty360.com/2020/05/04/managing-risk-as-businesses-reopen-after-covid-19/?kw=Managing%20risk%20as%20businesses%20reopen%20after%20COVID-19&utm>.

⁶ <https://www.businessinsurance.com/article/20200506/NEWS06/912334417/Failure-to-follow-guidance-may-lead-to-meatpacking-industry-liability-COVID-19-c?utm>.

⁷ <https://www.nytimes.com/2020/04/07/business/workplace-telecommuting-coronavirus.html?auth=link-dismiss-google1tap&smid=li-share>.

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to the lockdown will need to have those accommodations continued, but it seems probable that other employees may require new accommodations after the economy reopens.

There are at least three groups of employees who are likely to need new accommodations when they return to work after the lockdowns are eased:

1. Employees who have recovered from a COVID-19 infection but have lingering symptoms. Those could include breathing problems, heart problems, muscle atrophy or weakness, anxiety, depression and Post-Traumatic Stress Disorder.⁸ Employers will need to obtain information from treating providers about new limitations and restrictions for these workers.
2. Employees who were not infected, but who have other diagnoses that place them at high risk for COVID-19. People with pre-existing conditions such as lung conditions (including asthma), heart issues, severe obesity, diabetes, kidney disease requiring dialysis, liver disease and anyone who is immunocompromised or 65 and over may require accommodations to minimize the risk of infection.⁹ Rigorous safety measures, including protective gear, strict social distancing and even continued telecommuting may be necessary to accommodate these people.
 - This group also include those who are caregivers for vulnerable populations, including others with those conditions listed above and parents of young children.¹⁰
3. Employees who were not infected and are not at increased risk for infection, but who have developed other conditions during lockdown. The available evidence suggests that behavioral health conditions have increased substantially since the emergence of COVID-19.
 - Data on medication use indicate significant increases in prescriptions for anxiety, depression and sleep disturbances.¹¹
 - The federal Disaster Distress Helpline saw an 891% increase in March over 2019 levels,¹² and other mental health and suicide prevention hotlines have also reported dramatic increases in call volume.¹³
 - Alcohol sales increased 55% in March when compared to 2019, leading to concerns about potential increases in alcohol use disorders and drinking while working from home.¹⁴

⁸ <https://www.sciencemag.org/news/2020/04/survivors-severe-covid-19-beating-virus-just-beginning#>.

⁹ <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html>.

¹⁰ https://www.businessgrouphealth.org/resources/return-to-work-amid-a-global-pandemic-considerations-and-challenges?utm_source=Act-On&utm_medium=email&utm_campaign=COVID19&utm_term=%5Cu2794&&utm_content=email&&.

¹¹ <https://www.medscape.com/viewarticle/928901>.

¹² <https://www.cnn.com/2020/04/10/us/disaster-hotline-call-increase-wellness-trnd/index.html>.

¹³ <https://www.mdmag.com/conference-coverage/apa-2020/mental-health-crisis-hotline-use-spikes-during-covid19>.

¹⁴ <https://news.usc.edu/168549/covid-19-alcohol-sales-abuse-stress-relapse-usc-experts/>.

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- Although data are not yet available on the impact of the pandemic on drug abuse, past research has shown that social isolation is associated with higher rates of addiction and it appears likely that the restrictions on social gatherings which have forced self-help support groups to move online may have disrupted the sobriety of people in recovery.¹⁵

Although some of these employees may self-identify to their employers prior to returning to work, others may not realize they need new accommodations and some may avoid addressing this directly, whether because of denial, fear or shame. It is incumbent on employers to proactively recognize situations in which employees may be protected under the law and take action to assist them access the appropriate protections.¹⁶ Even if not legally required, employers may wish to consider accommodations that can facilitate employees' ability to return to work following the extraordinary events of recent months.¹⁷

As with any situation in which an employer has any reason to believe an employee may be dealing with a condition that limits or restricts their ability to complete essential job functions, a good place to start is with a simple question, such as, "Is there anything I can do to help?"¹⁸

Explore Accommodative Options, Select an Accommodation, Implement and Monitor

Once an employer is aware of a need for accommodation, the interactive process can guide the development and implementation of a return to work plan that will meet both the needs of the employee and the employer.^{19, 20} Information must be gathered to clarify limitations and restrictions and options for accommodation researched, with a dialogue between the parties to identify appropriate alternatives. An ADA compliance service or disability insurance provider can be an invaluable resource in this process, particularly in the identification of potential accommodations, since those vendors include experts and specialized resources for staying current on recent developments in accommodations and accommodative technology.

Once the employer has chosen an accommodation, it must be implemented as agreed by all parties and its impact must be monitored to verify that, with it, the employee is able to meet the essential functions of their job. Again, an ADA compliance service or disability insurance provider can help in those processes.

These steps are likely to be works in progress for the foreseeable future, as information about the coronavirus accumulates and additional prevention approaches and treatments are developed. Ongoing review of policies, procedures and accommodations will be required, and

¹⁵ <https://www.health.harvard.edu/blog/a-tale-of-two-epidemics-when-covid-19-and-opioid-addiction-collide-2020042019569>.

¹⁶ <https://www.dol.gov/odep/return-to-work/employer-law.htm#law>.

¹⁷ <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/managing-stress-anxiety.html#quarantine>.

¹⁸ <https://www.standard.com/employer/workplace-possibilities-program/human-side-when-it-especially-important>.

¹⁹ <https://www.eeoc.gov/policy/docs/accommodation.html>.

²⁰ <https://www.shrm.org/resourcesandtools/tools-and-samples/exreq/pages/details.aspx?erid=818>.

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changes are to be expected, especially if there are subsequent waves of infection or local hotspots.

On the Return to Work Date

Our experience has demonstrated that a clear return to work plan with enough detail to outline the roles and responsibilities of both the employee and the employer (especially the direct supervisor and the HR representative) is necessary, but not sufficient for a smooth return. When the employee physically returns to the workplace, it is important to have a contact person there to greet them, whether that's a coworker, their supervisor, a representative from HR or another appropriate person.

In addition to welcoming them back, the contact person should check in to verify that all details of the return to work plan are clearly understood and answer any questions the employee has. Training on new safety procedures, if not reviewed prior to the return, should be completed along with explanations of any changes made to the employee's essential job functions, usual duties, hours and environment. In some situations, a gradual return to work may be necessary, either to allow workers to learn new processes or to facilitate staggered work shifts for social distancing.

This process may be complicated if the company implemented layoffs, furloughs or downsizing during the stay-at-home orders. Emotions, such as anxiety, anger, fear or sadness, may run high and the management team must be prepared to address them directly and appropriately.

The Next Normal

In the absence of widespread testing, contact tracking, effective treatment and, hopefully, vaccination, life after the loosening of stay-at-home orders will not return to pre-pandemic "normal." Social distancing, face masks, temperature screening, and personal protective equipment are just the most visible evidence of our new world. Handshakes and casual hugs may be a thing of the past; large meetings may disappear; and teleconferences and telecommuting are certainly here to stay as a part of daily office life.

Both during and after reopening, companies are likely to benefit from providing help and support to their employees. Reminding workers of their employer-sponsored benefits, especially Employee Assistance Programs (EAPs) and wellness services, may help to mitigate the increased levels of stress everyone is dealing with today. Special services, such as resilience training, meditation classes, yoga sessions and so on, can help people cope optimally.^{21, 22, 23} Mental Health First Aid, designed to help nonprofessionals identify, assess and assist others in distress because of a mental health or substance use issue may help to get people the assistance they need before their problems worsen.²⁴

²¹ https://www.nationalwellness.org/page/resilience_thriving.

²² <https://www.mayoclinic.org/tests-procedures/meditation/in-depth/meditation/art-20045858>.

²³ <https://www.mayoclinic.org/healthy-lifestyle/stress-management/in-depth/yoga/art-20044733>.

²⁴ <https://www.mentalhealthfirstaid.org/>.

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But not all outcomes will be negative. As with any successful return to work, employers are probably going to realize some benefits:

- Employees who are helped to return to work after a disability leave are frequently more loyal and dedicated to the employer that helped them through their difficulties; we may see the same with workers who felt supported by their companies during the lockdown.
- There's some evidence that people have indeed felt that we are all in this together and social connections, including work relationships, may have solidified during this crisis. As we return to our offices, workers may also see their jobs in a more positive light, especially if the economic uncertainty continues and unemployment remains high.
- Changes that were implemented overnight to allow businesses to continue to function during the lockdown will remain in place, likely leading to decreased costs and increased productivity. As much as we like to claim that we've been living in an environment of fast-paced, relentless change for the past few decades, that pace may have just ramped up to previously unimaginable levels, particularly as the need for immediate solutions swept away inefficient processes and old prejudices. Remember a few months ago when many companies were still testing the waters for allowing workers to telecommute?²⁵

This, then, is both a challenge and an opportunity. Every business that survives will have proven itself nimble in the process; those that have actively helped their workforce return are likely to find themselves thriving.

²⁵ <https://www.theguardian.com/commentisfree/2020/apr/18/when-covid-19-has-done-with-us-what-will-be-the-new-normal>.