

Labor & Employment Alert
May 19, 2020

**Governor Baker Announces Four-Phase Approach to
Reopen the Massachusetts Economy**

*For a discussion of these and other legal issues, please visit our website at www.mhtl.com
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On Monday, May 18th, Governor Baker unveiled his four-phase approach to reopen the economy in Massachusetts, a summary of which can be found at <https://www.mass.gov/info-details/reopening-four-phase-approach>. Phase 1 of the plan began on May 18th allowing manufacturing and construction businesses to begin operations as well as worship services. More businesses will be permitted to open on May 25th, including lab and office spaces, barbershops and hair salons, pet grooming, car washes, curbside retail services, and certain recreation and outdoor activities.

Governor Baker's plan requires that all businesses create a written COVID-19 Control plan outlining how its workplace will prevent the spread of the virus before reopening. A template control plan may be found at <https://www.mass.gov/doc/covid-19-reopening-control-plan-template/download>. Businesses must then sign and post a compliance attestation poster acknowledging that they have a control plan in place. Additional posters regarding rules for social distancing, hygiene, cleaning, and disinfecting must also be posted in the workplace. Essential businesses that are already operating must comply with these requirements by May 25th.

The reopening plan contains mandatory safety standards for all workplaces including protocols for social distancing, hygiene, staffing and operations, and cleaning and disinfecting. In addition, the Commonwealth has issued sector-specific safety protocols which are mandatory for the businesses to which they apply.

In addition to complying with the Governor's reopening requirements, employers must also consider federal and state laws which will be implicated by return to work issues. In order to help guide employers through the return to work process, MHTL attorneys will be participating in two webinars on the topic of returning to work.

First, on **Thursday, May 21st from 1PM – 2PM**, Attorney Nan O'Neill will be a panelist in a webinar jointly hosted by the Quincy Chamber of Commerce and the Neponset River Regional Chamber. Nan will be joined by Norman Eng, Public Affairs Specialist of the Small Business Administration, and the webinar will be moderated by Margaret LaForest, Regional Director of the MA Office of Business Development.

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Please click here to register to attend this webinar. <https://thequincychamber.com/every-thursday-webinar/>

Additionally, MHTL will be hosting a webinar addressing return to work issues on **Tuesday, June 2nd from 10:30AM – 12:00PM**. The webinar will focus on practical and legal questions that employers will face when returning their employees to the workplace. Topics that may be addressed include Governor Baker’s four-phase reopening approach, guidance issued by the Equal Opportunity Employment Commission (EEOC) and the Occupational Safety and Health Administration (OSHA), issues related to unemployment compensation, and employee leaves under the Families First Coronavirus Response Act (FFCRA). Please click the link below to register for the MHTL webinar.

<https://attendeegotowebinar.com/register/1233348988084132364>

Federal and state guidance regarding return to work questions are being updated regularly. Our office will continue to provide you with updates as they become available. And we look forward to seeing you all on May 21st and June 2nd!

This Client Alert was prepared by Rachel Mills. This Alert was reviewed with Katherine Hesse, Nan O'Neill, and Andrew Waugh. If you have any questions about this issue, please contact Nan O'Neill, Rachel Mills, or the attorney responsible for your account, or call (617) 479-5000.

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