

State and local governments across the United States have established rules for retailers returning their workers to the workplace. Two of the most common (and most onerous) requirements concern establishing safety plans and training protocols. Compliance with these rules is difficult, especially for retailers that operate in more than one location, since the rules not only differ from state to state but also can vary across cities and municipalities within a particular state.



Safety Plans

The scope of required safety plans can be brief or extremely detailed. How they are communicated varies as well: Some plans must be posted at the workplace or online, some must be distributed to employees, and for others, retailers may need to affirm the creation and implementation of the plan.



Retail-Focused Training Protocols

Some training requirements are quite extensive, while others include only a few topics. Aside from ensuring compliance with applicable rules, retailers should consider the following questions:

- Should a retailer prepare one training program or different versions for certain groups of employees?**
 - » Should training programs vary depending on job function (e.g., customer-facing, warehousing, delivery, corporate)?
 - » Should the retailer create a global or nationwide training class for all employees, or simply comply with the applicable rules for each state, city, and/or municipality where a particular employee works?
 - » Should managers/supervisors receive enhanced training?
 - » Must (or should) temporary/seasonal employees, contractors, or vendors receive training?
 - » Should special training be provided to any employees tasked with conducting medical screening or enforcement of safety protocols (e.g., mask wearing or social distancing)?
- Where should training occur?**
 - » Only where training is required?
 - » In all locations, even where such training is not required?
- Should training be live or online?**
 - » If live, who should conduct the training?
 - » If online, how will time spent training be paid?
 - » Either way, how can we ensure the training complies with all applicable requirements in each jurisdiction?
 - » Should there be a “train the trainer” session?
- Should training be specific to our workplace, or generic?**
 - » How tailored and specific should the training be to ensure compliance?
- When should these trainings take place?**
 - » Before employees return to the workplace?
 - » Only once they have returned?
- How frequently should training be provided?**
 - » Only once upon reopening a worksite?
 - » Weekly? Monthly? Annually?
 - » When guidance is updated or rules change?



Topics for Retail-Focused Safety Plans and Training

The following are topics that some states, cities, and municipalities are requiring or recommending of retailers with respect to both their safety plans and their training protocols:

General Education

- » Background and description of COVID-19
- » Sources of potential exposure to COVID-19
- » Hazards associated with exposure to COVID-19
- » Common symptoms
- » Definition of “vulnerable” (or high-risk) populations
- » Information on pertinent leave policies and other protections, including applicable COVID-19 paid sick and family leave benefits

Personal Safety/Hygiene

- » Recommended or required hygiene practices to prevent the spread of COVID-19
 - Wash your hands, use hand sanitizer, and don't touch your face
 - Respiratory etiquette (e.g., cover mouth when coughing or sneezing)
- » How to wear face coverings or personal protective equipment (PPE), as appropriate
- » How to clean and/or discard PPE or other face coverings
- » Don't come to work if sick; leave work if symptoms develop
- » Development and communication of COVID-19 protocols for customers and how to enforce such protocols (including de-escalation procedures, when removal from premises is appropriate)
- » How to properly handle paper and coin money (e.g., placing cash on the counter rather than directly into customer's hand and vice versa)

Cleaning and Disinfecting

- » Basic cleaning and disinfecting best practices
- » Proper disinfection protocols following confirmed cases of COVID-19
- » How to clean and use cleaning products safely
- » Use of cleaning products that are EPA-approved
- » Establishment of retail-specific COVID-19 best practices for disinfecting public-facing areas, such as points of sale, as well as commonly touched services, such as credit card terminals, cash registers, pens, touch screens, keyboards, shopping carts, merchandise, employee equipment, tables, chairs, and door knobs, among others.

Social-Distancing Practices

- » Remaining six feet apart, where possible (e.g., at cash register or customer service queues)
- » Implementing other protocols, such as staggered shifts or flexible work hours
- » Modifying store hours, capacity limits (employee plus customers), or staffing levels to reduce crowding
- » Limiting timing of vendors/deliveries to ensure compliance with occupancy limits
- » Using social distance markers
- » Establishing elevator and other shared space (e.g., cafeteria, restroom) etiquette
- » Establishing fitting/dressing room protocols for social distancing and disinfecting
- » Setting discrete work zone limitations
- » Using and cleaning shared equipment (when use is necessary or unavoidable)
- » Limiting or modifying the use of nonessential amenities or services (e.g., sampling stations, fitting rooms, tester products, etc.)
- » Issuing travel guidance and recommendations

Workspace Alterations / Retail Practice Modifications

- » Changed workspace configurations (e.g., partitions at locations such as cash registers or customer service stations, rope-and-stanchion systems for queueing, reduced capacity, one-way directional traffic flow, location of posted signs detailing required practices)
- » Ventilation best practices (e.g., opening windows and doors, prohibiting use of demand-controlled ventilation systems, implementing other engineering/administrative controls)

- » Development or promotion of contactless retail practices, such as self-checkout, contactless payment options, curbside pick-up, delivery services, and online or telephone shopping services
- » Modification of service hours specifically for vulnerable or high-risk populations (e.g., senior hours)
- » Development of return and exchange COVID-19 safety protocols

Screening & Monitoring

- » What questions must be answered each day in order to gain access to the workplace?
- » Customer-specific COVID-19 safety screening protocol, if applicable
- » Vendor-specific safety protocol for product deliveries and stocking (consider off-peak times or after hours when possible)
- » Posting of safety protocols for customers
- » Recordkeeping rules regarding responses to screening inquiries
- » Screening methods, and who must be screened
- » What happens if someone is not allowed into the workplace based on screening?
- » How to self-monitor for symptoms before reporting to work and during the workday

Contact Tracing

- » Maintenance of appropriate logs
- » What to do with the information collected
- » How to report positive cases to the appropriate health department

Reporting

- » Where required or desired, designation of a workplace coordinator or program administrator for COVID-19-related issues
- » Implementation of methods for employees to express concerns or ideas to improve safety (e.g., creating a hotline or other forms of communication for employees to voice concerns)
- » Proper reporting/isolation procedures in case someone becomes ill at the workplace
- » What to do in case someone reports symptoms
- » What to do about concerns regarding violations of employer policies
- » Government agency contact information