



Re-Open Checklist

This checklist represents guidance from members and subject matter experts, and is intended to highlight key topics to consider as retailers seek to re-open operations. Your individual facts and circumstances will be unique, and we encourage you to work with your preferred legal and financial advisors to adapt this guidance to your specific situation. NOTE: Concepts to consider well in advance of re-opening are in [blue font](#) throughout this checklist.

EMPLOYMENT

The heart of returning to work is the workforce. The need to plan ahead is not limited to the initial transition back to work, but rather includes preparing for likely employee relations scenarios that will arise after returning to work. While some of these employee relations issues may be unique to COVID-19, others will not be novel, but how an employer needs to respond very well may be. Assessment of current policies and practices should be undertaken to ensure they meet the needs of the workforce and business during this transition back to work, along with the creation of new policies. In particular, development of a protocol to limit the spread of COVID-19 and how to respond if an employee contracts COVID-19 is essential. Likewise, employers should plan for how to respond to employees who are in vulnerable populations or are fearful of returning to work. Employers would also be well-served to assess factors competing with an employee's ability or interest in returning to work, such as child or elder care responsibilities or generous unemployment insurance benefits.

- [Appoint Return to Work Team](#): Consider HR, IT, facilities, health and safety team, office managers and senior management who can make company-wide decisions; identify new roles and responsibilities. If a COVID-19 “playbook” is created, revisit the document frequently to ensure that practices and protocols are updated based on changing conditions and guidance.
- [Determine Transition Plan](#): Consider whether to (i) reopen operations and get employees back to work as quickly as permitted under the applicable law, or (ii) implement a slow or phased approach. Develop a process to handle re-integration logistics. Recognize your approach may differ in different parts of the business.
- [Determine Which Shelter-in-Place Law and Orders Apply](#): Orders and Guidelines may have different requirements or restrictions on different parts of your business. Monitor and follow all applicable employee and customer safety directives. Provide employees with the tools to engage with law enforcement to the extent practices at the business are questioned.

- Identify Who Returns to Work and When: Consider timing issues (e.g., bringing back all employees, or staggering return to work dates), amount of notice to provide employees, and how many employees will be allowed in at once (including any applicable occupancy limits required by law). Determine if individual employees are safe to return to work by implementing screening measures (see below), and consider plans for “at-risk” employees. Evaluate whether any roles that have traditionally been performed in your facility can and should be performed remotely now.
- Workplace Policies and Other Practices; Training: Develop new or update existing policies and other practices, and consider how such policies or protocols will be communicated to employees, including formal training. Policies to consider include:
 - Paid time off from work (e.g., paid sick leave, paid time off, vacation, personal days, etc.).
 - Leaves of absence (e.g., family and medical leave [including for childcare during school and summer program closures], personal leave, etc.) and accommodation requests, including whether medical certification can be obtained.
 - Complaint procedure, including conducting remote investigations.
 - Whistleblower protections, with a particular emphasis on protocols for responding to employee complaints of violations of COVID-19 laws.
 - Expense reimbursement for PPE or other workplace equipment.
- Transition from Furlough: Prepare a communication plan for calling employees back to work. Review laws concerning recall and worker retention rights. Prepare strategy for securing onboarding paperwork, including I-9s, for employees who were laid off (especially in states where a furlough constitutes a termination). Create a plan for notifying local unemployment agency of furloughed employees who refuse to return to work.
- Determine How to Handle Refusal to Work and Requests for Accommodations: Consider issues around “at-risk” groups, accommodations due to logistical and other barriers to returning to the worksite, exceptions and processes for parents/caregivers when schools are closed or other caregivers are unavailable, etc. Plan for swift transition to Human Resources if an employee’s rationale for not wanting to return to work or requesting an accommodation warrants engagement in the interactive process.
- Establish Well-Defined Protocol for Dealing with Suspected and Confirmed Cases of COVID-19: What specific information is the employee required to disclose and to whom? With whom will the information be shared? Determine if there is any requirement to notify any government agencies, public authorities, or third parties. If

- possible, implement workforce contact tracing protocol to identify and inform individuals who have been in close contact with the affected employee, and ensure such protocol complies with privacy and disability discrimination laws. Plan ahead for the need to contact trace by limiting scope of employee contact through scheduling and limiting workspaces. Develop protocol for how long employees with suspected or confirmed cases of COVID-19, as well as the individuals in contact with those employees, must remain away from work. Consider how to respond if the contact is from a customer or a close contact of an employee.
- Consider Screening/Testing Measures: Consider different screening processes and protocols, including questionnaires, [self-certifications](#), temperature and other symptom checks, and virus and/or antibody testing, if available and legally permissible. See Health section below.
 - Determine Rules for Visitors, Vendors and Other Workers in the Workplace: Determine how or to what extent the above policies, practices, and protocols will be applicable to temporary workers, staffing agency workers, independent contractors, vendors, delivery workers, and other visitors when they are in the workplace. Create a plan & guidance for employee who must engage with visitors, including customers, who are not adhering to the required employer or state mandates.
 - Consider Potential Changes in Pay, Hours, Schedules, Duties, Wage/Hour. Consider how bonuses, incentive pay, or free benefits (such as a daily free meal) may implicate regular rate calculations, potentially impacting overtime, vacation, and sick time pay.
 - Assess Employee Benefits Offerings: Assess offerings to support employee physical and mental health. Explore remote Employee Assistance Programs.
 - Determine Which Workplace Safety Law and Orders Apply: Law may vary by business type and the law is likely to impose different requirements for masks and other PPE, social distancing protocols, and cleaning requirements, in addition to related notices. Include in your consideration the impact of social distancing requirements on shared employee spaces, such as the break room. See Health section below. Also, reference the latest on state PPE and social distancing requirements.
 - Evaluate Hiring Practices/Hiring Needs in Light of COVID-19: Evaluate the need to hire additional employees due to increased business needs or unavailability of current employee pool. Assess ability to conduct applicant screening and onboarding remotely. Develop recruiting checklist and interview guidelines that specific address avoiding questions about an applicant's health or health history to avoid the appearance of discriminatory practices.

Logistics/Operations

A returning workforce needs a place to return to and goods to sell. This section will highlight various key considerations to keep in mind as you seek a return to normal (or quasi-normal) operations for your distribution centers or warehouses, vineyards, production areas, tasting rooms, and supply chains.

- [Appoint Return to Work Team](#): Consider HR, IT, facilities, health and safety team, office managers and senior management who can make company-wide decisions; identify new roles and responsibilities. If a COVID-19 “playbook” is created, revisit the document frequently to ensure that practices and protocols are updated based on changing conditions.
- [Facilities: Deciding Which to Open](#)
 - [Economic Analysis](#): Pre-crisis performance vs. re-opening projections; also, cost of lease termination should a given location no longer prove viable post-COVID.
 - [Co-Tenancy Considerations](#): Have COVID-19 closures implicated one or more co-tenancy provisions in your portfolio? If so, have you taken any necessary steps to claim the relief provided under your lease(s)?
 - [Evaluate the Landlord/Tenant Relationship](#): Is this a multi-site Landlord with cross-default considerations? Is this a location where we did not pay (or short-paid) April or May rent? If so, has a strategy been devised to restore that relationship?
 - [Sublease / Assignment / Give Back / Repurposing Opportunities](#): Is this a site where it might make more sense to seek an alternative user or convert to a support use (e.g., ghost kitchen, BOPIS, curb-side delivery, or dark store)? Do you have rights in your lease to “give back” square footage and shrink your footprint?
 - [Retrofit](#): Do the costs of post-COVID retrofits (to meet new health and safety requirements - including social distancing) render a site no longer financially viable?
- [Facilities: Preparing for Opening](#)
 - For leased properties, work with your landlord and your local jurisdiction to obtain early access to the location to ready it for return-to-work (deep cleaning, retrofitting as necessary for new regulations, installation of new signage [see below], etc.).
 - Thoroughly inspect facilities for any damage or issues caused by vacancy including mechanical, air, and water systems.
 - Clean and prepare equipment for startup; install sneeze guards or other protective measures, as necessary and/or required.
 - Consider facility enhancements such as increased fresh air circulation, installing highest efficiency rated filter recommended or allowed by manufacturer.

- Identify which vendors and/or distribution centers are functioning, and the extent to which they may be delayed or limited in their operations. Establish contingency plan for vendor disruptions.
- Establish protocol for monitoring occupancy (metering) in compliance with any applicable laws.
- If applicable, establish procedure for use of elevators to avoid crowding (e.g., elevator attendants, queue management for waiting passengers, etc.).
- In multi-tenant situations, obtain clarity on *what* customer screening (e.g., temperature) may be required and *who* will perform it (landlord on behalf of all mall tenants, each individual tenant, etc.). Reference state guidelines on screening requirements.
- If customer screening is to occur within your facility, identify an appropriate location for such screening (such that privacy and social distancing protocols are respected).
- Signage
 - Familiarize yourself with new signage requirements & needs (occupancy, social distancing, customer flow, BOPIS, etc.).
 - Consider the public relations and health & safety (e.g., capacity) concerns related to any promotional signage you might otherwise normally employ.
 - Do you need to limit quantities of certain items or implement other anti-hoarding signage? Probably not, but something to consider.
- Supply Chain & Inventory
 - Assess supply needs and explore options for sourcing additional supplies required for business operations; assess how to best leverage existing relationships with vendors.
 - Create a plan for how you will source and distribute cleaning products and PPE, accounting for existing and/or future shortages. Establish a protocol to monitor this on a frequent basis as rules and health guidance ebb and flow with the prevalence of the virus.
 - If you have international operations, consider current challenges with respect to shipping certain products (such as PPE) across borders. You may have to modify your traditional supply chain routing.
 - Establish procedure for regularly disinfecting inventory and newly-received deliveries.
 - Establish protocols for handling and processing shipping and receipts (including disinfection).

- Evaluate current situation as it relates to ports of entry and trucking logistics for your product. Will this impact your ability to timely re-supply, both now and in the medium term? Keep an eye out for future legislation which might have the effect of requiring truck drivers to quarantine upon crossing state-lines, etc., thereby further disrupting the supply chain.
- Business Hours
 - Adjust hours of operation, as necessary, to support social distancing efforts by limiting traffic.
 - Ensure staff has sufficient time to rest, sanitize and restock inventory.
 - Consider offering seniors and other high-risk individuals exclusive early hours.
 - Consider increasing pickup hours to serve more online customers.
- Establish Protocol for Vendors & Non-Employees
 - Notify vendors of re-opening, and any revised protocol as it relates to business entry, deliveries, paperwork, etc.
 - Consider implementing measures to ensure vendor safety, including:
 - Disabling/suspending access (e.g., temporarily suspending all non-employee truck drivers from entering facilities, warehouses and manufacturing plants).
 - Transitioning to contactless signatures/e-signatures for deliveries.
 - Adjusting delivery windows to spread out deliveries.
 - Requesting that vendors accessing your location to direct their employees follow all social distancing guidelines and health directives issued by the applicable public authorities.
- Security Operations
 - Revise security protocol to conform to local & state health directives.
 - Consider announcements to remind customers of proper traffic flow and queuing protocols.
 - How might your anti-shoplifting procedures change in the COVID-19 era?
 - Consider employee training in safe de-escalation - both in the case of shoplifting as well as customer violation of health and safety rules.
- Promote "Contactless" Shopping Options
 - On-line shopping.
 - Contactless payment options (e.g., RFID credit and debit cards, Apple Pay, etc.).

- Self-checkout.
- Pickup and delivery services.
- Merchandise
 - Returns and Exchanges
 - Consider suspending or modifying return and exchange policies on retail items.
 - Establish procedures for processing, handling, and disinfecting returns and exchanges.
- Vineyards
 - Sanitation protocol
 - Hand washing stations
 - Equipment Cleaning before and after each use
 - Use of PPE especially masks
 - Review new OSHA Standards for compliance
- Production Area and Bottling
 - Sanitation protocol
 - Hand washing stations
 - Equipment Cleaning before and after each use
 - Use of PPE especially masks
 - Rework process for social distancing during bottling, production and harvest
- Marketing
 - Website and Social Media – Think about Consumer Confidence
 - Check Pictures for Social Distancing
 - Be mindful of messaging for a “Safe Experience”
 - Update hours and policies

Health Policy

A returning workforce needs appropriate health policies, practices, engineering controls, and protective equipment. Employer practices should be designed to discourage contagious employees and customers from entering, screen those who enter, and mitigate the effect of contagious individuals in the facility. This section will highlight various key health protections and safeguards to keep in mind as you seek a return to normal (or quasi-normal) operations for your facilities and supply chains.

Social Distancing

- Place signage in conspicuous locations throughout, particularly high-traffic areas such as entrances and exits, checkouts, restrooms, etc. Signage may include:
 - Asking invitees and employees not to enter if they are sick or have felt sick within the last 72 hours.
 - Encouraging invitees and employees to maintain six feet of distance at all times, per CDC guidelines.
 - Floor markers located six feet apart any place where invitees are likely to queue.
 - Entrance-exit or one-way only signs.
 - Recommended hygiene practices, how to stop the spread of germs.
 - CDC posters promoting frequent and thorough handwashing in all restrooms.
 - Requesting customers temporarily cease using reusable bags, or to bag their own purchases if they choose to use reusable bags, and to clean reusable bags
 - Information on pick-up/carryout/delivery options.
 - Temperature screening of customers through infrared thermometers or thermal scanners, with employees or third party contractors turning away employees with fevers.
- Consider programming audio messaging to frequently remind employees and customers to follow CDC guidance on hygiene and physical distancing.
- For high-traffic tasting rooms and tasting rooms with checkout counters that do not allow adequate distance between the customer and employee, consider installing Plexiglas “sneeze-guards.”
- Capacity limits have been considered; if implemented, distance markers are located outside of the building to allow for queuing while maintaining physical distance; employees can also be assigned to assist customers with waiting to enter.
- To the extent possible, stagger point-of-sale terminals and other workstations.

- Implement and encourage use of contactless payment options for employees and patrons, contactless signatures for deliveries. If contactless signature for deliveries is not possible, require employees to use own pen.
- Where possible, employee shifts and meal breaks have been staggered to avoid crowding.
- High-traffic areas have been widened to the extent facility configuration allows.

Face Masks and Personal Protective Equipment (PPE)

- Encourage or require employees and customers to wear approved facial coverings, gloves, and personal protective equipment (PPE) at all times, if possible.
 - Consider offering face masks and/or PPE to customers who enter without any.
- Determine whether employees will be permitted to use their own face masks and PPE, and on what terms and conditions, with special attention to potential use of filtering face-piece respirators (e.g. N95 or equivalent)
- Designate receptacles for discarded face masks PPE.

Cleaning / Sanitization

- Obtain cleaning products that are on the EPA's List N: Disinfectants for Use Against SARS-CoV-2.
- Cleaning "kits" including disinfectant wipes or sprays, disposable gloves, paper towels, masks, hand sanitizer and other cleaning supplies are readily accessible throughout, including point of sale terminals and other stations that will be cleaned periodically throughout the day.
- Implement a cleaning regime targets frequently touched surfaces and spaces, which are most likely to result in the transmission of communicable diseases:
 - General:
 - Door and drawer handles.
 - Light and other power switches (consider signage to keep lights on at all times, or utilizing exiting motion sensor capabilities).
 - Shared tools such as pricing guns, pallet jacks, tape guns, box cutters, etc.
 - Chairs, tables, and benches.
 - Shopping baskets
 - Refrigerators, microwave, vending machines, and other frequently touched objects and surfaces in employee breakroom.

- Time clocks
- Point of sale/checkout:
 - Cash register, including touch screens, keyboards, mouse.
 - PIN Pads (touch screen, keypad, and pen).
 - Checkout counter and/or conveyor belt.
 - Cabinet pulls.
 - Checkout dividers.
- Restrooms (consider temporarily closing some of the restrooms, if possible):
 - Door handles and flush levers.
 - Toilet bowl, toilet paper holder and sanitary napkins receptacles
 - Sinks and faucets.
 - Paper towel holders and/or air dryers.
 - Diaper-changing stations.
- Sales floor:
 - Fixtures with handles or pulls.
 - Any other identified "high-touch" surfaces.
- Hand sanitizer is available throughout for customers and employee use, including entrance(s), and checkouts.

Employee Training

- Social distancing guidelines and expectations.
- How to monitor personal health and body temperature at home.
- How to properly wear, remove, and dispose of face masks and PPE.
- Guidance on how to launder cloth face masks and uniforms.
- Cleaning protocol, including how to safely and effectively use cleaning supplies.