



Fast Casual & Dining: Returning to Normal Business Operations

As the stay-at-home orders issued by various jurisdictions around the country start to be lifted and your company begins the process of returning to the workplace, it is critical to take steps to reduce exposures to employees, vendors and your guests.

WHAT SHOULD YOUR ORGANIZATION BE CONSIDERING AND/OR PREPARING FOR IN ORDER TO GET BACK TO BUSINESS AS QUICKLY AS POSSIBLE?

As you work to reopen or return your business location to “normal,” we have developed some bullet points that may be helpful in this process.

Engineering controls

Engineering controls are designed to remove the hazard at the source, before it comes in contact with the worker. This method of control is preferable overall because the goal is to remove the hazard at the source.

Cleaning and sanitizing

- Follow protocols set forth by local and state health departments before resuming normal operations using EPA-approved disinfectants.
- Ensure food contact surfaces, dishware, utensils, food preparation surfaces and beverage equipment are properly washed, rinsed and sanitized.
- Disinfect surfaces commonly touched by employees or customers including door knobs, handles and counters, and continue disinfecting regularly as a best practice using EPA-approved disinfectants.
 - Please see Lockton’s dedicated document.

- Ensure sanitizing equipment is functioning properly and can acquire temperature.
- Clean and disinfect floors regularly as a best practice using EPA-approved disinfectants.
- Check to ensure water is reaching 100°F at hand-washing sinks.
- Ensure adequate supply of individual food prep hand tools and utensils in order to limit sharing.

Physical barriers

- Install plexiglass barriers between front of house staff and customers. Sanitize after coughing or sneezing.
- Consider touch-free payment methods.
- Remove or rearrange chairs and tables, or add partitions to tables, in dining areas.

Administrative controls

Administrative controls are frequently used along with existing processes where hazards are not particularly well controlled. This method for protecting workers is less effective than engineering controls as it requires significant effort by the affected workers.

Screening

- Verbal or written questionnaire for each employee.
- Temperature checks.
 - Note: The EEOC’s Pandemic Preparedness Memorandum, states that a company may take the temperatures of its employees (and visitors) before they enter the workplace.
- Notify those entering of temperature screenings in advance of the purpose to solely protect employees, and not to determine any other diagnosis, illness, impairment or disability.
 - Note: Temperature or symptom screening is not recommended as the sole method of workplace prevention.
- A qualified individual on staff or qualified third-party healthcare provider should conduct the screening.
- Screener must wear protective gear (e.g. face shield, gloves, gown), and preferably a non-contact thermometer.

Employee safety

- Reeducate on proper, effective personal hygiene. Consider displaying signage or posters with various safety messages (post these on the wall, opposed to having handouts). For example, symptoms, social distancing, hand-washing techniques (20 seconds), donning/doffing PPE, what to do if you’re sick, etc.
- The CDC has several COVID-19 posters (in different languages) on its website.
- Communicate the importance of “staying home” if you are sick.
- Remind employees of social distancing in areas where they tend to congregate/bottleneck.

Social distancing

- Continue to promote social distancing through providing visual aids for separation between customers in line and for spacing of tables in dining rooms.
- Eliminate self-service options such as salad bars and drink stations.
- Minimize occupancy in waiting areas.

Personal protective equipment

PPE is frequently used along with existing processes where hazards are not particularly well controlled. This method for protecting workers is less effective than engineering controls as it requires significant effort by the affected workers.

Employee safety

- Reeducate on proper donning, doffing and disposal of masks. Explain difference between disposal and reuse.
 - Disposal
 - Reuse
- Reeducate on proper donning, doffing and disposal of gloves.
- Reeducate on proper use and sanitizing of protective eyewear.

Food safety

- Handwashing before/during/after contact with food or beverages, before eating, after toilet use, after coughing/sneezing/blowing nose, and after touching/donning/doffing PPE.
- Change gloves after touching face, after coughing/sneezing/blowing nose and after touching/donning/doffing PPE.
- Clean physical barriers (such as strip curtains, plexiglass or similar materials) before/after using workspace and after coughing/sneezing/blowing nose.
- Reeducate on personal hygiene — spend time showing all employees how to properly wash their hands. Most foodborne illness is directly related to inadequate handwashing.

Additional considerations

- Refer to National Restaurant Association's one-stop [resource](#) by state
- National Restaurant Association: [Official Return to Work Guidelines](#) for Foodservice Establishments
- Restaurants Act: [COVID-19 State Action Center](#)

General claims considerations upon reopening

- Review physical locations/plant, stock, fleet, and equipment for damage.
- Review global supply chain restrictions and restocking restrictions.
- Consider any increased cyber vulnerability with increased work from home or movement back to online operations.
- Consider increased FDA or other federal scrutiny accompanying supply chain revision, rerouting, etc.
- Consider challenges with returning furloughed or new employees to work:
 - Refresher training for furloughed employees or replacement employees for employees unwilling to return and forgo increased unemployment benefits.
 - Necessity of specific guidelines for employees with preexisting or high-risk medical factors. Availability of remote work options for these workers.
 - Employee reluctance and fear; consider EAP program assistance.
 - Review and restart random drug testing and other screening protocols.
 - Review and restart fit for duty and physical capabilities testing exams.
- Restart transitional modified duty programs for employees previously off work or working modified duty due to workers' compensation pre-closure claims.
- Rebuild job banks.
- Reestablish wellness programs.
- Work with workers' compensation carriers and employment attorneys to assure statutory compliance.
- Confirm procedures are in place to thoroughly investigate all reported accidents, including first aid cases and near misses.
- Coordination of continued leave for COVID-19 sick leave or workers' compensation with FMLA and ADA guidelines.
- Establish a plan to deal with a potential increase in liability and workers' compensation claim filing.

Additional claims considerations

- Be aware of potential patent infringement liability claims with altered products, Intellectual property lawsuits and regaining of owned business lines.
- Increased FDA and other federal-entity scrutiny with supply chain revision and rerouting; labeling issues.