

FIRM NEWS

WILL THE RECEPTIONIST BE THE NEW SHERIFF IN TOWN? HEALTH AND SAFETY PROTOCOLS ACCOMPANYING RETURN TO WORK REGULATIONS WILL REQUIRE A FRONT PERSON TO TRACK - AND TURN AWAY - VISITORS

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PROFESSIONALS
Terry W. Bonnette

Terry Bonnette, a partner with Detroit-based management side labor and employment law firm Nemeth Law, P.C., says that as businesses ramp up to re-open, new health and safety protocols may require policing, and he believes that many times, the receptionist - or someone in a receptionist type role - will become the new sheriff in town.

“Even as stay at home orders become less and less restrictive about who can work and under what conditions, it seems reasonable to expect that heightened health and safety protocols will remain in place for some time,” Bonnette said. “Someone will need to be responsible for ensuring that employees and visitors who enter the work environment meet the protocols in place at the time, which may include temperature taking, health questionnaires and surveys regarding symptoms, exposure and travel, and the distribution of gloves and masks.”

Bonnette noted that the person at the front door will be thrust into a completely new and potentially uncomfortable role, adding that executives are coming to grips with this reality now and grappling with its implications.

“Some have expressed concerns that this task will ultimately fall to one of the lowest paid people in the organization, with the least amount of decision-making authority,” Bonnette said. “Others have wondered if the role better rests with HR, or even if they should temporarily hire a healthcare professional to fulfill the role. At the very least, job description updates and corresponding wage reviews will definitely be in order for a variety of jobs where duties will be changed as a result of COVID-19.”

Bonnette also says companies will likely set up inter-state or even inter-regional travel restrictions for those who have visited COVID-19 hot spot cities in the U.S.

“When the coronavirus aggressively came onto the scene in early March, worker travel restrictions focused on China and Italy initially, and then expanded to other parts of the world. With varying U.S. hotspots, and as states - and even cities - open up at different speeds, travel restrictions

may evolve to exclude visitors - and employees - who recently visited cities and states that had major outbreaks, even if those outbreaks have dissipated," Bonnette said.

Again, Bonnette points out that such a scenario puts the person at the front desk in the difficult position of telling company executives and important business vendors and partners that they can't enter the building.

"It becomes almost like a bouncer role, checking ID's and determining who enters and who doesn't. Of course, bouncers are much more comfortable in telling people no," Bonnette said. "I think it really takes the conversation back to what procedures and protocols have been put into place and who is best equipped to enforce those procedures."

Bonnette added that for now, the EEOC has clarified the scope of permissible medical inquiries to allow employers to operate healthy, safe workplaces amid a pandemic, acknowledging that temperature taking, certain symptom related queries, and social distancing will ultimately protect both employees and employers. Employers should remain aware, however, that as the scope of the pandemic changes, the scope of what is acceptable and unacceptable may also change.

About Nemeth Law, P.C.

Nemeth Law specializes in employment litigation, traditional labor law, management consultation, arbitration, mediation and workplace investigation for private and public sector employers. It is the largest woman-owned law firm in Michigan to exclusively represent management in the prevention, resolution and litigation of labor and employment disputes.