

REBOOTING YOUR WORKPLACE POST COVID 19

The national lockdown has mandated closure of businesses and activities in the country until at least May 3, 2020 (except certain industries which are exempted from the lockdown). If your organisation falls within this exemption, your employees and workers may already be reporting for duty. All other businesses can commence operations only after the lockdown is lifted.

The lockdown and its lifting have led to businesses reexamining their mid to long term strategies. On an operational level, directors and managers are mandated to ensure safety and security of staff. We've set out below certain steps you can consider when deciding on resuming work.

As in any well-planned operation, there are 3 levels of decision making and implementation you have to cover.

Strategic Decision		Tactical Planning		Operational Implementation
Why (Answer these first)		When (Day)	What (Task)	How (On Ground Measures)
<p>Are you going to keep using your current office premises?</p> <p>Are you going to keep using your current vendors?</p> <p>If no, you may need to prepare a migration/closure/termination plan.</p>		X-6	Evaluate Status and Prepare for Reopening	<ol style="list-style-type: none"> 1. Ensure office premises status, and that no <i>force majeure</i> is invoked by landlord. Speak to your landlord about resuming work, clear any outstanding rent payments, utility bills (electricity, internet, etc.), etc. 2. Consider cashflow, and arrange for further funding. Speak to your lawyers about feasible funding options (debt vs. equity). 3. Contact your suppliers and service providers before resuming operations. Consider if contracts with vendors need amending for sanitation, safety steps, etc. 4. Get new internal rules prepared in view of Covid-19.
<p>Do the numbers show that WFH been effective, or do you want to roll back?</p> <p>Do you intend to/are you able to retain your employees and staff?</p> <p>If not, you may need to prepare a termination plan and SOP.</p>		X-5	Reduced scale / phased resumption of operations	<ol style="list-style-type: none"> 1. 100% headcount may not be permitted; you should check local circulars. See BTG's circular bank here. 2. Identify who is required to report to work. Prepare alternatives – staff may have travelled to their hometown and may not be able to resume work immediately. 3. Depending on operational requirements, consider operating units at 50% staff capacity on a rotational or shift basis.

Why (Answer these first)	When (Day)	What (Task)	How (On Ground Measures)
<p>Do your pre-Covid SOPs still work, or need updating?</p> <p>How will you communicate the “New Normal” way of working to your staff and clients?</p>	X-4	Implement Health and Safety SOP	<ol style="list-style-type: none"> 1. Work with your lawyers to prepare a standard operating procedure (“SOP”) containing safety precautions and incident reporting processes to be followed upon work resuming. Notify the SOP as a mandatory condition of employment. Refer to BTG’s update here for ideas on what the SOP should cover. 2. Virtually brief support staff and all workers, and specifically the designated safety officer and those tasked with checking symptoms upon entry into the premises, on the SOP. After work resumes, educate employees about the SOP (e.g., via ‘airline safety video’).
<p>Do you have a third-party asset manager who manages your office?</p> <p>If yes, can it implement relevant safety measures as you need them?</p>	X	Source Equipment and Consents for health checks	<ol style="list-style-type: none"> 1. You likely depend on an asset management vendor to maintain your offices. Ensure that your office manager enforces required safety measures, like thermal scanning at entrances, social distancing between staff, etc. 2. You may need to amend your office management contract to provide for additional safety measures, more audits, tighter SLAs, and strict suspension/ termination rights for breach. 3. Consider if this is the right time to build redundancies in vendor contracts; e.g., different asset managers for different offices, migration and handover plans for breach.
<p>Will you continue to do the business you were doing pre-COVID in the same manner?</p> <p>How has COVID impacted your contracts, and do you need a root-and-branch-review to track liability and prevent value leakage?</p>	X+1	Work Resumption and Areas of Focus	<ol style="list-style-type: none"> 1. Assign priorities: <ol style="list-style-type: none"> a. Contract management – in respect of terminations and renegotiations. b. Client Outreach – to determine what their plans and priorities are. c. Supply chain management – post Covid 19. d. R&D – based on productivity levels and business lines. e. IT infrastructure review. f. Insurance - check if you can make a claim for “business disruption” or need updated policies.
<p>What lessons can you draw from Week X back-at-work?</p>	X+2	First Week Operational Review	<ol style="list-style-type: none"> 1. Review: <ol style="list-style-type: none"> a. Employee health status. b. Business continuity and deliverables status.

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Was WFH more effective / cheaper/ the same?		(repeat each week as needed)	<ul style="list-style-type: none"> c. Compliance with the SOP. d. Staffing requirements, particularly any redundancies or new hiring. Speak to your lawyers before making any redundancy. See BTG's FAQs on wages, leaves and termination here. e. Track government notifications and speak to your lawyers about their impact on your business. <p>2. Update your company's governing Board on activities. Procure approvals where required (e.g., CSR spends on COVID 19).</p>

The above is indicative and is not intended to be legal advice. Please contact us at practicemanager@btg-legal.com if you have any questions specific to your business.

[BTG maintains material on the ongoing COVID-19 crisis and legal implications here. Please click to access.](#)