



GETTING VIRGINIA BACK TO WORK



VIRGINIA
CHAMBER

THE VOICE of BUSINESS

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THE VOICE of BUSINESS

A Message from The Virginia Chamber

Currently, our country and our commonwealth face two crises at once: a health crisis due to the COVID-19 pandemic and an economic crisis due to the shutdown of business in response to the pandemic. Ideally, we would end the economic crisis by ending the health crisis. However, we know that the necessary steps to end the health crisis will take time – developing, approving, and distributing a vaccine could take over a year. We know that it is unfeasible to keep the economy shut down as we wait on this process.

In order to move forward to face this challenge, our government and business leaders must work together to reduce the obstacles to reopen while protecting workers, customers and businesses. A key to being successful is providing Virginians with confidence in their safety at work and in public places through specific and consistent guidance.

To that end, the Virginia Chamber of Commerce has launched this “Blueprint for Getting Virginians Back to Work” initiative to provide recommendations on operating in the current economic climate and how to return stronger than before.

Through this effort, it is clear – business owners are prepared to open, and keep the health and safety of Virginians as their top priority.

Best regards,

A handwritten signature in dark ink that reads "Barry E. DuVal". The signature is fluid and cursive, with the first and last names being more prominent.

Barry E. DuVal
President and CEO

PURPOSE

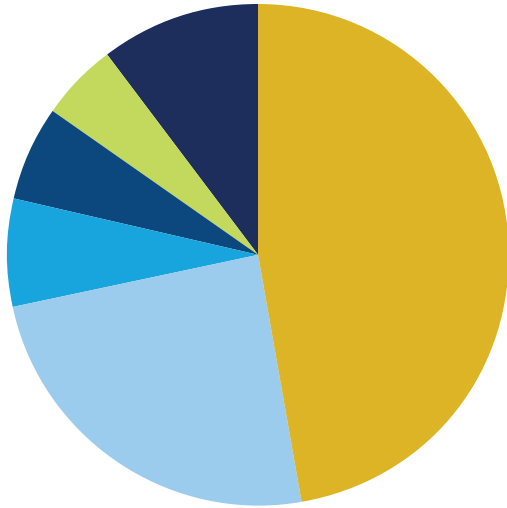
Provide businesses and policymakers with guidance and best practices to get all Virginians back to work safely.

SURVEY AND COMMUNITY INPUT

Conducted a survey with more than **1,000** respondents from across the commonwealth

Coordinated a coalition of input with more than **26,000** Virginia Chamber member companies, over 100 local chambers of commerce, industry trade associations and non-profits, and other key thought leaders from across the Commonwealth

Key Findings



Demographics of respondents
Over 1,000 respondents

Responses from all major Virginia industries including those from the Restaurant, Retail, Manufacturing, Distribution, Construction, and Health Care industries

- 47% have 1-10 employees
- 24% have 11-50 employees
- 7% have 51-100 employees
- 6% have 101-250 employees
- 5% have 251-500 employees
- 10% have over 500 employees

COVID-19 Impact on Virginia Businesses:



One in five businesses that participated in the survey say that they have suspended operations indefinitely due to the stay at home order



27% of businesses will close permanently if the stay at home order is extended **3-6 months**



37% say they are having serious cashflow challenges

Top Challenges for Businesses to Re-open

#1

Restoring Consumer and Worker Confidence

#2

Liability Concerns

#3

Access to Operating Capital

Business Guidance

HAVE A PLAN

As a business owner, it is important to create a plan to safely operate during the pandemic. Sorting through the vast amount of information available can be an overwhelming task for any business. You will need to determine what is most important and what can realistically be implemented for your business. Below serves as a starting point to build a plan for your business, with specific considerations given to industry differences.



- ☐ Implement best practices
- ☐ Ensure employee and customer safety is the priority
- ☐ Adapt the plan as new information is developed or circumstances change
- ☐ Begin by incorporating current government mandates and guidelines
- ☐ Document the steps you have taken and have it readily available on request
- ☐ Be confident in your plan and be prepared to communicate it
- ☐ Consider government guidelines that are updated periodically
- ☐ Prepare yourself for questions from employees and customers

The Government's Plan: Forward Virginia



* These are the expected time frames for each phase

Safer at Home: *Phase One*

- Physical distancing, enhanced cleaning and disinfection, and enhanced workplace safety
- Safer at home especially for vulnerable populations
- No social gatherings of more than 10 individuals
- Social distancing
- Must wear face coverings in public places
- Anticipated to last two to four weeks

2 PHASE

- Stay at home for vulnerable populations
- Eases restrictions on social gatherings to allow for up to 50 individuals to gather
- Social distancing
- Recommends face coverings in public
- Could last two to four weeks or longer

3 PHASE

At the time of this report, Phase Three guidelines have yet to be announced. Broadly, we know the following:

- To move to Phase Three, the government is looking for no evidence of rebound for a sustained period of time
- Safer at home for vulnerable populations
- Removes ban on social gatherings
- Removes capacity limits in establishments
- Continues heightened cleaning and disinfection
- Could last ten to twelve weeks or longer

Building a Plan Around These Guidelines

General business guidelines that can be used for all industries, sectors, and sizes.



PHYSICAL DISTANCING

- Establish a policy of physical distance to ensure employees and customers maintain the recommended six feet of distance
- Provide clear communication and signage throughout establishment
- Limit occupancy of physical spaces to ensure that physical distancing may be maintained
- Consider moving or staggering workstations to ensure physical distancing between co-workers and between members of the public
- Limit in-person work-related gatherings, including conferences, trade shows, and trainings
- Provide a clear agenda and utilize time efficiently to limit time of meeting, number of employees in attendance, and use physical distancing practices

Heightened Cleaning and Sanitation Practices



Schedule regular breaks for employees to conduct sanitation activities like handwashing and workstation disinfecting



Disinfect shared equipment routinely
Implement routine cleaning and disinfection of high contact areas and hard surfaces



Publicly display sanitation practices in workplace for worker awareness



Make available handwashing stations and/or ensure hand sanitizer are easily accessible. Must be at least 60% alcohol based

Personal Protective Equipment

As mandated by Governor Northam's Executive Order 63, face covering is required, for those 10 and older, while indoors and in public places such as indoor retail facilities.

- Employers may require their workers to wear personal protective gear such as face coverings when returning to the workplace
- Workers may request reasonable accommodation for disability or religious status to not wear masks
- Consult government guidance on what equipment is necessary as these standards are changing
- Emergency regulations from the Virginia Department of Labor and Industry on workplace standards during COVID-19 are forthcoming at the time of this report
- Consider alternative options to N95 respirators and critical PPE to be used by those who need them most, like health systems and first responders
- Sourcing protective equipment and other supplies may still be challenging given the demand for these products



Screening and Testing

Consider the feasibility of a screening process for your workers before they come into the workplace.

Businesses can:

- Have employees complete a questionnaire to screen for symptoms that may be consistent with COVID-19
- Prior to a shift and on days employees are scheduled to work, employers can screen employees. Employees should also self-monitor their symptoms by self-taking of temperature to check for fever and utilizing the questions provided in the VDH Interim Guidance for COVID -19 Daily Screening of Employees before reporting to work.
- Perform a non-invasive temperature check
- Consider measuring temperature and assessing symptoms of employees prior to starting work/before each shift
- Following these screenings, workers can be cleared for work or directed to follow up with medical professionals
- An employer may choose to administer COVID-19 tests, according to the EEOC
- It is important to have these policies clearly communicated and equally enforced if you choose to implement them



Industry Specific Considerations and Resources

Along with the general business guidelines, Governor Northam includes Phase One and Two mandates and recommendations for restaurants, farmers markets, brick and mortar retail, fitness, personal care and grooming, and campgrounds and summer camps.

We have included industry specific guidance and best practices for multiple industry sectors listed below.

Restaurants



STATE MANDATES

During Phase Two, restaurants can only offer:

- Takeout and delivery
- Encourage outdoor seating
- Allow for limited indoor seating at 50%
- Detailed requirements can be found [here](#) for Phase One and [here](#) for Phase Two
- Phase Three guidance has yet to be provided



BEST PRACTICES

- Remove all unnecessary touchpoints
- Utilize disposable items instead of reusable whenever possible and provide trash receptacles
- Remove shared condiments from tables
- Utilize reservations for dining on the premises
- Use staff facilitated seating where appropriate
- Assign employee(s) to monitor and clean high touch areas while in operation
- Use technology solutions where possible to reduce person-to-person interaction
- Check all equipment, including cooling or heating devices, to ensure they are functioning correctly and have been fully disinfected
- Consider methods to make point of sale terminals safer, including use of no contact applications, placement of a glass or clear plastic barrier between the employee and the customer, and providing a hand sanitizer station for customer and employee use after handling credit/debit cards, PIN terminals, or exchange of cash
- Avoid touching items on tables while customers are seated. Dedicated staff should remove all items from the table when customer(s) leave
- Use separate doors to enter and exit the establishment when possible
- Implement procedures to increase how often the back-of-house areas are cleaned and sanitized.



OTHER RESOURCES

- [Virginia Restaurant, Lodging and Travel Association](#)



STATE MANDATES

All workers and customers are required to wear a face covering in indoor retail environments, per Governor Northam's Executive Order 63. Phase One and Phase Two mandates:

- Limit occupancy to 50%
- Enforce 6 feet physical distancing in check out and throughout store
- Thorough disinfecting and cleaning every 2 hours
- No self-service food or beverage
- No food sampling
- Detailed requirements can be found for Phase One [here](#) and Phase Two [here](#)



BEST PRACTICES

- Provide sanitation options for customers and staff throughout the store, particularly at entry and exit points
- Consider managing customer movement utilizing one-way aisles or other directional instructions
- Consider reserving certain hours for senior citizens and other high-risk individuals
- Provide opportunities to shop and pay online
- Consider alternative delivery methods such as home delivery, curbside, or other options
- Use separate doors to enter and exit if possible
- Limit the ability of workers to congregate in common areas
- Ask customers to bag their own products/groceries when reusable bags are allowed for use

OTHER RESOURCES

- [National Retail Federation](#)



Manufacturing, Distribution and Construction



STATE MANDATES

During Phase One and Phase Two

- These industries were deemed essential during the beginning of the pandemic
- Follow the “All Business Sectors” guidance [here](#)



BEST PRACTICES

- Stagger shifts to limit the volume of workers at the same facility
- Create single-point entrances and exits to control the flow of workers and customers
- Utilize temperature scanning devices to monitor worker health during a pre-screening process that could include a questionnaire or non-invasive thermometer
- For areas where workers may be required to operate closer than six feet from one another, consider adding a physical barrier such as plexiglass
- Evaluate the necessity of in-person meetings and shift to virtual if possible



OTHER RESOURCES

- [National Association of Manufacturers](#)
- [Association of General Contractors](#)

Health Care



STATE MANDATES

- The state recommends using [CDC clinical care guidance](#)
- [Elective procedures and other medical visits are now allowed.](#)

FOR BUSINESSES IN THE HEALTH CARE INDUSTRY, WE RECOMMEND RESOURCES FROM THE FOLLOWING INDUSTRY ASSOCIATIONS FOR BEST PRACTICE RESOURCES AND GUIDANCE



- [Virginia Hospital and Healthcare Association](#)
- [Medical Society of Virginia](#)
- [Virginia Association of Health Plans](#)
- [Virginia Health Care Association](#)
- [LeadingAge Virginia](#)
- Evaluate the necessity of in-person meetings and shift to virtual if possible

Policy Recommendations



Federal

Support a Phase 5 Federal stimulus bill that includes additional funds and support for businesses, workers, state and local governments, and other organizations

Consider extending and amending the Paycheck Protection Program loans to become grants:

- According to our survey, 70% of businesses that participated say they were able to access grants or loans, if they needed them
- 37% were able to receive a Paycheck Protection Program loan
- 10% are still waiting for their application to be processed
- However, the loans only provide for 8 weeks of operations and some businesses have been forced to stay closed due to government orders
- This creates a challenge to meet the PPP's standards for loan forgiveness when they cannot operate to start paying down the loan
- Support a more streamlined PPP process to support businesses by the SBA and Treasury

Provide states and localities with additional funds to stop-gap funding shortages due to emergency spending on COVID-19 response:

- Additional unemployment insurance (UI) funds to help stabilize states' UI trust funds (Virginia's UI trust fund is set to run out in the third quarter of 2020)
- Extend the assistance time frame to include the hardest hit months of this economic and health event
- Expand the definition of applicable organizations for PPP to 501 C (6) non-profits so they are able to apply for assistance
- Include housing assistance for workers to ensure stability and homelessness prevention in the long-term



Legal and Liability Protections

Provide assurance to employers that they will not be held legally liable for the transmission of the highly contagious COVID-19, as long as they take good faith efforts to limit exposure through government guidelines, social distancing and heightened sanitation standards as suggested by OSHA, CDC, Virginia Department of Health, and Virginia Department of Labor and Industry:

- Provide civil immunity to employers that act in good faith while responding to the outbreak
- Enact liability protections for business owners from allegations by patrons who claim they contracted COVID-19 at a place of business
- Provide employers with a safe harbor for collecting and exchanging critical information related to employees' health status and for implementing reasonable measures such as temperature checks to combat workplace transmission of COVID-19
- Provide Good Samaritan protections to manufacturers and distributors of PPEs from liability for claims arising out of the use of these items absent a showing of gross negligence, willful misconduct, or intentional infliction of harm



Tax and Regulatory

Ease short-term tax burdens to provide flexibility to businesses as they recover:

- Waive interest and penalties for late payment or late filing of taxes (absent fraud) and extend appeal deadlines
- Pause state tax audits
- Provide a 90-day property tax payment extension to business and residential property owners on their next property tax payment
- Provide a tax credit for business costs incurred for working remotely, including for purchases of laptops, high-speed internet, phone line, office equipment, etc.
- Extend the time frame for economic development tax credits or incentives that are based on meeting or maintaining certain employee levels in order to negate the negative impact in employment caused by COVID-19

Help businesses and professionals stay in business by providing relief from compliance burdens and regulatory flexibility meeting permit and professional licensing deadlines.



Broadband Infrastructure

Ensure broadband deployment and high-speed internet is a commonwealth priority since it is an essential tool for telemedicine, education, work from home, and business access to the international market:

- Extend telehealth coverage beyond for Medicaid and other health plans so providers can continue to provide telehealth



Protective Equipment and Medical Supplies

In the long-term, create additional and more streamlined emergency preparedness and resiliency standards that will allow the commonwealth to better weather similar health and economic events in the future:

- Provide clear guidelines on the proper use of PPE for employees and customers, use of temperature checks or other diagnostics, and cleaning and social distancing guidelines in the workplace - if businesses are following these guidelines, they should be certified as “safe”
- Invest in early detection and rapid diagnostic testing for a quick public health response
- Ensure stockpiles of medical equipment and supplies are adequate and accessible to critical response partners such as health systems and first responders



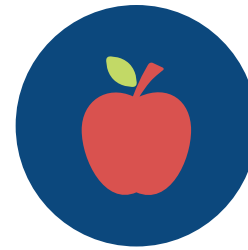
Unemployment Insurance

- Minimize the impact that layoffs resulting from COVID-19 affect a business's experience rating for unemployment insurance for the entirety of 2020
- Mitigate unemployment insurance taxes on businesses struggling to reopen or maintain operations - the state unemployment insurance trust fund is set to run out by the third quarter of 2020



Workforce Assistance

- Make available workforce development resources and incentives for unemployed workers to upskill for in-demand employment opportunities
- Incentivize the workforce to return to work through policies that are more advantageous than unemployment compensation
- Increase the adoption of work-share provisions regarding unemployment benefits by incentivizing employers to use work-share
- Explore creative childcare arrangements and support for working families
- Support the childcare industry through special assistance and incentives to ensure workers can continue to contribute to the economy
- Create shared accountability for childcare
- Establish a trusted intermediary to guard the interests of the mixed delivery childcare and its professionals and ensure its capacity and stability to support economic and workforce recovery
- Provide clear guidance for safety and quality standards for the mixed delivery sector and clarify options for parents as they identify childcare to meet their work/life needs and preferences
- Increase supply of safe, quality childcare options that meet parental and child needs
- Incentivize employer-operated/subsidized childcare options at or near work sites
- Develop turnkey strategies to efficiently match available quality childcare supply with parent needs and preference (e.g., uniform rating; staffed networks/shared services; coordinated family enrollment mechanisms)



Education

Build educational resiliency in Virginia that embraces the strengths of distance learning

- Require the Virginia Department of Education to develop a statewide digital teaching and learning plan initiative
- Require the Virginia Department of Education to develop a statewide online course credit program to ensure all Virginia students have equal access to educational resources and learning opportunities
- Expand Virginia's Online Virginia Network (OVN) virtual learning capability at every higher education institution to meet high-demand degrees
- Ensure continued funding for Virginia's community college credentialing programs to address worker shortages in high-demand fields (like healthcare and IT)
- Ensure Virginia's Tech Talent Investment Program is fully funded to guarantee a workforce pipeline to meet the Commonwealth's technology needs
- Request the Department of Labor to provide states the flexibility to use Workforce Innovation and Opportunity Act (WIOA) funding to meet the diverse economic recovery needs of each state.



VIRGINIA **Blueprint** **2030**

- Year long process
- Regional and statewide events to gather stakeholder input
- Engaging our membership and the broader business community
- If you are interested in participating in this process, please email policy@vachamber.com

COMING SOON