

“SHOULD THEY STAY OR SHOULD THEY GO NOW?”: THE COVID-ERA HOSPITALITY PRACTICES EMPLOYERS SHOULD INCORPORATE AND IMPLEMENT BEYOND THE PANDEMIC

Insights
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There is a viral Tweet/meme that has been circulating. It asks: “What’s the one thing you DON’T want to change post-COVID?” The famous response: “[Standing 6 feet away from me.](#)” Because we appreciate a good meme at Fisher Phillips, this got us thinking – while 2020 brought a complete upheaval to the way we have been doing business, what are the COVID-19 practices worth keeping or modifying, even as the economy continues to loosen and more of our population is inoculated against COVID-19?

5 Practices To Consider In A Post-Pandemic World

Even though we will be relieved to see many COVID-policies and protocol go, the pandemic shed some light on things we could be doing better in the hospitality business. Below are some practices we would like to see continue in the hospitality industry:

- 1. Teleworking.** We discovered in March 2020 that a lot of jobs could be performed remotely, as bedrooms and living rooms across the country transformed into mini-customer service call centers. And while it is preferable and almost necessary for most hospitality workers to be onsite (e.g. front desk personnel, housekeeping, etc.), it is possible for certain employees (such as sales staff, administrative, finance personnel and others who are not guest-interfacing) to work from home when requested as part of a request for a disability or family needs. Even more importantly, the trend towards teleworking seems it

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may *benefit* the hospitality industry in a nontraditional way. Specifically, those who want a change of scenery from their home office may seek out working from a destination.

2. **Formalizing a Reasonable Accommodation Process, Especially With Respect to the COVID Vaccine.** Several federal and state laws require employers to provide work accommodations to allow employees with disabilities, pregnancy-related disabilities, and religious beliefs to perform their essential functions. Accommodation requests skyrocketed during the pandemic especially for employees whose medical conditions presented increased risk of COVID and/or complications from COVID. Vaccine policies must also allow for accommodation requests for employees with disabilities and religious beliefs prohibiting them from getting a vaccine. You should adopt a formalized accommodation policy that explains the accommodation process and gives employees clear direction on how to request an accommodation.
3. **Flexibility With Working Parents.** Working parents were impacted the most negatively during the pandemic. 2020 forced parents to be not only co-workers but also caretakers and teachers for their children. As a result of school closures and the uncertainty for safety of childcare facilities, [women have left the work force in droves, reinforcing the moniker first coined last spring as the "she-cession."](#) Some companies took the opportunity to provide significant leeway to their working parents beyond what was afforded under the Families First Coronavirus Response Act. For example, employers have provided flexible working hours and remote work. Others have gone even further and suspended their performance review processes and promotion cycles to avoid any further negative impact on working parents, particularly working mothers. Other employers have considered opening onsite childcare centers, despite the legal risks. If you have not already done so, you should consider whether you will continue to provide flexibility for your working parents, and whether you should formalize these practices into policies.
4. **Attendance, PTO and Leave Policies.** Did you discover that your attendance or leave policies were lacking or flawed during the COVID pandemic? Hospitality employers who are often challenged when scheduling

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employees faced new obstacles because of employees with health conditions, their family members with health conditions, school closings, or simply fear of working in a guest-facing environment. If your attendance policy did not provide the kind of flexibility you needed, it may be time to reevaluate it. On a similar note, many employers required employees to deplete their PTO or leave banks for time taken or “advanced” PTO to employees during the pandemic. As your employees return to work in larger numbers, it will soon be time to review those policies to determine whether more or less flexibility is needed.

5. **Keep *Some* of the Cleaning Protocols.** Currently, we are cleaning more than ever. According to the CDC Guidelines, as discussed by the American Hotel & Lodging Association, surfaces frequently touched by multiple people should be cleaned and disinfected daily, with some surfaces cleaned more frequently. For example, it is advised elevator buttons and rails should be sanitized at regular intervals. Guest rooms are required to be cleaned more meticulously, with more attention paid to high-touch surfaces, like remote controls and toilet handles, etc. Housekeeping service during guest stays and room service have often been eliminated, if not reduced, to mitigate contact and germs. While the extent of the cleaning and sanitizing during the pandemic will not be necessary (or feasible as business increases), you should prepare to transition and memorialize the sanitizing protocols you will retain after the COVID pandemic passes.

Conclusion

Even though we are not in the clear yet, we hope you start to think about what your business will look like beyond the pandemic. If you need to determine what COVID-19 practices to keep, and to what extent you would like to continue such practices, the Fisher Phillips Hospitality Industry Group stands ready to assist. Fisher Phillips will continue to monitor the rapidly developing COVID-19 situation and provide updates as appropriate. Make sure you are subscribed to [Fisher Phillips' Insights System](#) to get the most up-to-date information. For further information, contact your Fisher Phillips attorney or any member of our [Hospitality Industry Group](#).