

Maintaining a Safe Workplace

- **Cleaning and disinfecting.** Disinfecting regiments will likely need to be enhanced, consider increased training and equipment for janitorial staffs to deliver more frequent (throughout the day) and thorough disinfection.
- **HVAC and plumbing systems.** Building systems such as HVAC and plumbing need to be reviewed by maintenance engineers or qualified contractors prior to returning to full occupancy to ensure they are fully operational and will not create an unsafe workspace. Even if the building was not completely shut down, operating systems without occupants for an extended period of time can create hazardous situations (mold in air ducts, Legionella bacteria in water systems).
- **Elevators.** Restrictions on number of individuals at a time should be established. Communications with tenants will be key to avoid “rush hour” delays that are likely to develop during known hours of high usage. Also, deferred maintenance on elevators needs to be expedited to make sure elevators are operational for the period of re-opening.
- **Lobbies and corridors.** Safe-distancing reminders should be posted with possible floor marking and consideration of establishing one-way traffic flows for narrow hallways and elevators.
- **Limiting Access Points.** Buildings or large shopping centers with multiple access points should consider reducing the number of access points in order to be able to administer access protocols. Certain municipalities may have mandated signage that needs to be posted at all ingress and egress points. If you adopt a “denial of access” policy, this should be clearly posted.
- **Body-temperature scanning.** Consider whether to institute checks for elevated body temperature, one sign of COVID-19, as part of building entry procedures. This may not be acceptable to some individuals and may not be practical in confined lobbies. There are many practical considerations that need to be discussed (such as training, who oversees the scanning and how to address non-compliance).
- **Parking garages.** If the parking has been valet-only, will that continue and how can that be done while limiting the chance of spreading infection?
- **Contractors.** Consider written directives to give to contractors, including repair and maintenance workers, regarding use of service elevators, access to tenant spaces, and similar concerns regarding introduction of coronavirus to tenant areas. Also consider whether tenant improvement construction can continue and under what terms.
- **Deliveries (courier, food service, supplies).** Consider modifications to minimize number of people entering common areas, using elevators and accessing tenant spaces.

- **Supplies.** There will be a shortage of key supplies, including disinfectants, face masks, gloves, hand sanitizers, and cleaning wipes. Your normal suppliers will be facing a daunting challenge so use this time to identify what you need and stock up.
- **Phasing-in the return.** All of the challenges with maintaining a safe workplace, as described above, are eased if tenant employees return gradually, allowing new procedures to be tested out and adjusted without a full load of people entering and working. Consider asking tenants to allow employees to continue to work from home or come into the office on a staggered basis.
- **Communications between building owners and managers and tenants.** All of the issues above impact tenants and their employees so tenants need to be informed to allow them to make any corresponding changes and inform their employees. Likewise, tenants may seek their own changes to building operations to protect their employees or allow operations. Open and clear lines of communication prior to re-opening are vital.

Buchalter is committed to helping clients navigate through these challenging and rapidly changing times. We have attorneys experienced in adapting and navigating clients through these trying environments and are here to help however, you need. If we can be of assistance, please feel free to contact any of the Buchalter Attorneys below.



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