

Employer Checklist for Managing Coronavirus (COVID-19) Tests and Symptoms



As the Coronavirus spreads throughout the United States it is inevitable that employers may receive a call from an employee who shares that s/he has a positive test result for Covid19, or a family member has tested positive. Following are several considerations as employers proceed with next steps in their business continuity and communication plans.

Employers should regularly consult the Centers for Disease Control and Prevention (CDC) for the most current information on the coronavirus, including [guidance for businesses](#). Also, employers must always be mindful of the [general duty clause](#). Under this clause, an employer is required to furnish each worker with "employment and a place of employment, which are free from recognized hazards that are causing or are likely to cause death or serious physical harm." While this clause applies to a wide array of different situations, in the case of COVID-19, it essentially requires an employer to ensure that its employees have a safe and healthy workplace. The Occupational Safety and Health Administration (OSHA) has issued [guidance](#) on preparing workplaces for COVID-19 and an [alert](#) aimed at preventing exposure.

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ESTABLISH A COMMUNICATION PLAN

If an employee tests positive for Covid-19 or is out of the office for quarantine reasons, there are communication actions to be considered:

- When communicating with the “close contact” employees and business contacts, consider privacy and confidentiality laws. Balance public health emergency with employee’s right to privacy
- Employer should not communicate employee’s name. Employer should share, in general, that an employee they have come in contact with, or a member of their household has tested positive for Covid-19
- Employer should ask employee to identify the people they came in “close contact with” during the two weeks leading up the positive test. This should include employees, clients, vendors and any other business contacts.
- Communicate with any employee that has come in close contact with the affected employee that they need to be sent home for a 14-day period, with the ability to work remote, if possible.
- Employers can proactively communicate to all employees regarding potential exposure in the workplace, if they choose. This may be appropriate for some employers, based on the size of the business, the number of employees working onsite, and the layout of the building. The employer should convey all the measures and steps they are taking to keep employees healthy and safe
- Sample letters to use for employee communication
[Possible exposure to Covid19 letter](#)
[Employee Covid19 diagnosis letter](#)

IMPLEMENT SAFETY PRECAUTIONS IN THE WORKPLACE

- Steps should be taken to close off areas visited by the ill person and open outside doors/windows and use ventilating fans to increase air circulation in the area. Wait 24 hours or as long as practical before beginning cleaning and disinfection. Follow additional CDC guidance for cleaning and disinfecting facilities

<https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>



PRIVACY

While Health Insurance Portability and Accountability Act rules generally prohibit asking employees about their health, the Equal Employment Opportunity Commission confirmed employers have the right to request health information from workers during the COVID-19 outbreak.

They may ask if employees are experiencing fever, chills, cough, shortness of breath, or a sore throat. Be sure to maintain all health information as a confidential medical record in compliance with the Americans with Disabilities Act

- When communicating with the “close contact” employees and business contacts, be mindful of privacy and confidentiality laws.
- Employers should not communicate the employees’ name. Instead, employers should generally share that an employee they have come in contact with recently has tested positive, or a member of their household has tested positive, for COVID-19.
- Any employees who came in “close contact” with the employee should be sent home for a 14-day period*, with the ability to work remote, if appropriate, to reduce the risk of spreading the virus. *NOTE: The CDC issued interim guidance for critical infrastructure workers who have been exposed to COVID-19 and remain asymptomatic.
- Organizations who choose to follow this guidance must review the list of permitted critical infrastructure workers to determine if workers qualify, and then assess the risk of potential spread of the virus.
- Those specific employees who came in “close contact” who are unable to work remote (due to their work not being conducive to remote arrangements) should be placed on an approved leave of absence.



EMPLOYEE HAS UNCONFIRMED TEST FOR COVID-19 WITH ILLNESS

Let's say you have an employee who has had a fever and cough but did not get confirmation they were infected with COVID-19. They have fully recovered from their illness with or without medical intervention. Based on the CDC guidelines, you can allow them to return to work only under all the following conditions

- At least 3 days have passed since recovery, with no fever for a minimum of 72 hours.
- Respiratory symptoms have improved
- Must have no abnormal temperature for 72 hours **without** the use of any fever-reducing medicines (aspirin, acetaminophen, or ibuprofen)
- Symptom free for 7 days

EMPLOYEE TESTS POSITIVE FOR COVID-19 GENERAL CONSIDERATIONS

(See below for more specific actions required)

- Employee should not report to work OR best sent home from work if at workplace to work remote (if possible)
- Employer does NOT need to notify the Department of Health of the CDC; this is the responsibility of the healthcare provider handling the test
- Employer should ask employee to identify the people they came in “close contact with” during the two weeks leading up to the positive test. This should include employees, clients, vendors and any other business contacts.
- There is no guidance on how far a company should investigate for third parties who may have come into contact with an employee through work. It is safe to include any parties on the employee’s work calendar, in visitor logs, or otherwise readily available or known.
- Any employee that has come in close contact with the affected employee should be sent home for a 14-day period, with the ability to work remote, if possible.
- If not able to work remote, the employee may request emergency paid sick leave for



qualifying reasons under the Families First Coronavirus Response Act (for employers with fewer than 500 employees) or be placed on medical/personal leave for a two-week quarantine period as recommended by the Centers for Disease Control and Prevention (CDC).

- *NOTE: The CDC issued interim guidance <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html> to workers who have been exposed to COVID-19 and remain asymptomatic.
- Organizations who choose to follow this guidance must review the list of permitted [critical infrastructure workers](#) to determine if workers qualify, and then assess the risk of potential spread of the virus. **(Also see more info related to critical infrastructure workers later in this document)**

EMPLOYEE HAS CONFIRMED TEST FOR COVID-19 WITH NO ILLNESS

What about an employee who has been confirmed (tested positive by a medical professional) with COVID-19 but has not become ill due to the virus? The employee should remain in isolation following their diagnosis. Based on the CDC guidelines, they should be able to return to work only under all the following conditions

- Remain in isolation for, at least, 7 days and have no subsequent illnesses provided they remain asymptomatic
- For an additional 3 days **after** they end isolation, they continue to limit contact (stay 6 feet away) with others and limit the potential of dispersal of respiratory secretions by wearing a covering for the nose and mouth whenever they are in settings where other persons are present
- They wear a mask or other covering of their nose and mouth to limit the potential of dispersal of respiratory secretions



EMPLOYEE HAS CONFIRMED TEST FOR COVID-19 WITH ILLNESS NO HOSPITALIZATION

This is an employee who has been confirmed (tested positive by a medical professional) with COVID-19 and has become mildly or moderately ill due to the virus. These employees were the ones who self-isolated and medicated at home and did not require hospitalization. Based on the CDC guidelines, they should be able to return to work only under all the following conditions:

<https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-in-home-patients.html>

- At least 3 days have passed since their recovery, with no abnormal fever for a minimum of 72 hours. Employees must have no significant temperature for 72 hours *without* the use of any fever-reducing medicines (aspirin, acetaminophen, or ibuprofen)
- Respiratory symptoms have improved
- At least 7 days have passed since symptoms first appeared
- No continuing illness: the employee exhibits no symptoms of COVID-19
- Negative results of an FDA Emergency Use Authorized molecular assay for COVID-19 from at least two consecutive nasopharyngeal swab specimens collected ≥ 24 hours apart*** (total of two negative specimens). [interim guidelines](#)



EMPLOYEE HAS CONFIRMED COVID-19 WITH ILLNESS REQUIRING HOSPITALIZATION

An employee who has been confirmed (tested positive by a medical professional) with COVID-19 and has become ill due to the virus requiring hospitalization may be at higher risk of shedding (dispensing respiratory secretions) and spreading infection. The CDC recommends rigorous testing before returning these employees to work since they may experience longer periods of viral detection compared to those with mild or moderate symptoms.

- For those who have been hospitalized and others in high-risk categories, the contagion may last longer than for others. Further, they suggest, “placing a patient in a setting where they will have close contact with individuals at risk for severe disease warrants a conservative approach.”
- The CDC recommends a test-based strategy before returning high-risk and hospitalized employees to work. Employees with conditions that might weaken their immune system may have “prolonged viral shedding after recovery.” The CDC recommends these employees discuss returning to work with their personal healthcare provider to best assess if they pose no threat to coworkers.
- This may include re-testing to verify they are no longer shedding the virus. Businesses should consider each of these staff members on a case-by-case basis, requiring verified testing and return to work authorizations from the worker’s healthcare professional.



CRITICAL INFRASTRUCTURE WORKERS WHO HAVE HAD AN EXPOSURE BUT REMAIN ASYMPTOMATIC

To ensure continuity of operations of essential functions, CDC advises that critical infrastructure workers may be permitted to continue work following potential exposure to COVID-19, provided they remain asymptomatic and additional precautions are implemented to protect them and the community.

A potential exposure means being a household contact or having close contact within 6 feet of an individual with confirmed or suspected COVID-19. The timeframe for having contact with an individual includes the period of 48 hours before the individual became symptomatic.

Critical Infrastructure workers who have had an exposure but remain asymptomatic should adhere to the following practices prior to and during their work shift [critical workers](#)

- Pre-Screen:** Employers should measure the employee's temperature and assess symptoms prior to them starting work. Ideally, temperature checks should happen before the individual enters the facility.
- Regular Monitoring:** If the employee doesn't have a temperature or symptoms, they should self-monitor under the supervision of their employer's occupational health program.
- Wear a Mask:** The employee should always wear a face mask while in the workplace for 14 days after last exposure. Employers can issue facemasks or can approve employees' supplied cloth face coverings in the event of shortages.
- Social Distance:** The employee should maintain 6 feet and practice social distancing as work duties permit in the workplace.
- Disinfect and Clean workspaces:** Clean and disinfect all areas such as offices, bathrooms, common areas, shared electronic equipment routinely.
- If the employee becomes sick during the day, they should be sent home immediately. Surfaces in their workspace should be cleaned and disinfected. Information on persons who had contact with the ill employee during the time the employee had symptoms and 2 days prior to symptoms should be compiled. Others at the facility with close contact within 6 feet of the employee during this time would be considered exposed.



BRINGING BACK WORKERS FROM FURLOUGH OR LAYOFF

Organizations should look to recall staff members on a case-by-case basis. They may consider bringing back employees who have had no symptoms of COVID-19 during their furlough /layoff initially

The next wave of employees for recall could be based on CDC criteria

- Staff members who were ill and have recovered, either from COVID-19 or another illness, could be returned to work based on timelines and guidelines posted above
- Asymptomatic employees who tested positive for COVID-19 but did not fall ill could be returned following CDC protocols