

Question

What steps should we take when an employee tests positive for or is diagnosed with COVID-19?

Answer

You should follow this four-step plan when addressing a confirmed COVID-19 case in your workplace:

1. Isolate/Quarantine Confirmed Employees
2. Address And Isolate Employees Working Near An Infected Co-Worker
3. Clean And Disinfect Your Workplace
4. Notify Your Employees

Question

What if we have an employee with a suspected case of COVID-19?

Answer

You should follow the same steps above as if you had a confirmed case in your workplace.

Question

After shelter-in-place orders are lifted, can we ask an employee to stay home or leave work if they exhibit symptoms of the COVID-19 coronavirus or the flu?

Answer

Yes. You should continue to monitor their workforces for indicative symptoms, and not allow symptomatic individuals to physically return to work until cleared by a medical provider.

Question

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After shelter-in-place orders are lifted, can we require an employee to notify the company if they have been exposed, have symptoms, and/or have tested positive for the COVID-19 coronavirus?

Answer

Yes. If an employee begins experiencing COVID-19 symptoms at work, you should require the employee to notify their supervisor.

Question

When returning employees to work, may we administer a COVID-19 test before permitting employees to enter the workplace?

Answer

Yes. According to the EEOC's Technical Assistance Questions and Answers, an employer may choose to administer COVID-19 testing to employees before they enter the workplace to determine if they have the virus.

Question

After shelter-in-home orders are lifted, can I take an employee's temperature at work to determine whether they might be infected?

Answer

Yes. Until further notice, you may continue to operate under the EEOC's guidance, which confirms that measuring employees' body temperatures is permissible.

Question

Should we collect medical information from employees when taking their temperatures?

Answer

No, unless required by local or state law.

Question

If we require an employee to wear PPE and engage in infection control practices, do we have to consider requests for accommodation?

Answer

Yes. While you can require such gear and practices, employees may request accommodations based on a disability or religious belief and you must engage in the interactive process to determine if reasonable accommodations can be provided.

Question

Can employers in the United States refuse an employee's request to wear a medical mask or respirator?

Answer

Yes, under most circumstances – but you should consider allowing your workers to wear them if it makes them feel safe.

Question

Should you pay for face coverings that employees wear?

Answer

If you require employees to wear face coverings, you should pay for them as PPE.

Question

Can we perform on-site antibody testing to determine whether employees should be permitted to work?

Answer

The FDA has not yet officially approved any antibody testing kits which are commercially available and which provide instantaneous results. Up to 70 or more companies have marketed some form of such tests. Unfortunately, the validity and effectiveness of some of these testing kits have been called into question which, in turn, has led to concerns about whether the kits may, among other things, create a false sense of security, or insecurity.

Question

Some employees are saying they want to continue to work from home because they are scared to be in a work environment. Do we have to let them work from home?

Answer

Generally, you are not required to allow employees to work from home. Even the DOL regulations to the FFCRA state that telework does not have to be provided unless an employer agrees to allow or permits it.