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July 7, 2020

***Suspected or Confirmed COVID-19***

***In the Workplace***

**[‘How To’ Guide and Packet]**

*Information provided herein is intended for informational purposes only and does not constitute legal advice or opinion, nor is it a substitute for the professional judgment of an attorney or accountant.*

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**Suspected or Confirmed COVID-19**

If you suspect or receive confirmation of a positive COVID-19 case, follow the below steps. These steps are based on the [U.S. Centers for Disease Control and Prevention's Interim Guidance for Businesses and Employees](https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html).

# STEP 1: Immediate Response

Employees who have [COVID-19 symptoms](https://www.cdc.gov/coronavirus/2019-ncov/about/symptoms.html) (i.e., fever, cough, or shortness of breath) should notify their supervisor and stay home.

* Employees who appear to have symptoms upon arrival at work or who become sick during the day should immediately be separated from other employees, customers, vendors, and visitors, and sent home.
* Sick employees should follow [CDC-recommended steps](https://www.cdc.gov/coronavirus/2019-ncov/about/steps-when-sick.html). Employees should not return to work until the criteria to [discontinue home isolation](https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-in-home-patients.html) are met, in consultation with healthcare providers and state and local health departments.
* Employees who are well but who have a sick family member at home with COVID-19 should notify their supervisor and follow [CDC recommended precautions](https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-prevent-spread.html#precautions).

# STEP 2: Communicate exposure

* Identify where the infected employee worked, as well as those individuals, including colleagues, customers, visitors, and vendors, who came in contact with the sick employee.
  + This will include individuals that came in contact with the sick employee during the time the employee had symptoms and 2 days prior to displaying symptoms. Others at the facility that came in close contact, within 6 feet, of the employee during this time might be considered exposed.
  + Notify the identified employees of the possible exposure to COVID-19 in the workplace but maintain confidentiality of the sick employee’s identity as required by the American with Disability Act (ADA). **[See sample Employee Announcement-Notice of Workplace Exposure to COVID-19]**
  + Instruct the employees to go into quarantine and contact their healthcare provider and/or go for testing. The CDC recommends potentially exposed employees be instructed to stay home for 14 days and self-monitor for symptoms.
  + If possible, offer telework for those quarantined employees whose job duties can be performed remotely.
* Ensure that you keep the identity of the sick employee confidential from both other company employees as well as customers, visitors and vendors, as required by the ADA.

# STEP 3: Workplace closure and cleaning

* Based on the size of the workplace and the potential breadth of exposure to coronavirus, in most cases, you do not need to shut down your facility. The CDC recommends the following:
  + If it has been less than 7 days since the sick employee has been in the facility, close off any areas used for prolonged periods of time by the sick person. If practical, wait 24 hours before cleaning and disinfecting the impacted areas to minimize exposure potential for other employees.
  + If it has been 7 days or more since the sick employee used the facility, additional cleaning and disinfection is not necessary. Continue routinely cleaning and disinfecting all high-touch surfaces in the facility.
  + The need for full facility shutdown may be required depending on the industry and/or breadth of exposure. Please refer to specific CDC guidelines relative to your business operations.
* Perform enhanced cleaning and disinfection after persons suspected or confirmed to have COVID-19 have been in your facility, following [CDC cleaning and disinfection recommendations](https://www.cbia.com/resources/coronavirus/coronavirus-workplace-health-safety/coronavirus-environmental-cleaning/).

# STEP 4: OSHA Recordkeeping

* OSHA recordkeeping requirements mandate covered employers record certain work-related injuries and illnesses on their OSHA 300 log.
  + If you suspect the COVID-19 exposure is work related or your employee believes it is work related, report the claim to Questco ([claims@questco.net](mailto:claims@questco.net)) or your Worker’s Compensation carrier (if administered by a third party) immediately. We will assist you and the carrier with the investigation to evaluate whether your employee’s illness related to COVID-19 occurred during the course and scope of employment.

# STEP 5: Sick Leave and FMLA - Employee pay while on leave

* From April 1, 2020 through December 31, 2020, federal law mandates that employers with less than 500 employees [provide workers with paid sick leave or paid family and medical leave](https://www.cbia.com/resources/coronavirus/coronavirus-labor-employment/covid-19-federal-leave-law/) for specified reasons related to COVID-19 under the Families First Coronavirus Response Act (“FFCRA”). **[see Employee Rights Poster]**
* Employers qualify for dollar-for-dollar reimbursement through tax credits for all qualifying wages paid under the federal paid sick leave and paid FMLA mandates.
* If the company decides to close down for a couple of days for cleaning and disinfecting, and decides to send the employees home, the employees are not be eligible for pay under the Emergency Paid Sick leave unless (1) they have COVID-19 symptoms and are seeking diagnosis (testing) or (2) **are going for testing**. Employees that are not eligible for pay may opt to use available PTO/Vacation or Sick time.
* As noted above, employees exposed to someone who has been diagnosed with the COVID-19 virus are encouraged to be tested. During the time that the employee is awaiting test results, they are eligible for Emergency Paid sick leave under the FFCRA. And should the health care provider recommend that the employee continue to self-quarantine, the employee may continue to take paid sick leave.
* For all employees eligible for paid sick leave under the FFCRA, complete the Emergency Paid sick leave form **[See Attachment**], email to your Client Success Manager, and attach any medical documents received from the employee for processing.

# STEP 6: When can employees with COVID-19 return to work

* Employees should not return to work until they have met the criteria to [discontinue home isolation](https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-in-home-patients.html) and have consulted with a healthcare provider and state or local health department. [The CDC advises that critical infrastructure workers](https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html) may be permitted to continue work following potential exposure to COVID-19, provided they remain asymptomatic and additional precautions are implemented.
  + For people who have symptoms, use the symptom-based strategy. Refrain from returning to work until:
    - At least 3 days (72 hours) have passed since recovery. Recovery is when fever resolves without the use of fever-reducing medications and respiratory symptoms (like cough or shortness of breath) have improved; and
    - At least 10 days have passed since symptoms first appeared.
  + For people who do not have symptoms, use the time-based strategy. Exclude from work until 10 days have passed since the date of their first positive COVID-19 test if they have not developed symptoms. If they develop symptoms, then use the symptom-based strategy outlined above.

# Additional Policies and Procedures

* The Company should develop policies and procedures, such as having a Communicable Disease Control Policy [**see attached**]as well as developing and implementing pre-screening procedures for employees/visitors.
* Train employees, as needed, on cleaning procedure and how to properly wear, use, and take off PPE, and how to properly dispose of PPE.

# Additional Resources

* [Cleaning and Disinfecting Your Facility](https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fprepare%2Fdisinfecting-building-facility.html) (CDC)
* [General Business Frequently Asked Questions](https://www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html)
* [Interim Guidance for Businesses and Employer Responding to COVID-19](https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html)
* [Interim Guidance for Schools and Child Care Facilities](https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/guidance-for-schools.html)
* [Texas COVID-19 Test Collection Sites](https://txdps.maps.arcgis.com/apps/webappviewer/index.html?id=8bf7c6a436a64bfe9a5ce25be580e4ff)

# Attachments

* Announcement to Employees-Notice of Workplace Exposure to COVID-19
* Communicable Disease Policy
* Employees Rights Poster – Families First Coronavirus Response Act
* Emergency Paid Sick Leave Form
* Stop the Spread of Germs
* Please Read Before Entering Poster (CDC)
* Please Wear Face Mask Poster (CDC)

**ANNOUNCEMENT TO EMPLOYEES**

**WORKPLACE EXPOSURE TO COVID-19**

We learned **[today or date]** that one of our employees has tested positive for/contracted the novel coronavirus, COVID-19. [Identify the area(s) where and the date(s) when the employee frequently worked]. The employee is currently in self-quarantine.

Upon learning the news, and due to possible exposure, we followed guidelines from State and local officials as well as CDC and OSHA. **[REMOVE if not applicable]** We have also contacted the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County Health Department and have been working with them on next steps. We will support the health department in its handling of the process and the appropriate notifications. Health officials are interviewing/reaching out/providing assistance directly to individuals with an elevated risk of exposure who may have been in recent close contact with the employee(s).

* If you develop flu like or other symptoms including dry cough and fever, please contact your medical provider, and do not come to work. Notify [contact name and phone number] as soon as possible.
* We cannot disclose the identity of the employee who tested positive for the virus because of privacy laws. However, we have notified those employees that worked in close proximity (within 6 feet for 15 minutes or more) during the 48 hours prior to infected employee showing symptoms. Those employees should consult and follow the advice of their healthcare providers. If symptoms develop, the employee should remain home. Employees may return to work once they are fever free for three (3) days (achieved without medication) and improvement in respiratory symptoms (e.g., cough, shortness of breath).
* The health and well-being of our employees is paramount. Out of an abundance of caution, we may need to close the area to clean and disinfect (add specific if needed). [We are closing the [LOCATION] office on [DATES].
* **[REMOVE if not applicable]** All [LOCATION] employees with remote work capabilities may be required to work from home while the office is closed. Each employee should consult with their manager for additional instructions. Should you have any questions or concerns, please contact [INSERT COMPANY CONTACT].

We will continue to provide updates as needed. If you have any questions or concerns, contact [company contact, phone number and/or email]. You may also visit the CDC COVID-19 website for current and updated information.

Sincerely,

Management

**Communicable Disease Control Policy**

[Company name] will take proactive steps to protect the workplace in the event of a communicable disease outbreak. It is the goal of [company name] during any such time period to strive to operate effectively and ensure that all essential services are continuously provided and that employees are safe within the workplace.

[Company name] is committed to providing authoritative information about the nature and spread of communicable diseases, including symptoms and signs to watch for, as well as required steps to be taken in the event of an illness or outbreak.

**Preventing the Spread of Infection in the Workplace**

[Company name] will ensure a clean workplace, including the regular cleaning of objects and areas that are frequently used, such as bathrooms, breakrooms, conference rooms, door handles and railings. A committee will be designated to monitor and coordinate events around a communicable disease outbreak, as well as to create work rules that could be implemented to promote safety through infection control.

We ask all employees to cooperate in taking steps to reduce the transmission of communicable disease in the workplace. The best strategy remains the most obvious—frequent hand washing with warm, soapy water; covering your mouth whenever you sneeze or cough; and discarding used tissues in wastebaskets. We will also install alcohol-based hand sanitizers throughout the workplace and in common areas.

Unless otherwise notified, our normal attendance and leave policies will remain in place. Individuals who believe they may face particular challenges reporting to work during a communicable disease outbreak should take steps to develop any necessary contingency plans. For example, employees might want to arrange for alternative sources of child care should schools close and/or speak with supervisors about the potential to work from home temporarily or on an alternative work schedule.

* ***Limiting Travel***

All nonessential travel should be avoided until further notice. Employees who travel as an essential part of their job should consult with management on appropriate actions. Business-related travel outside the United States will not be authorized until further notice.

Employees should avoid crowded public transportation when possible. Alternative scheduling options, ride-share resources and/or parking assistance will be provided on a case-by-case basis. Contact human resources for more information.

* ***Telecommuting***

Telework requests will be handled on a case-by-case basis. While not all positions will be eligible, all requests for temporary telecommuting should be submitted to your manager for consideration.

* ***Staying Home when Sick***

Many times, with the best of intentions, employees report to work even though they feel ill. We provide paid time off and other benefits to compensate employees who are unable to work due to illness. **[Insert any specific policy guidance here].**

During a communicable disease outbreak, it is critical that employees do not report to work while they are ill and/or experiencing the following symptoms: [Enter as warranted. Examples include fever, cough, sore throat, runny or stuffy nose, body aches, headache, chills and fatigue]. Currently, the Centers for Disease Control and Prevention recommends that people with an communicable illness such as the flu remain at home until at least 24 hours after they are free of fever (100 degrees F or 37.8 degrees C) or signs of a fever without the use of fever-reducing medications. Employees who report to work ill will be sent home in accordance with these health guidelines. [Keep in mind that the stay at home restrictions and timeframes may differ, depending on the situation.]

* ***Requests for Medical Information and/or Documentation***If you are out sick or show symptoms of being ill, it may become necessary to request information from you and/or your health care provider. In general, we would request medical information to confirm your need to be absent, to show whether and how an absence relates to the infection, and to know that it is appropriate for you to return to work. As always, we expect and appreciate your cooperation if and when medical information is sought.
* ***Confidentiality of Medical Information***   
  Our policy is to treat any medical information as a confidential medical record. In furtherance of this policy, any disclosure of medical information is in limited circumstances with supervisors, managers, first aid and safety personnel, and government officials as required by law.

**Social Distancing Guidelines for Workplace Communicable Disease Outbreaks**

In the event of a communicable disease outbreak, [Company name] may implement these social distancing guidelines to minimize the spread of the disease among the staff.

***During the workday*,** employees are requested to:

1. Avoid meeting people face-to-face. Employees are encouraged to use the telephone, online conferencing, e-mail or instant messaging to conduct business as much as possible, even when participants are in the same building.
2. If a face-to-face meeting is unavoidable, minimize the meeting time, choose a large meeting room and sit at least 6 feet in distance from each other if possible; avoid person-to-person contact such as shaking hands. Wear face masks if needed.
3. Avoid any unnecessary travel and cancel or postpone nonessential meetings, gatherings, workshops and training sessions.
4. Do not congregate in work rooms, pantries, copier rooms or other areas where people socialize.
5. Bring lunch and eat at your desk or away from others (avoid lunchrooms and crowded restaurants).
6. Encourage members and others to request information and orders via phone and e-mail in order to minimize person-to-person contact. Have the orders, materials and information ready for fast pick-up or delivery.

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**Acknowledgement of Company’s Communicable Disease Control Policy**

I acknowledge that I have read the Company’s Communicable Disease Control Policy and that I understood it and agree to comply with it. I further acknowledge that I have been reminded of the Company’s policies and procedures and understand that it is my responsibility to be familiar with it and abide by its terms.

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Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:









