

MPCC Roundtable
July 14, 2020 TPO Update



For questions or additional information regarding the below update, please contact Michaelle Stanford, PHR-ca, M.A. at michaelles@tpohr.com. **TPO Note:** *As a reminder, these updates are provided for informational purposes only. For unique situations to your business, please consult with your Human Resource provider or employment expert.*

Back to “Square One” ... for businesses able to partially or fully stay open.

Although Governor Newsom's decision to roll-back re-opening of California's “indoors” businesses including fitness centers, offices for noncritical sectors, personal care services, hair salons/barbershops and malls, many essential services will remain open and where feasible, employees will continue their work as teleworkers.

During this time, being prepared in responding to possible exposure in the workplace with employees who continue to work as well as those who may have been exposed and are now working remote, are as important as ever. When responding to possible exposure in the workplace there are many factors to consider.

1. Contact the **local health department (LHD)** and follow **all** direction they provide. Each county has slightly different protocols. Find your LHD here, <https://www.cdph.ca.gov/Pages/LocalHealthServicesAndOffices.aspx>
2. Do some fact-finding to determine those who were in **“close contact,”** which is generally defined as **contact less than 6 feet AND for 15 or more minutes.**

In addition to the local county health department, additional helpful information is provided by the federal Center for Disease Control (CDC) and the CA Health Department.

The CDC has an FAQ (click here <https://www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html>) relating to exposure as follows:

*“Employees may have been exposed if they are a “close contact” of someone who infected, which is defined as being within approximately **6 feet** (2 meters) of a person with COVID-19 for a prolonged period of time:*

- Potentially exposed employees **who have symptoms** of COVID-19 should self-isolate and follow [CDC recommended steps](#).
- Potentially exposed employees **who do not have symptoms** should remain at home or in a comparable setting and practice social distancing for 14 days.

All other employees should self-monitor for symptoms such as fever, cough, or shortness of breath. If they develop symptoms, they should notify their supervisor and stay home.”

CDC clarifies <https://www.cdc.gov/coronavirus/2019-ncov/php/public-health-recommendations.html>) that **“prolonged period”** is generally defined as **15 or more minutes, with this quote,** “Brief interactions are

less likely to result in transmission; however, symptoms and the type of interaction (e.g., did the infected person cough directly into the face of the exposed individual) remain important.”

Critical Infrastructure: To ensure continuity of operations of **essential functions**, CDC advises that critical infrastructure workers may be permitted to continue to work following potential exposure to COVID-19, provided they remain symptom-free and additional precautions are taken to protect them and the community. See [Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19](#) for more information.

Finally, the CA health Department has a helpful chart at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Workplace-Outbreak-Employer-Guidance.aspx> and that follows. **Note:** “A close contact is someone who spent 15 minutes or more within 6 feet of an individual with COVID-19 infection during their infectious period, which includes, at a minimum, the 48 hours before the individual developed symptoms.”

Minimum Criteria for Return to Work (As of June 7, 2020)		CDC Reference Page (The most recent CDC guidance should be consulted prior to allowing the employee to return to work)
Employees		
Symptomatic Positive Employees with symptoms who are laboratory confirmed to have COVID-19	At least 3 days (72 hours) have passed since recovery, defined as resolution of fever without the use of fever-reducing medications and improvement in respiratory symptoms (e.g., cough, shortness of breath); and , at least 10 days have passed since symptoms first appeared.	• For employee cases who did not require hospitalization • For employee cases who required hospitalization
Asymptomatic Positive Employees who never had symptoms and are laboratory confirmed to have COVID-19	A minimum of 10 days have passed since the date of their first positive COVID-19 test. If they develop symptoms, then the criteria for laboratory confirmed cases with symptoms apply.	• For employee cases who did not require hospitalization
Symptomatic Negative Employees who had symptoms of COVID-19 but test result returned negative	Use the same criteria for return to work as laboratory confirmed cases.	
Asymptomatic Negative	Employees should quarantine at home for 14 days after the last known close contact with the case	

Employees who never had symptoms but were tested due to close contact with a laboratory-confirmed case patient and were negative	patient. Symptoms can develop even after testing negative within 14 days after exposure. The LHD may consider allowing earlier return to work only for an employee in a critical infrastructure industry in which the essential operations of the workplace would be compromised by quarantine of the employee and no alternate staff can perform the same role.*	
Symptomatic Untested Employees who had symptoms of COVID-19 but were not tested	Testing is highly recommended. If the employee cannot be tested, use the same criteria for return to work as laboratory confirmed cases.	
Asymptomatic Untested Employees who had close contact to a laboratory-confirmed case patient at work, home, or in the community and do not have symptoms. OR Employees who refuse or are unable to be tested after close contact with a laboratory-confirmed case, despite recommendation for testing from LHD or healthcare provider, and do not have symptoms.	Employees should be quarantined at home for 14 days after the last known close contact with the case patient. Testing is highly recommended; if testing has not occurred, the LHD may consider allowing an employee who had close contact to a confirmed case to continue to work only in a critical infrastructure industry in which the essential operations of the workplace would be compromised by quarantine of the employee and no alternate staff can perform the same role.* Employees who develop symptoms of COVID-19 while in quarantine should contact their healthcare provider. Even if they are not tested, the same criteria for return to work should be used as laboratory-confirmed cases.	• For employee cases who did not require hospitalization • Critical workers implementing safety practices