



## **COVID-19 IN THE WORKPLACE**

The below do's, don'ts and FAQs are not all inclusive, but they will provide you with some basic guidance for steps you can and should take if an employee is exposed to, has symptoms of, or tests positive for, COVID-19.

### **Do:**

1. Keep calm. Although this situation is stressful, your calm demeanor will help your employees not panic themselves.
2. Communicate. Keep your employees up to date on the precautions you have taken and are taking to provide them with a safe working environment.
3. Stay vigilant. Coronavirus fatigue is a real thing. Since we have been dealing with this virus for many months now, it is easy to let precautions fall by the wayside.
4. Stay informed. This pandemic is still a fluid situation, so it is important to stay up to date on current CDC guidance and state and local guidance.
5. Follow the below FAQ guidance if an employee is exposed, has symptoms, or tests positive for COVID-19.

### **Don't:**

1. Expose an employee's personal medical information. Any personal medical information is confidential, including the employee's temperature, symptoms, test results, or other medical information.
2. Retaliate against the employee. It can be frustrating if the employee did not take all the safety precautions you or your other employees are taking; however, anyone can contract COVID-19 through a variety of instances, so it is important to refrain from taking any adverse employment actions against the employee.
3. Deny employees their rights to take paid sick leaves they may qualify for under federal, state, and local laws. This will expose your company to unnecessary liability.

## **FREQUENTLY ASKED QUESTIONS**

### **One of my employees tested positive for COVID-19. What should I do?**

#### **1. For the positive employee:**

Make sure the employee does not come to work until they have been 3 days without fever, their symptoms have improved, and it has been 10 days since symptoms first appeared.

If you have less than 500 employees, provide the employee with up to 2 weeks of FFCRA paid sick leave if they have not already exhausted FFCRA. You can have them complete MBA's FFCRA Leave Request Form, which you'll keep along with a doctor's note or other documentation showing that they need to quarantine, and you'll let your payroll specialist know the employee should be paid FFCRA leave. If the employee has already exhausted FFCRA or you have 500 or more employees, you can let the employee take other leave available or unpaid time off.

Check in on the employee over the course of the time they are quarantining to see how they are doing. Require a doctor's release to return to work.

#### **2. For my other employees:**

At a minimum, you should let your other employees know that another employee has tested positive for COVID-19. While you should not tell them who the employee is who tested positive, you can tell them to monitor themselves for symptoms.

- i. If you'd like to, you can ask the other employees to be tested for COVID-19. Whether you pay for that testing may depend on the state or local law where your employees work, but is not required under federal law.

### **One of my employees was exposed to someone with a confirmed case of COVID-19. What should I do?**

#### **For the Employee:**

You should have the employee self-isolate for 14 days. According to the CDC, this should be enough time to see if the employee develops symptoms of the

virus. If the employee develops symptoms and seeks medical treatment or advice, you should pay them FFCRA leave.

**For other employees:**

At a minimum, you should let your other employees know that another employee was exposed to someone with a confirmed case of COVID-19. You should also tell them to monitor themselves for symptoms.

If you'd like to, you can ask the other employees to be tested for COVID-19. Whether you pay for that testing may depend on the state or local law where your employees work but is not required under federal law.

**One of my employees has COVID-19-like symptoms. What should I do?**

**For the employee:** Send the employee home or, if possible, don't let them come into the worksite at all. You can require that the employee self-isolate for 14 days. If the employee decides to seek medical advice or diagnosis, you should pay them FFCRA leave. If the employee does not want to go get tested, they are not eligible for FFCRA leave.

**For other employees:** Make sure other employees are monitoring themselves and let you know if they experience any COVID-19-like symptoms.

**Should I close my business if one of my employees tests positive?**

The CDC has advised that most businesses do not need to close because an employee tests positive for Covid-19. However, ultimately, this would be a business decision that you will need to make for yourself, your employees, and for your customers.

**I've read the above FAQs, but I'm still not sure what I should do in my particular situation. What should I do?**

You can call MBA at 727-563-1500 and ask to speak with an HR Consultant.

***Disclaimer:*** *The above guidance is provided for informational purposes only. It is not, nor is it intended to be, legal or medical advice. Readers should contact their attorney or healthcare practitioner to obtain advice with respect to their particular situation. Only your individual attorney or practitioner can provide you with assurances that the information above is applicable or appropriate for your particular business. Use of this information or any of the above links do not create an attorney-client or fiduciary relationship between the reader, MBA, or MBA's agents or employees.*