



# CHECKLIST

## COVID-19 POSITIVE EMPLOYEE CHECKLIST

*Revised: November 2020*

### **Summary:**

This checklist presents considerations for employer when an employee tests positive for COVID-19.

### **Important Notice:**

*The information provided herein is general in nature and designed to serve as a guide to understanding. These materials are not to be construed as the rendering of legal or management advice. If the reader has a specific need or problem, the services of a competent professional should be sought to address the particular situation.*

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# An Employee Tests Positive for the Coronavirus: Steps to Take

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When you learn that an employee has tested positive for the virus, the steps you take now are critical.

The goal is to both contain the virus to the extent possible and follow workplace requirements.

- Under OSHA, you have a duty to warn, and under the Americans with Disabilities Act, you must care for the health of your employees without disclosing the health information of any individual. Follow the steps below to gather information and take action.
- Gather Information
  - Converse with the employee to find out all that you can about:
    - The particular facts of the exposure to the virus if known.
    - The date of onset of symptoms.
    - When the employee was last in the workplace.
    - What areas of the workplace the employee was in for the 14 days before symptoms appeared.
  - If an employee does not want to discuss this, explain that you will keep their information confidential, but you must learn all that you can to protect the health of other employees, and explain that it is required for you to find out this information. If the employee cites HIPAA privacy concerns, explain that this scenario is not subject to HIPAA because it involves information required for the safety and health of the workplace.
- Take Action
  - Instruct the infected employee to stay isolated at home for at least 14 days and as long as it takes for the symptoms to disappear (until 24 hours without a fever without fever-reducing medication).
  - Encourage the employee to call their health care provider should their condition worsen.
  - Keep higher-risk employees out of the workplace when there is an outbreak.
    - Employers must provide work accommodations to higher-risk employees (such as allowing telework or time off) during workplace/facility outbreaks. They cannot be compelled to go to work.
  - If you have fewer than 500 employees, place the employee on paid leave under the Families First Coronavirus Response Act (FFCRA). The length

and payment for leave, along with a sample policy is in our FYI, available on our website.

- Know your state laws, some states have more generous leave statutes than FFCRA, such as Colorado and Arizona.
- FFCRA expires 12/31/20; unless it is extended into 2021, after this date, state leave laws and employer leave benefits may prevail.
- If other employees cannot go to work due to the exposure and cannot telework, they may also be entitled to paid leave. Remember that this leave may be eligible for tax credits with proper documentation, if required by FFCRA.
- Inform other employees that they have been exposed to the virus, and provide the window of exposure as 14 days prior to the date of the confirmed diagnosis, and 14 days after.
- In most circumstances, it is not recommended to routinely test healthy employees because test results alone should not clear them to return to work.
  - Routine viral testing of healthy employees may be recommended in workplaces where there is an outbreak or in certain high-risk settings. In this case, routine testing would be part of a targeted response plan developed in conjunction with your local public health agency.
  - People with COVID-19 may receive negative viral test results if they get tested too soon after exposure. If someone has been exposed to COVID-19, that individual should quarantine for a full 14 days regardless of negative test results. The goal of testing some workers who don't have symptoms is to identify workers who may be contagious.
- If you have more than one employee become ill check your local health order. You may need to inform the health department.
- Hire a cleaning company to clean the location following CDC and state guidelines.
  - If it has been fewer than 7 days since the sick employee was in the workplace, close off areas the sick person used.
  - Wait 24 hours since the sick person used the area before cleaning and disinfecting. Doing so minimizes the potential for cleaning crews to be exposed to respiratory droplets. If waiting 24 hours is not feasible, wait as long as possible.
  - During the waiting period, open outside doors and windows to increase air circulation.
  - If it has been 7 days or more since the sick employee used the facility, additional cleaning and disinfection is unnecessary.

Continue routinely cleaning and disinfecting all high-touch surfaces in the facility.

- Actively screen employees daily for fever, COVID-19 symptoms, and recent COVID-19 exposure before they enter the workplace/facility in accordance with state health orders. Document these daily checks using an [employee health screening form](#).
- Reiterate - any employee coming on-site to follow CDC protocols including social distancing, hand washing, and wearing a face covering.

**Contact Employers Council for assistance 800-884-1328**