CDC Issues Guidance on the Coronavirus for Employers

Labor & Employment Law Update

By Suzannah Wilson Overholt on February 24, 2020

As the new coronavirus (COVID-19) slowly appears outside China, employers should take precautions to protect their workplaces. To that end, the Centers for Disease Control (CDC) issued guidance for businesses and employers regarding COVID-19.

While the flu and COVID-19 have similar symptoms, COVID-19 is not the flu. Coronaviruses range from the common cold to SARS and MERS (Middle East Respiratory Syndrome). COVID-19's symptoms are a mild to severe respiratory illness with fever, cough, and difficulty breathing. Symptoms may appear in two to 14 days after exposure. There is no easy way to test for COVID-19. A person may be infectious even if she does not have symptoms. COVID-19 appears to spread between people who have close contact with one another, i.e., being coughed or sneezed upon.

The CDC's guidance is intended to help prevent workplace exposures to acute respiratory illnesses, including COVID-19, in non-health care settings. The guidance should be used to determine the risk of COVID-19 infection. Determinations of risk should not be based on race or country of origin. Confidentiality of people with confirmed coronavirus infection must be maintained.

- Actively encourage sick employees to stay home:
  - Employees who have symptoms should stay home until they are free of fever, signs of a fever, and any other symptoms for at least 24 hours, without the use of medication.
  - Ensure that sick leave policies are flexible, consistent with public health guidance, and employees are aware of these policies.
  - Do not require a health care provider's note for employees to validate their illness or to return to work. Health care providers may not be able to provide such documentation in a timely way.
  - Maintain flexible policies that permit employees to stay home to care for a sick family member.
- Employees who appear to have symptoms upon arrival to work or during the day should be sent home immediately.

- Emphasize coughing/sneezing etiquette and hand hygiene. Provide tissues, no-touch disposal receptacles, soap and water, and alcohol-based hand rubs.

- Perform routine environmental cleaning of all frequently touched surfaces and provide disposable wipes so that commonly used surfaces can be wiped down before use.

- Advise employees to take certain steps before traveling:

  - Check the CDC's Traveler's Health Notices for guidance and recommendations for each country to which they will travel.

  - Check themselves for symptoms before starting travel.

  - Notify their supervisor if they become sick while traveling and promptly call a health care provider for advice if needed.

  - If outside the United States, follow the company's policy for obtaining medical care or contact a health care provider or overseas medical assistance company to assist with finding an appropriate health care provider. A U.S. consular officer can help locate health care services.

- Measures for employees who may have been exposed:

  - Employees who have a sick family member at home with COVID-19 should notify their supervisor.

  - If an employee is confirmed to have COVID-19, the employer should inform fellow employees of their possible exposure but maintain confidentiality.

  - Exposed employees should refer to CDC guidance for how to conduct a risk assessment of their potential exposure.

We will continue to monitor developments in this area.

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