



Responding to a Positive or Presumed COVID-19 Checklist

<p>So long as COVID-19 remains a pandemic, every employer must face the new reality that there is a good chance an employee will test positive for COVID-19</p>	
<input type="checkbox"/>	Treat positive test results and “suspected but unconfirmed” cases of COVID-19 the same
<input type="checkbox"/>	If the source of infection is known, identify if it was at the workplace or outside
<input type="checkbox"/>	<p>If the infection was contracted inside the workplace:</p> <ul style="list-style-type: none"> ○ Notify workers’ compensation carrier; ○ Place the employee on workers’ compensation leave (with pay); and ○ Record the infection in the employer’s OSHA 300 log.
<input type="checkbox"/>	<p>If the infection was contracted outside the workplace:</p> <ul style="list-style-type: none"> ○ Is the employee eligible for FFCRA/NYS Paid Sick Leave/FMLA/Disability? <i>If Yes, place on the appropriate leave.</i> ○ Does the employee have paid sick or vacation time available? If yes, let the employee know that they may use paid sick or vacation for any time that may not be covered by FFCRA/NYS Paid Sick Leave/Disability. However, note that some states (like California) may not allow an employer to require an employee to use paid sick leave for COVID-19.
<input type="checkbox"/>	<p>Ask the employee if he/she/they grants the employer permission to disclose the fact that the employee is infected.</p> <p><i>If yes:</i></p> <ul style="list-style-type: none"> ○ Notify the employee’s manager/supervisor that the employee is infected with COVID-19 and is out on leave. ○ For all other employees, respond that the employee is on a non-disciplinary leave of absence. <p><i>If no:</i></p> <ul style="list-style-type: none"> ○ Notify the employee’s manager/supervisor that the employee is on a non-disciplinary leave of absence only. <p><i>Regardless of yes or no:</i></p> <ul style="list-style-type: none"> ○ Disclose the identity of the employee and any information needed to OSHA and/or the Health Department.
<input type="checkbox"/>	<p>Notify employee’s co-workers who may have come into contact with employee at work within the past 14 days that they may have been exposed to COVID-19 and may wish to see a healthcare provider.</p> <ul style="list-style-type: none"> ○ Not required to notify other office locations unless the employee visited those sites within past 14 days. ○ DO NOT identify the infected employee by name. ○ To the extent reasonably possible, avoid making any direct or indirect references that would lead the co-workers to guess the identity of the employee. ○ For employees who had close contact with employee in past 14 days, send them home for a 14-day self-quarantine.
<input type="checkbox"/>	<p>Notify known customers, vendors, or third parties with whom the employee may have come into contact at work (including off-site work contacts and building management if office setting) within the past 14 days that they may have been exposed to COVID-19 and may wish to see a healthcare provider.</p> <ul style="list-style-type: none"> ○ DO NOT identify the infected employee by name. ○ To the extent reasonably possible, avoid making any direct or indirect references that would lead the person to guess the identity of the employee. ○ There is no guidance on how far a company should investigate for third parties who may have come into contact with an employee through work. It is safe to include any parties on the employee’s work calendar, in visitor logs, or otherwise readily available or known.
<input type="checkbox"/>	Arrange for a professional cleaning of the employee’s workspace, immediate surrounding area, and areas likely visited (break room, restroom, etc.).

<input type="checkbox"/>	Respond to inquiries by CDC or public health authorities as/if received. <ul style="list-style-type: none">○ In this instance, the employer is allowed to disclose identity of employee and protected health information.
	<p style="text-align: center;"><i>There is no obligation to report a suspected or confirmed case of COVID-19 to the CDC.</i></p> <p style="text-align: center;"><i>(The employee's healthcare provider has that reporting requirement.)</i></p>

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