



COVID-19 WEBINAR Q&A: MEDICAL SCREENINGS AND SICK EMPLOYEES

Webinar held March 19, 2020. FAQ up to date as of April 14, 2020

Question	Answer
Are employers able to take their employees' temperatures when they are coming into the office?	<p>The EEOC has said the following: When may an ADA-covered employer take the body temperature of employees during the COVID-19 pandemic?</p> <p>Generally, measuring an employee's body temperature is a medical examination. Because the CDC and state/local health authorities have acknowledged community spread of COVID-19 and issued attendant precautions, employers may measure employees' body temperature. However, employers should be aware that some people with COVID-19 do not have a fever.</p>
Can you require employees to take their temperature at work each day, and send home employees who have a temp over a certain threshold?	See above.
Are employers able to take their employees' temperatures when they are coming into the office?	See above.
Can you take employees' temperature at the door arriving to work? Can a manager who is not a medical professional take the temperatures? Are employers required to pay employees if sent home for temperature greater than 100.4? What should we require before they return? Thank you!	<p>See Above. Employers should also review state and local wage and hour rules, but generally employees should clock in before any their temperature is taken. If an employee is sent home, then they must be paid the minimum amount of time required for employees that report to work.</p> <p>Employers should review the current CDC guidelines before allowing an employee to return to work.</p>

<p>If an employee has been in contact with a COVID-19 positive person, what can be shared with co-workers about their PHI to notify of a potential contact?</p>	<p>Employees should be notified that someone they have been in contact with has been diagnosed with COVID-19. Do not release the sick employee's name or personal information. Consult with your local health department.</p>
<p>Ohio Governor Dewine has 'encouraged' employers to take the temperature of each employee as they report to work and send home all workers with fever over 100.4., Are there concerns with this?</p>	<p>See above.</p>
<p>Are you saying you can give the name of an employee that has been diagnosed with COVID-19?</p>	<p>Employees should be notified that someone they have been in contact with has been diagnosed with COVID-19. Do not release the sick employee's name or personal information. Consult with your local health department.</p>
<p>If someone has a case of COVID-19, our building is asking that we notify them. Can we?</p> <p>Should a work related exposure be a workers' comp claim?</p>	<p>Please notify the building as requested without releasing personal information about the diagnosed person. Consult with your local health department.</p> <p>The terms of the workers' comp policy should be reviewed in order to determine if work-exposed illness extends to workers' comp. It may depend on the nature of the work, though, such as being a healthcare provider or working in healthcare clinic. To be covered under workers' comp, the injury or illness usually needs to be somehow related to the work itself. COVID-19 may fall under other illnesses, such as influenza or illnesses that could be credited to being outside of work, and are not considered workers' comp eligible.</p>
<p>We had an employee in a manufacturing facility who came in with a mask and said he was having respiratory issues. He did not want to go home. We sent him home anyway. He is in his 30s so from other cases we know they won't test him, even with symptoms. How risky was that?</p>	<p>For more information regarding COVID-19 symptoms, please go to the CDC website or the WHO website.</p>
<p>Is it only sick "young" people that are testing positive for COVID-19, or are healthy young people testing positive and getting sick also?</p>	<p>All people are susceptible. For more information regarding COVID-19 symptoms, please go to the CDC website or the WHO website.</p>

The Response Act goes into effect 15 days after enactment. Does it go into effect April 2nd and are the coverages retroactive or going forward from April 2nd?	The FFCRA's paid leave provisions are effective on April 1, 2020, and apply to leave taken between April 1, 2020, and December 31, 2020.
Is a company required to shut down if an employee tests positive for COVID-19?	Not currently, those who were working closely with the employee should be informed they may have been exposed.



Questions that required attorney-client privilege, required additional facts to answer, or were highly dependent on state and local laws were unable to be answered in this FAQ.

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Updated as of 04/14/2020.