

Confirmed Positive COVID-19 Test – 10 Steps for Employers

As the coronavirus spreads throughout the United States, it is inevitable that employers may soon receive a call from an employee who shares that he or she has a positive test result for COVID-19, or a member of his or her household has tested positive. There are several considerations for employers as they proceed with “next steps” in their business continuity and communications plan.

- 1) If an employee or someone in their immediate household has tested positive for the COVID-19 virus, the employee should not report to work OR be sent home to work remote, if able. If not able to work remote, the employee may be placed on medical/personal leave for a 14-day quarantine period as recommended by the Centers for Disease Control and Prevention (CDC).
- 2) The employer does not need to notify the Department of Health, CDC, or any other government agency. The healthcare provider who handles the positive test is responsible for reporting to these agencies.
- 3) Employees who are diagnosed with COVID-19, or who have members in their household diagnosed with the virus, may be eligible for protection under the Federal Family Medical Leave Act (FMLA) or other state leave laws. Because of the demands being placed on the medical community, employers are encouraged to forego the medical certification process to not place further burdens on the healthcare community.
- 4) The employer should ask the employee to list individuals that came into close contact with him/her during the two weeks leading up to the positive test. This would include employees, clients, vendors and any other business contacts. The employer should communicate with these specific individuals.
- 5) When communicating with the “close contact” employees and business contacts, be mindful of privacy and confidentiality laws. Employers should not communicate the employees’ name. Instead, employers should generally share that an employee they’ve come in contact with recently has tested positive, or a member of their household has tested positive, for COVID-19. Any employees who came in close contact with the employee should be sent home for a 14-day period, with the ability to work remote, if appropriate.
- 6) Those specific employees who cannot work remote, due to their work not being conducive to remote arrangements, or they become ill, should be placed on an approved leave of absence. With respect to compensating employees during this leave of absence period.
- 7) Steps should be taken to immediately sanitize the work area and any work surfaces.
- 8) Employers should proactively communicate to ALL employees regarding potential exposure in the workplace. The employer should convey all the measures and steps they are taking to keep employees healthy and safe.
- 9) Employees who have tested positive for COVID-19, according to the CDC, can discontinue quarantine after the following:
 - a. They have had no fever for at least 72 hours (that is three full days of no fever without the use of medicine that reduces fevers); AND
 - b. Other symptoms have improved (for example, when cough or shortness of breath have improved); AND
 - c. At least 7 days have passed since symptoms first appeared.
- 10) Employers who have the ability to allow most/all employees to work remote, may opt to move to a remote workplace for all employees as a cautionary measure.