

Employer Considerations & Federal Resources



When an on-site employee is symptomatic and/or positively diagnosed with COVID-19

As employers find their footing with managing employees who are coming into in their workspace during the COVID-19 pandemic, they will likely find themselves faced with symptomatic and/or positive COVID-19 diagnoses in the workplace. The [CDC has compiled thorough and comprehensive guidance](#) that can be overwhelming and difficult to organize. Below are the relevant considerations in the event of a symptomatic and/or positively diagnosed COVID-19 employee and links to the relevant CDC and DOL pages.

1. **Keep the employee's identity [confidential \(ADA statutory requirements\)](#)**
2. **Things to Determine:**
 - a. Is the employee [symptomatic](#) or diagnosed?
 - b. Was the employee in the office or at home when you learned of his/her condition?
 - c. Has the employee been in your worksite in the last 14-days?
 - d. With whom the employee has been in close contact?¹ Ask the diagnosed/symptomatic employee with whom he/she has had close contact to identify any exposed employees
 - e. Identify areas in the workspace/building in which the diagnosed or symptomatic employee was present to determine potentially "contaminated" locations/surfaces
 - f. Identify any other affected third-parties that may want to (or need to) know about the employee's positive diagnosis (while keeping the identity confidential and private) so that they may take responsive and preventative measures
3. **Activate your response plan which should address the following (see also: [HUB Back to Business Playbook](#)):**
 - a. Be sure to follow [CDC guidelines for testing and isolation of suspected, symptomatic, exposed, and/or diagnosed workers](#) and incorporate them into your RTW plan.
 - b. The Diagnosed/symptomatic employee (and/or third party) – Employees should be sent home (or remain at home) and may not return to work until they have satisfied [the CDC return to work protocols](#) (see also [here](#))
 - c. Exposed employees (and/or third party) –the employer should consider the following:
 - i. Sending employees home to self-isolate and self-monitor for symptoms – the employee should not return to work until they have satisfied [the CDC return to work protocols](#) (see also [here](#))
 - ii. Employees may elect to obtain a diagnostic test – Employees may elect to obtain a [diagnostic test](#) – see the [CDC guidelines for the testing protocol/strategy](#) – employees waiting for test results may be eligible for [Emergency Paid Sick Leave](#) depending the [employer size and other related factors](#)
 - d. Facilities and office/workspace – see [CDC guidance for businesses and Employers](#). Your protocols should address under what circumstance you may:
 - i. Close facilities/offices
 - ii. Disinfect/deep clean the offices using a third-party specialty vendor
 - iii. Shared/common areas – cleaning and disinfecting

¹ "Close Contact" Individual who has had close contact (< 6 feet) for ≥15 minutes – according to the CDC: Data are insufficient to precisely define the duration of time that constitutes a prolonged exposure. Recommendations vary on the length of time of exposure, but 15 minutes of close exposure can be used as an operational definition. Brief interactions are less likely to result in transmission; however, symptoms and the type of interaction (e.g., did the infected person cough directly into the face of the exposed individual) remain important.

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