CORONAVIRUS FACTS AND RESOURCES FOR EMPLOYERS
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I.   FACTS ABOUT THE VIRUS

- **What is the Coronavirus Disease 19?**
  Coronavirus Disease 19 (now referred to as COVID-19) is a variant of the Coronavirus family of virus that was first identified in the Wuhan province of China. For current information about the source and spread of the virus please click here to see the CDC Coronavirus Disease 2019 Situation Summary.

- **Have there been any cases identified in New England?**
  The vast majority of cases worldwide originated and remain within China. However there are cases within the United States. The confirmed and presumptive positive cases of the virus are changing daily. Click here for to see the CDC's Map of US States with Confirmed and Presumptive cases.

- **How is it transmitted?**
  There is still more to learn about how this virus spreads, but at the present time it is believed that COVID-19 can be transmitted from person to person via close contact with a person carrying the virus. Specifically, similar to the flu, it can be transmitted through respiratory droplets produced when an infected person coughs or sneezes. However, current studies also suggest that transmission can also spread when a person is not openly displaying symptoms of the condition. Click here for updated information from the CDC about how the virus is spread.

- **What are symptoms of COVID-19?**
  Symptoms associated with COVID-19 include: fever, cough and shortness of breath. Click here for a complete list of the symptoms associated with the virus.

II.   BUSINESS & EMPLOYEE RELATED FAQS

- **We have customers in Level 2 and Level 3 countries and we were planning on sending employees to those customers on business. What should I do?**
  Currently, the Centers for Disease Control (CDC) is recommending that travelers (whether for business or otherwise) avoid nonessential travel to Level 3 countries. Click here to search the COVID-19 risk assessment by country.

- **I have an employee who has a fever or is coughing. Does that mean they have COVID-19?**
  Not necessarily. COVID-19 does manifest signs similar to other common conditions such as the cold and flu. As such, the CDC is currently suggesting that employees seek medical attention if they display these symptoms AND the employee is known to have come into close contact with a person known to have been carrying the virus or who had traveled to a country that has had a widespread distribution of the virus (otherwise known as "level 2" or "level 3" countries). [Click here for an updated list of countries with sustained transmission.](#)

- **I have an employee who has traveled abroad to a country that has had known COVID-19 cases, can I make them stay home from work?**
  While there were initial mandatory quarantine orders imposed by the Trump administration ([which can be found here](#)) for people traveling to the United States from China and now Iran, and self-quarantine measures taken by others at the direction of state or local officials due to potential exposure to the virus elsewhere, making an employee otherwise stay home from work when they are otherwise willing and fit to work (that is that they are asymptomatic and not showing signs of the disease) could lead to an allegation that you are perceiving or treating them like they are disabled. As such, it is conceivable that such an employee could make a claim under the Americans with Disabilities Act (as amended) and comparable state law. Employees who are otherwise manifesting symptoms may want to consider making reasonable accommodations (which may include allowing an employee to stay home and using paid time off or working from home).

- **I have employees who know that a co-worker of theirs has traveled abroad and is now back at work. They have concerns about working with or near the employee. What should I do?**
  While an employer has a responsibility to provide a safe workplace under the general duty clause of the Occupational Safety and Health Act, an employer is not allowed to divulge an employee's medical background to co-workers (regardless of whether the employee's medical test results are positive or negative for the disease). Rather, an employer's focus should remain on keeping employees informed on background concerning the COVID-19 virus ([which can be found here)](#), encouraging employees to practice proper hygiene practices (including and maintaining clean workplaces by routinely cleaning all frequently touched surfaces in the workplace, such as workstations, countertops, and doorknobs. Additionally, if employees have concerns about their own condition, they should be referred to their own health care provider for evaluation as appropriate.

- **My employees are asking what they can do to minimize exposure. What type of hygiene practices should I recommend to them?**
  Recommended practices include:
  - Avoid close contact with people who are sick.
  - Avoid touching your eyes, nose, and mouth.
  - Stay home when you are sick.
  - Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
  - Wash your hands often with soap and water for at least 20 seconds, especially after going to the bathroom; before eating; and after blowing your nose, coughing, or sneezing.

- **I have employees who refuse to work with an employee that has returned from abroad even though they are asymptomatic. What should I do?**
  Negative stereotyping or alienating employees over perceived conditions or from coming from abroad can (as previously mentioned) create potential discriminatory liability for a company. Similar to other forms of discriminatory conduct, it shouldn't be condoned or permitted. Unless objective evidence exists that an employee is known to have the virus or is otherwise manifesting symptoms or conditions that would make working with them an unsafe working practice, employees should understand that they have the expectation and responsibility to work with their fellow co-workers in accordance with their job responsibilities.

- **Can I make an employee stay home from work merely because they have traveled to a country that has had cases of COVID-19?**
  If an employee is asymptomatic and is not otherwise under direction by federal, state or local officials to be quarantined, then an employer should not attempt to impose such a measure upon them by making them stay home from work.

- **May an employer require employees to stay away from the workplace if they are experiencing symptoms of acute respiratory illnesses, or if they are caring for someone with those conditions?**
  Yes. People are contagious at the onset of these symptoms. It is critical that an employee experiencing symptoms, or who is known to be exposed to the conditions, stay home for a medically recommended period. Employers may also wish to require that an employee can return to work only upon release from a medical provider. Of course, the employer must enforce this consistently among the workforce to avoid claims of discrimination and inconsistency.

- **What if one of my employees contracts the coronavirus?**
  Contact the CDC or local health department immediately. Clean and disinfect the workplace (you may wish to contact a professional cleaning service). Inform your employees of potential signs and symptoms, offering employees the option to expense their medical test for the virus.

- **Should an employer designate FMLA when an employee is unable to work due to the virus?**
  If you are a covered employer, clearly eligible employees with the coronavirus and those with a child, spouse or parent infected by the virus are entitled to FMLA. However, if an employee has no symptoms, but only was exposed to the coronavirus an employer should not charge any of work missed against the employee's FMLA bank.

- **An employee has self-quarantined out of concern that they may have been exposed to someone known to have had the virus. Do I have to pay them?**
  Unless employees are working from home during a self-quarantine period, there would not be a responsibility to compensate them for this time as it is not considered hours worked. However, employees may have rights to use sick or other forms of paid time off available to them in accordance with company policy.

- **I have an employee who is out of paid time off and appears to manifesting conditions that they are sick. They have indicated that they need to work because they cannot afford to stay home. Do I have to allow them to work?**
  If they are unfit to work due to objective and observable conditions that indicate that they are sick or that they may get others sick, then you can have them stay home even if doing so would make such time unpaid. That being stated, employers may want to consider providing modified work or otherwise make arrangements to allow employees to work from home as a means to allow for such time to be paid. Employers may also want to consider modifying time off policies to lessen the financial incentive to return to work prematurely at the expense of getting others sick and thereby expanding the scope of absenteeism and lost productivity.

- **I have an employee that wants to wear a facemask at work. Should I or do I have to allow them to do so?**
  While employers have responsibility to provide Personal Protective Equipment (PPE) to employees who may be exposed to hazardous substances in accordance with existing OSHA standards, presently, the CDC does not recommend that people who are well wear a facemask to protect themselves from respiratory illnesses, including COVID-19. Employees should only wear a mask if a healthcare professional recommends it (in which case an employer should honor such a

request). A facemask should be used by people who have COVID-19 and are showing symptoms. This is to protect others from the risk of getting infected. The use of facemasks also is crucial for health workers and other people who are taking care of someone infected with COVID-19 in close settings (at home or in a health care facility). Click here to view the most up-to-date preventative measures recommended by the CDC.

- **Looking at my operations in general, what would be some ideal best practices for my workplace?**
  To be prepared for questions and further spreading of the virus locally it's time to do the following:
    - Ensure that your sick leave or PTO policies are flexible and remind employees about the policies;
    - Be prepared to address ill employees who have exhausted their protected sick leave and/or PTO;
    - Require employees who show up at work with symptoms of acute respiratory illnesses (fever, cough, shortness of breath) to seek medical care and stay home from the office until the symptoms disappear and/or a doctor confirms they are not contagious;
    - Instruct employees to wash their hands often with soap and water and provide alcohol-based hand sanitizers and if necessary, hand washing stations throughout the workspace;
    - Routinely clean workstations, countertops, and doorknobs and provide disinfectant wipes in shared spaces;
    - Consider requiring employees to report if they have traveled to a CDC reported restricted area and if the employee has had contact with an infected contagious person to stay home and self-quarantine.
    - Review your work from home policy and if you don't have one consider creating one that responds to the likelihood of a quarantined employee and meets your business needs.
    - Distribute your anti-discrimination policy reminding all employees discrimination based on assumptions about employees who come from countries most seriously impacted;
    - Do not require employees get tested for Coronavirus. The symptoms mirror those of many other illnesses, and requiring medical exams is generally "off limits" under the ADA;
    - Check the CDC or World Health Organization (WHO) websites, or your state public health website, for Travelers Health Notices for the latest guidance and recommendations for each country to which employees will travel.

As with any emergency situation, employers must be prepared to respond to absenteeism and implement plans to continue the essential business functions.

Employers are encouraged to seek guidance from the CDC or World Health Organization (WHO) for up-to-date information related to the virus and recommended quarantine or travel restrictions.

III.   **TRUSTED RESOURCES FOR UP TO DATE CORONAVIRUS INFORMATON**
- **Centers for Disease Control (CDC) - Interim guidance for businesses**
  https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/guidance-business-response.html
- **Centers for Disease Control (CDC) - Recommended prevention and treatment practices**
  https://www.cdc.gov/coronavirus/2019-ncov/about/prevention-treatment.html
- **Connecticut State Department of Public Health Coronavirus Page**
  https://portal.ct.gov/DPH/Public-Health-Preparedness/Main-Page/2019-Novel-Coronavirus
- **Massachusetts Department of Public Health Coronavirus Page**
  https://www.mass.gov/guides/information-on-the-outbreak-of-2019-novel-coronavirus-covid-19
- **OSHA Coronavirus Page**
  https://www.osha.gov/SLTC/covid-19/
- **OSHA Emergency Preparedness and Response Page**
  https://www.osha.gov/SLTC/emergencypreparedness/
- **OSHA Standards and How They Apply to the Coronavirus**
  https://www.osha.gov/SLTC/covid-19/standards.html
- **Rhode Island Department of Health Coronavirus Page**
  https://health.ri.gov/diseases/respiratory/?parm=163
- **World Health Organization - Coronavirus disease (COVID-19) advice for the public**
  https://www.who.int/emergencies/diseases/novel-coronavirus-2019/advice-for-public
- **World Health Organization - Coronavirus disease (COVID-2019) situation reports**
  https://www.who.int/emergencies/diseases/novel-coronavirus-2019/situation-reports/
- **Emergency Action Plan – Sample Written Program – OSH.net**
  http://www.osh.net/directory/emerg_mang/emerg_mang_01.htm