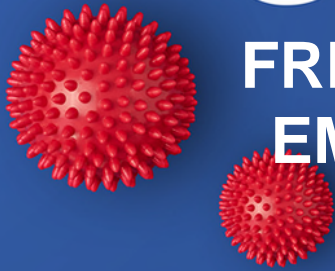


# COVID-19

## FREQUENTLY ASKED QUESTIONS: EMPLOYEE HEALTH SCREENING



As stay-home restrictions are lifted, many states and local governments are permitting businesses to open only if they are able to screen workers for symptoms of the coronavirus. Employers are put in a position to juggle work logistics, cleaning and sanitation, as well as the practicalities of health screening. A few of their most frequently asked questions include:

### **Q: Why is health screening necessary?**

A: Health screening is a measure that employers can take to prevent exposure of COVID-19 in the workplace. Health screening is recommended by both the CDC and OSHA as a measure to ensure workplace safety and is required by many state and local governments for employers to reopen their workplace.

### **Q: When should employers perform health screening?**

A: Health screening should be performed daily prior to the workers' entry into the facility.

### **Q: What is involved in a health screening?**

A: The following steps are often involved in screening of workers for COVID-19 symptoms:

1. Verbal screening to determine if workers have had COVID-19 symptoms, including whether the workers have had a fever, felt feverish, or had chills, coughing, or difficulty breathing in the past 24 hours.
2. Making visual inspection of the workers for signs of illness, which could include flushed cheeks or fatigue, and confirming that the workers are not experiencing coughing or shortness of breath.
3. Checking temperatures of workers or having workers verifying their temperature at the start of each shift to determine if they have a fever.
4. Preventing workers who have COVID-19 symptoms or whose screening results indicate that they are suspected of having COVID-19 or have been in close contact with individuals who have or are suspected of having COVID-19 from entering the workplace.

### **Q: What qualifies as a fever?**

A: Per the CDC, a fever is a temperature of 100.4°F or higher.

### **Q: Does health screening need to be performed by a licensed nurse or health care provider?**

A: No. However, individuals performing screening activities need to be adequately trained as to measures that need to be taken to protect themselves from exposure to potentially infectious workers entering the facility and as to the duty to keep medical information confidential.

### **Q: What measures need to be taken to protect personnel performing screening activities from exposure to potentially infectious workers entering the workplace?**

A: The following measures can be taken to protect personnel performing screening activities from exposure to potentially infectious workers entering the workplace:

1. Ask workers to take their temperature before coming to the workplace or upon arrival at the workplace.
2. Implementing methods such as tape marking, or rope and stanchion systems, to maintain at least 6 feet of distance between screeners and workers being screened.
3. Use touchless thermometers.
4. Install a physical barrier, such as a glass or plastic window or partition, which can protect the screener from

respiratory droplets that may be produced when the worker sneezes, coughs, or talks.

5. If the screener cannot maintain a distance of 6 feet from the workers being screened, provide them with appropriate PPE, such as gloves, a gown, a face shield, and, if appropriate and available, N95 filtering facepiece respirators. A mask alone is not considered adequate PPE for a screener who needs to be in close contact with workers.

**Q: Does the information gathered from workers during health screening need to be kept confidential?**

A: Yes. The employer must maintain the confidentiality of this information and store it separately from the employee's personnel file. This information may be kept in the employee's existing medical file.

**Q: What should an employer do if a worker fails the health screening?**

A: The following steps should be taken if a worker fails the health screening or becomes sick while at the workplace:

1. Prevent the worker who fails a health screening from entering the workplace.
2. Isolate the worker. A worker who fails the health screening (and cannot leave immediately) or becomes sick while at work should be discreetly isolated immediately. The employer should have a designated area separate from the common work area for the worker to wait that is appropriately labeled to prevent misuse. The employer should provide PPE to the infected workers to reduce exposure to others.
3. Send the worker home. The employer should ascertain whether the worker is well enough to commute home in a safe manner or whether emergency assistance is necessary. The employer should consider establishing procedures for safely transporting anyone sick to their home or to a healthcare facility.
4. Communicate. The employer should communicate its expectation that the worker self-quarantine and contact a health care provider. The employer should provide information on return-to-work policies and procedures. The employer should inform human resources and supervisors to ensure that the worker can be moved off the schedule during illness and a replacement can be assigned, if needed. The employer should alert individuals who came in close contact with the infected workers of their possible exposure to COVID-19 and of the need to self-quarantine and follow up with healthcare providers. Any communication should not identify or confirm the name of the infected worker. Under Executive Order 2020-97, Michigan employers must notify any co-workers, contractors, or suppliers who may have come into contact with an employee having COVID-19 within 24 hours the employee is identified with a confirmed case of COVID-19. Future Executive Orders might alter these requirements.
5. Protect personnel managing the sick worker. The employer must ensure that personnel managing sick workers are appropriately protected from exposure. Any personnel who need to be within six feet of the sick worker need to be equipped with appropriate PPE including gloves, a gown, a face shield, and an N95 filtering facepiece respirator, if appropriate. A mask alone is not considered adequate PPE for someone who needs to be in close contact with the sick worker.
6. Cleaning. The employer should follow the CDC guidelines for cleaning and sanitizing the symptomatic worker's workstation and any areas that the worker has been in, as well as any items that have been touched or handled by the workers.
7. Work with public health officials. Employers can disclose the name of the infected workers to state and local health officials and work with them to facilitate the identification of other exposed and potentially exposed individuals. Under Executive Order 2020-97, Michigan employers must notify the public health department when an employee is identified with a confirmed case of COVID-19 within 24 hours.

**Q: When can an employee who fails health screening return to work?**

A: According to the CDC guidelines:

1. An employee who reports having COVID-19 symptoms but will not be tested can return to work after the following conditions have been met:
  - a. The employee has had no fever for at least 72 hours (i.e., three full days) without the use of fever suppressant medicine;
  - b. Other symptoms have improved; and
  - c. At least 10 days have passed since the employee's symptoms first appeared.
2. An employee who reports having COVID-19 symptoms and will be tested can return to work after the following

*This information is based on the facts and guidance available at the time of publication, and may be subject to change.*

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conditions have been met:

- a. The employee no longer has a fever, without the use of fever suppressant medicine;
  - b. Other symptoms have improved; and
  - c. The employee has received two negative tests in a row that are at least 24 hours apart.
3. An employee who reports having come in close contact with another individual who has COVID-19 or its symptoms should stay home for 14 days after the last exposure and self-monitor for symptoms. If the employee becomes sick, then symptomatic procedures for ending isolation (listed above) should be followed.

**Q: Can the employer require a physician’s release before the worker can come back to work?**

A: Yes. The employer can ask for a doctor’s note to justify the absence or to clear a worker to return. However, given the pressure health care providers are under, the employer should be more flexible, such as with regard to the type of documents and the manner it can be provided (e.g., via email).

**Q: Is it dangerous to have workers lined up waiting for health screening? And won’t it take too long?**

A: The employer does not have to do health screenings on-site. Workers can be asked to take their temperature at home and attest that they are not experiencing symptoms before reporting for work. For example, the employees can answer the screening questionnaire from home via an online portal. If the employer has screening on-site, crowding and congestion can be reduced by administrative measures such as staggering shifts and asking workers to show up at different times so that fewer are arriving all at once. Even workers that are not traditionally thought of as shift workers, such as office administrative personnel, can work nontraditional shifts, which will also help with maintaining social distance in the workplace.

**Q: What about visitors, customers and vendors?**

A: To the extent vendors or customers are on-site, there should be similar screening procedures. The business may have a dedicated area for visitors, customers and vendors to enter the premises, and can stagger the times that they are permitted to be on-site.

**If you have questions about an employer’s responsibilities regarding health screenings, please contact your Miller Canfield attorney or one of the following contacts.**

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