

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.

Updated 8/10/20

- 1) If an employee or someone in their immediate household has tested positive or been exposed to someone who 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 request emergency paid sick leave for qualifying reasons under the Families First Coronavirus Response Act (for employers with fewer than 500 employees) or be placed on medical/personal leave for a two-week quarantine period as recommended by the Centers for Disease Control and Prevention (CDC).
- 2) The employer does not need to notify the CDC; the healthcare provider who handles the positive test is generally responsible for reporting to such agencies. Check with local and state health departments to understand specifics for your area; for example, the state of Wisconsin requires employers to notify the local health department when an employer experiences two or more positive COVID-19 cases at the same time. Employers also may have obligations for reporting under workers’ compensation and OSHA, if the illness is deemed work-related.
- 3) Employees who are diagnosed with COVID-19, or who have members in their household diagnosed with the virus, may be eligible for emergency paid sick leave under the Families First Coronavirus Response Act, 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 be accommodating when asking for medical certification so as not to 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 days prior to the onset of symptoms. “Close contact” has been defined by the CDC as being within 6 feet from the individual, for 15 minutes or greater, within 48 hours of the individual experiencing the onset of symptoms. 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 have 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, to reduce the risk of spreading the virus.

**NOTE: The CDC issued [interim guidance](#) for critical infrastructure workers who have been exposed to COVID-19 and remain asymptomatic. Organizations who choose to follow this guidance must review the list of permitted [critical infrastructure workers](#) to determine if workers qualify, and then assess the risk of potential spread of the virus.*

- 6) Those specific employees who came in “close contact” who are unable to work remote (due to their work not being conducive to remote arrangements) should be placed on an approved leave of absence. With respect to compensating employees during this leave of absence period, see MRA’s [Paying Employees During the Coronavirus \(COVID-19\) Pandemic](#).

- 7) Steps should be taken to close off areas visited by the ill person and open outside doors/windows and use ventilating fans to increase air circulation in the area. Wait 24 hours or as long as practical before beginning cleaning and disinfection. Follow additional [CDC guidance for cleaning and disinfecting facilities](#).
- 8) Employers can proactively communicate to all employees regarding potential exposure in the workplace, if they choose. This may be appropriate for some employers, based on the size of the business, the number of employees working onsite, and the layout of the building. The employer should convey all the measures and steps they are taking to keep employees healthy and safe. See MRA's sample letter to employees on [Potential Work Exposure to COVID-19](#).
- 9) Employees who have tested positive for COVID-19 *with* symptoms, according to the [CDC](#), can discontinue quarantine after the following:
 - They have had no fever for at least 24 hours (that is a full day of no fever without the use medicine that reduces fevers); AND
 - Other symptoms have improved (for example, when cough or shortness of breath have improved); AND
 - At least 10 days have passed since symptoms first appeared.

Depending on the healthcare provider's advice and availability of testing, employees may also discontinue quarantine when they have no fever, symptoms have improved, and they receive two negative test results in a row, at least 24 hours apart.

For employees who have tested positive for COVID-19 *without* symptoms, according to the [CDC](#), they can discontinue quarantine after 10 days have passed since the test. Depending on healthcare provider's advice and availability of testing, if employees are tested again to see if they still have COVID-19, they can discontinue after they receive two negative test results in a row, at least 24 hours apart.

- 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.