



---

## PUBLIC HEALTH EMERGENCY LEAVE POLICY ADDENDUM

March 27, 2020 - Updated 4-28-20

As a means to further slow the spread of the novel coronavirus (COVID-19), some agencies have expressed an interest in utilizing a questionnaire on employee travel and health. Agencies have also expressed an interest in performing employee temperature screenings.

During the current declared public health emergency, the following guidance will govern these activities. The guidance herein is specific to screening for workplace entry and **not** for assessing an individual's actual exposure to COVID-19. This guidance is applicable to employees and volunteers. Agencies with temporary workers provided through contracts should continue to work with those employers to encourage comparable guidelines.

### Travel and Health Questionnaires

The following questions can be asked of employees:

1. Today or in the past 24 hours, have you had any of the following symptoms?
  - Cough
  - Shortness of breath or difficulty breathing

*Or at least two of these symptoms:<sup>1</sup>*

- Fever
  - Chills
  - Repeated shaking with chills
  - Muscle pain
  - Headache
  - Sore throat
  - New loss of taste or smell
2. In the past 14 days, have you had contact with a person known to be infected with COVID-19?

*Employees should not be asked about symptoms of any other conditions.*

Employees who respond yes to either question, should be denied entry into the work environment and asked to return home, self-monitor and seek medical care if needed. The period of self-monitoring should be for a total of 14 days from when the employee *first* had a fever, felt feverish or had chills, cough, sore throat, shortness of breath, difficulty breathing

---

<sup>1</sup> Updated based on CDC guidance 4-28-20

and/or came into contact with a person known to be infected. Agencies will need to work with the employee to determine the appropriate leave type to utilize if needed or if the employee has the ability to work remotely while self-monitoring.

Agencies will need to determine how the questions will be administered, verbally or in written format, and by whom as well as who makes the final determination for entry. If questions are asked verbally, no documentation will exist. However, if questions are asked in written format, agencies will need to retain this information in a confidential medical file with limited access to ensure the information is maintained in accordance with the Health Insurance Portability and Privacy Act (HIPAA). Documentation must be retained in accordance with existing records retention guidelines.

Agencies will need to think through the frequency in which employees are asked the questions as responses could change daily. Agencies will also have to evaluate how to obtain this information at multi-site facilities.

Employees who refuse to respond to the questions asked are subject to disciplinary action consistent with the Standards of Conduct policy. All individuals who are administering the questions should be provided guidance on how to immediately respond to refusals.

#### Medical Exams – Temperature Screenings

COVID-19 has been declared a direct threat by the Center of Disease Control which allows employers to measure an employee's body temperature.

However, due to the current limitation of Personal Protective Equipment, **it is not recommended that agencies initiate a process to take the body temperatures of employees**. Taking an employee's temperature is considered a medical exam which necessitates consistency in application and a potentially complex administrative process. The Center for Disease Control has indicated that some people with COVID-19 do not have a fever. Also, certain medications or other medical conditions may cause an elevated temperature.

Employees can be encouraged to take their own temperature in a home setting. An employee with a temperature of 100.4 or above should not report to work.

#### Guidance for Entities with Care and Control Responsibilities

For agencies that have care and control responsibilities, the Virginia Department of Health recommends that agencies require employees to take their temperature at home in combination with the use of the above listed questions. Universal temperature checks are not recommended at this time due to the labor intensive nature of temperature screenings combined with the current Personal Protective Equipment (PPE) shortages.

If a facility with care and control responsibilities has an existing procedure in place for temperature screenings and continues with the temperature screenings, please ensure that the Center for Disease Control protocols are being followed and that the required PPE is being properly utilized. Failing to do so can create unwarranted risk for the Commonwealth and the employee who is conducting the screening. PPE required for a temperature screening includes an infrared, non-contact thermometer; gloves; eye protection; gown/coveralls and face mask. In addition, a receptacle is needed for proper disposal of the PPE.

While not explicitly stated, a medical examination by definition implies the assessment is conducted by a medical professional or an individual trained in appropriate medical procedure and use of the related equipment. Agencies should adhere to this expectation.