

Summary of State and Federal Recommendations for Common COVID-19 Workplace Issues

Overview

During the COVID-19 pandemic, various government entities in the United States have provided recommendations about policies, procedures, and practices to promote health and safety in the workplace. These recommendations can vary from state to state. We have conducted a survey of these recommendations, in all 50 states and from federal agencies such as the Centers for Disease Control, regarding the following topics of current interest to businesses:

- What federal and state recommendations are there regarding handling employees who might be sick?
- What federal and state recommendations are there regarding cleaning and disinfecting my workplace if I have a sick employee?
- What do federal and state authorities recommend to manage social distancing in my workplace?
- What federal and state recommendations are there regarding safety equipment that my employees and others need to wear in the workplace?
- What federal and state recommendations are there regarding facilitating my employees washing their hands at work?

What follows is a discussion of findings related to these topics.

What federal and state recommendations are there regarding handling employees who might be sick?



There are general recommendations about screening employees and customers for COVID-19 symptoms before entering your facility.¹ Your state may provide a protocol that you can use for the screening process; this may consist of a series of yes-or-no questions to be asked of anyone who enters your facility.² There are some recommendations for the screening process to begin for all employees when it is discovered that the business has been potentially exposed to COVID-19, but there also are recommendations for it to be done in general as well.³

If an employee appears to have symptoms of acute respiratory illness, they should be sent home immediately.⁴ For employees who become sick during the workday, the CDC has guidelines for cleaning and disinfection of surfaces in the sick employee's work area, as well as tracing the sick employee's contacts in your workplace.⁵ The CDC defines a close contact as someone who was within 6 feet of an infected person *for at least 15 minutes*, starting from 48 hours prior to the onset of the illness until the patient is isolated.⁶

For employees who have been ill with COVID-19 symptoms and are ready to return to work, the CDC has guidelines that involve absence of fever for 72 hours and 7 days having passed since the symptoms first appeared.⁷ Your state may have similar guidelines.⁸ It is not recommended that employees be required to obtain a doctor's note prior to returning to work, as medical resources may be scarce during the pandemic.⁹

¹ Texas Department of State Health Services, COVID-19: Guidance for Employers, Employees, and Customers of Reopened Retail Services; Texas Department of State Health Services, COVID-19: Guidance for Employees and Managers; Washington State Department of Health, Recommended Guidance for Daily COVID-19 Screening of Employees and Visitors

² Washington State Department of Health, Recommended Guidance for Daily COVID-19 Screening of Employees and Visitors

³ Pennsylvania Department of Health, Frequently Asked Questions: Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operation; Washington State Department of Health, Recommended Guidance for Daily COVID-19 Screening of Employees and Visitors; Texas Department of State Health Services, COVID-19: Guidance for Employers, Employees, and Customers of Reopened Retail Services

⁴ U.S. CDC, Interim Guidance for Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19; Ohio Department of Health, COVID-19 Information and Checklist for Businesses/Employers; Texas Department of State Health Services, COVID-19: Guidance for Employers, Employees, and Customers of Reopened Retail Services

⁵ U.S. CDC, Interim Guidance for Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19

⁶ U.S. CDC, Contact Tracing: Part of a Multipronged Approach to Fight the COVID-19 Pandemic

⁷ U.S. CDC, Coronavirus Disease 2019 (COVID-19): What to Do If You Are Sick

⁸ Texas Department of State Health Services, COVID-19: Guidance for Employees and Managers

⁹ Ohio Department of Health, COVID-19 Information and Checklist for Businesses/Employers; Texas Department of State Health Services, COVID-19: Guidance for Employees and Managers

What federal and state recommendations are there regarding cleaning and disinfecting my workplace if I have a sick employee?



The CDC provides general advice on how to clean and disinfect a work facility: this includes steps about what surfaces to clean, what disinfectants to use, how to launder items as appropriate, and what protective equipment is necessary for the person doing the cleaning.¹⁰ Specific to facilities where a sick person has visited, the CDC recommends that all areas used by the person be closed and ventilated for 24 hours if possible before cleaning activities begin; your state may require this as well.¹¹ In addition to the areas the sick person visited, the CDC recommends that shared equipment that they have used also should be cleaned and disinfected; however, the CDC does not recommend additional cleaning and disinfection if it has been more than 7 days since the sick person was in the facility.¹²

While the CDC recommends a 24-hour waiting period that in some cases has been adopted as a requirement, there are also recommendations for shorter times, e.g., 6 hours.¹³

The CDC and others recommend that all areas in the workplace be cleaned or disinfected.¹⁴ For areas that are required to be manned at all times, there are recommendations permitting the areas to continue to be manned while cleaning as long as the CDC's guidelines are otherwise followed.¹⁵

There also are state recommendations about making a list of frequently touched items that need to be cleaned and disinfected frequently and keeping a log of how often routine cleaning and disinfecting is done.¹⁶

¹⁰ e.g., U.S. CDC, Cleaning And Disinfecting Your Facility handout; U.S. CDC, Interim Recommendations for U.S. Community Facilities with Suspected/Confirmed Coronavirus Disease 2019 (COVID-19)

¹¹ U.S. CDC, Cleaning And Disinfecting Your Facility handout; U.S. CDC, Interim Recommendations for U.S. Community Facilities with Suspected/Confirmed Coronavirus Disease 2019 (COVID-19); Pennsylvania Department of Health, Frequently Asked Questions: Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operation

¹² U.S. CDC, Cleaning And Disinfecting Your Facility handout; U.S. CDC, Interim Recommendations for U.S. Community Facilities with Suspected/Confirmed Coronavirus Disease 2019 (COVID-19)

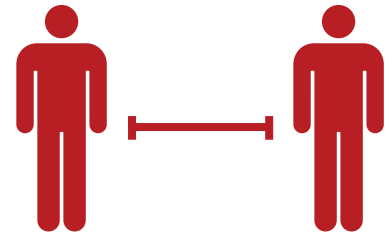
¹³ U.S. CDC, Interim Recommendations for U.S. Community Facilities with Suspected/Confirmed Coronavirus Disease 2019 (COVID-19); Pennsylvania Department of Health, Frequently Asked Questions: Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operation; Indiana State Department of Health, COVID-19 Cleaning Guidance for Businesses

¹⁴ U.S. CDC, Cleaning And Disinfecting Your Facility handout; U.S. CDC, Interim Recommendations for U.S. Community Facilities with Suspected/Confirmed Coronavirus Disease 2019 (COVID-19); Pennsylvania Department of Health, Frequently Asked Questions: Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operation

¹⁵ Pennsylvania Department of Health, Frequently Asked Questions: Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operation

¹⁶ Utah Leads Together: Utah's plan for a health and economic recovery

What do federal and state authorities recommend to manage social distancing in my workplace?



The CDC and others recommend the same 6-foot social distancing that we are now used to seeing in public for workplaces as well.¹⁷

However, since every workplace is different, it is recommended that your company develop and implement a plan for social distancing that works for you. Some strategies that have been recommended include:¹⁸

- Limit or avoid in-person meetings, using teleconferencing if possible
- If in-person meetings must be held, limit the number of people (one suggestion indicates that gatherings up to 10 people, all wearing face coverings and maintaining 6 feet of distance, may be acceptable)
- Space employees' work stations with social distancing in mind and consider dividing your workplace into "zones" to keep employees in the areas where they are supposed to be and apart from other areas
- Stagger work schedules, shift start/stop times, and break times

For the purpose of tracing contacts of infected patients, the CDC defines a close contact as someone who was within 6 feet of an infected person *for at least 15 minutes*, starting from 48 hours prior to the onset of the illness until the patient is isolated.¹⁹ This may be helpful to understand when considering the practical aspects of social distancing in your workplace.

Break areas and areas where employees might congregate are a particular challenge. If you continue to permit your employees to congregate in break areas (there are recommendations not to do so), have a plan for this that allows them to maintain social distance in those areas.²⁰ One option is to have employees eat meals at their work stations or in their vehicles to avoid gathering in a break area.²¹

Your employees may commonly share equipment or work spaces. It is generally recommended that this should be avoided if possible, and you may even consider prohibiting it.²² However, when it is necessary to use such equipment, it should be cleaned and disinfected frequently; some states recommend doing this before and after each use.²³

¹⁷ U.S. CDC, Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 (COVID-19); Connecticut Department of Economic and Community Development, Safe Workplace Rules for Essential Employers; Minnesota Department of Labor and Industry, Equipment for COVID-19, non-critical businesses fact sheet; Texas Department of State Health Services, COVID-19: Recommendations and Best Practices for Texas Businesses that Remain Open in Compliance with the Executive Order of the Governor

¹⁸ U.S. CDC, Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 (COVID-19); Connecticut Department of Economic and Community Development, Safe Workplace Rules for Essential Employers; Texas Department of State Health Services, COVID-19: Recommendations and Best Practices for Texas Businesses that Remain Open in Compliance with the Executive Order of the Governor

¹⁹ U.S. CDC, Contact Tracing: Part of a Multipronged Approach to Fight the COVID-19 Pandemic

²⁰ U.S. CDC, Interim Guidance for Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19; Texas Department of State Health Services, COVID-19: Recommendations and Best Practices for Texas Businesses that Remain Open in Compliance with the Executive Order of the Governor; Connecticut Department of Economic and Community Development, Safe Workplace Rules for Essential Employers; Minnesota Department of Labor and Industry, Equipment for COVID-19, non-critical businesses fact sheet

²¹ Connecticut Department of Economic and Community Development, Safe Workplace Rules for Essential Employers

²² Washington State Department of Health, Recommended and Guidance to Protect Critical Infrastructure Workers during COVID-19 Pandemic; Connecticut Department of Economic and Community Development, Safe Workplace Rules for Essential Employers; Texas Department of State Health Services, COVID-19: Recommendations and Best Practices for Texas Businesses that Remain Open in Compliance with the Executive Order of the Governor

²³ Washington State Department of Health, Recommended and Guidance to Protect Critical Infrastructure Workers during COVID-19 Pandemic; Connecticut Department of Economic and Community Development, Safe Workplace Rules for Essential Employers; Texas Department of State Health Services, COVID-19: Recommendations and Best Practices for Texas Businesses that Remain Open in Compliance with the Executive Order of the Governor

What federal and state recommendations are there regarding safety equipment that my employees and others need to wear in the workplace?



Generally, there are recommendations that people in public settings such as workplaces should be wearing face coverings in accordance with guidance from the CDC and/or your state.²⁴ This is to be done in conjunction with the social distancing practices, including maintaining a 6-foot distance from others.²⁵ Your state might require you to provide face coverings for your employees and train them on how to use them, or it might allow your workers to bring their own face coverings.²⁶ Your state may recommend that face coverings be worn, at a minimum, when in common areas and when speaking to others.²⁷

Face coverings, in this context, are not intended to prevent a wearer from inhaling the virus. They are not protective in the sense that medical-grade respirators are intended to be (e.g., N95 masks). Rather, face coverings are intended to affect the exhalation of the wearer such that other people in the area are less likely to be infected.²⁸ Presently, the CDC and others are requesting that medical-grade equipment should be reserved for medical personnel.²⁹

While ideally everyone who enters your facility (employees, customers, deliveries, etc.) will be wearing a face covering, people may have medical conditions that prevent them from wearing face coverings. These people may be allowed to enter your facility.³⁰

For most workers, use of face coverings meets the applicable recommendations.³¹ There is further industry-specific guidance about the need to use other types of personal protective equipment beyond face coverings (e.g., goggles, gowns, gloves).

²⁴ U.S. CDC, Use of Cloth Face Coverings to Help Slow the Spread of COVID-19; Washington State Department of Health, Recommendations and Guidance to Protect Critical Infrastructure Workers during COVID-19 Pandemic; Vermont Department of Health, COVID-19 Health & Safety Tips for Essential Businesses

²⁵ Washington State Department of Health, Recommendations and Guidance to Protect Critical Infrastructure Workers during COVID-19 Pandemic; Vermont Department of Health, COVID-19 Health & Safety Tips for Essential Businesses

²⁶ Connecticut Department of Economic and Community Development, Essential Safe Store Rules; Pennsylvania Department of Health, Frequently Asked Questions: Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operation; Minnesota Department of Labor and Industry, Equipment for COVID-19, non-critical businesses fact sheet

²⁷ Pennsylvania Department of Health, Frequently Asked Questions: Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operation

²⁸ U.S. CDC, Infographic: Understanding the Difference, Surgical Mask, N95 Respirator; Vermont Department of Health, COVID-19 Personal Protective Equipment (PPE) Guidance – v. 1.1; Minnesota Department of Labor and Industry, Equipment for COVID-19, non-critical businesses fact sheet

²⁹ U.S. CDC, Coronavirus Disease 2019 (COVID-19): Recommendations Regarding the use of Cloth Face Coverings, Especially in Areas of Significant Community-Based Transmission; Vermont Department of Health, COVID-19 Personal Protective Equipment (PPE) Guidance – v. 1.1; Minnesota Department of Labor and Industry, Equipment for COVID-19, non-critical businesses fact sheet

³⁰ Connecticut Department of Economic and Community Development, Essential Safe Store Rules; Pennsylvania Department of Health, Frequently Asked Questions: Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-person Operation

³¹ Washington State Department of Health, Recommendations and Guidance to Protect Critical Infrastructure Workers during COVID-19 Pandemic; Vermont Department of Health, COVID-19 Personal Protective Equipment (PPE) Guidance – v. 1.1; Connecticut Department of Economic and Community Development, Essential Safe Store Rules

What federal and state recommendations are there regarding facilitating my employees washing their hands at work?



The CDC's basic recommendations about washing hands to prevent the spread of COVID-19 are by now widely known: wash your hands with soap and water for 20 seconds, especially at key times such as after blowing your nose, coughing, or sneezing; after using the restroom; prior to eating or preparing food; after contact with animals and pets; and before and after providing care for another person who needs assistance.³²

Specific to the workplace, some recommendations about times for employees to wash their hands include when arriving at and leaving work; before eating, drinking, or using tobacco; when leaving their work station; after handling money; and after touching surfaces that may be contaminated including shared office equipment.³³ Some states suggest requiring employees to wash their hands after activities like these, and there are recommendations about scheduling breaks for washing hands, e.g., every two hours.³⁴ Another time suggested to wash hands is after removing gloves when involved in cleaning activities or other activities where they are used, as gloves can carry the coronavirus as well as hands.³⁵ Hand sanitizer may be used in lieu of soap and water for hands that are not visibly dirty.³⁶

In addition to providing a schedule for washing hands, there is guidance that suggests that employers provide materials such as soap and water and hand sanitizer, as well as signage promoting proper handwashing procedures and hand hygiene.³⁷

³² e.g., U.S. CDC, Cleaning And Disinfecting Your Facility handout

³³ Minnesota Department of Labor and Industry, Equipment for COVID-19, non-critical businesses fact sheet; New York Department of Health, Interim Guidance for Cleaning and Disinfection of Public and Private Facilities for COVID-19

³⁴ e.g., Washington State Department of Health, Recommendations and Guidance to Protect Critical Infrastructure Workers during COVID-19 Pandemic; Connecticut Department of Economic and Community Development, Essential Safe Store Rules

³⁵ U.S. CDC, Interim Recommendations for U.S. Community Facilities with Suspected/Confirmed Coronavirus Disease 2019 (COVID-19); Minnesota Department of Labor and Industry, Equipment for COVID-19, non-critical businesses fact sheet

³⁶ Minnesota Department of Labor and Industry, Equipment for COVID-19, non-critical businesses fact sheet; Washington State Department of Health, Recommendations and Guidance to Protect Critical Infrastructure Workers during COVID-19 Pandemic; New York Department of Health, Interim Guidance for Cleaning and Disinfection of Public and Private Facilities for COVID-19

³⁷ U.S. CDC, Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 (COVID-19); Connecticut Department of Economic and Community Development, Essential Safe Store Rules