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CDC Guidelines Help Employers Prepare For, And Respond To, Coronavirus Outbreak

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The number of confirmed cases of the novel coronavirus COVID-19 (“coronavirus”) continue to grow in the United States, and across the globe. The Center for Disease Control and Prevention (“CDC”) recently assessed “it is likely that this virus will cause a pandemic.”¹ In the face of this developing public health emergency, the CDC has issued interim guidance identifying steps employers should take to plan for, and respond to, a potential coronavirus outbreak in their local communities.²

The CDC recommends employers should immediately take certain steps to protect their workforce and slow the spread of coronavirus in local communities, including:

- **Encourage sick employees to stay home.** Initial coronavirus symptoms include fever, cough, and shortness of breath.³ The CDC recommends employees experiencing these symptoms should notify their employer, stay home, and not come to work until they are “free of fever . . . and other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines[.]”
- **If employees fall ill at work, send them home.** The CDC recommends employees who develop coronavirus symptoms at work should “be sent home immediately” to avoid potentially exposing healthy employees to coronavirus.
- **Ensure sick leave policies are flexible, and consistent with public health guidance.** The CDC anticipates absenteeism will rise as coronavirus spreads, public health agencies issue social distancing advisories, and employees fall ill or are forced to care for sick family members. The CDC encourages employers to develop flexible, “non-punitive leave policies” to delay the spread of coronavirus.
- **Encourage good hygiene practices in the office.** The CDC recommends employers should communicate effective hygiene practices to employees.⁴ Specifically, employers should place hand soap and alcohol-based hand sanitizers in the workplace, and “instruct employees to clean their hands often” and avoid touching their face or eyes.

- **Maintain a clean and sanitary office environment.** The CDC recommends employers should “routinely clean all frequently touched surfaces in the workplace, such as workstations, countertops, and doorknobs.” Employers also should consider providing disposable wipes to employees to allow them to wipe down personal spaces.
- **Actively monitor employee travel.** The CDC publishes a Travel Health Notices website, which identifies potentially dangerous travel destinations, including locations experiencing coronavirus outbreaks.⁵ The CDC recommends employers consider cancelling non-essential business travel to locations experiencing a coronavirus outbreak.

The CDC also recommends employers should begin developing strategic plans on how to respond to a potential coronavirus outbreak in their community,⁶ including by taking the following steps:

- **Engage with public health authorities.** Local, state, and national public health authorities are monitoring the spread of coronavirus in the United States. The CDC “strongly encourage[s]” employers to actively monitor local public health advisories so that employers have “timely and accurate information” to “guide appropriate responses in each location where their operations reside.”
- **Evaluate risk of coronavirus to employees.** The CDC recommends employers should proactively evaluate the potential risk coronavirus poses to its employees. High risk individuals include “older adults” and people who have “serious medical conditions like . . . heart disease, diabetes, lung disease.”⁷ The CDC notes OSHA has published specific guidance on how to protect employees from potential exposure to coronavirus.⁸
- **Prepare for increased absenteeism among employees.** The CDC encourages employers to develop plans now on how to maintain essential business functions when experiencing rates of absenteeism higher than normal. Absenteeism is likely to increase in response to factual developments, including community spread of coronavirus, school or daycare closings, or public health officials encouraging social distancing. Among other steps, employers should consider cross-training employees to perform essential functions outside of their typical job functions, and “be prepared to change your business practices if needed to maintain critical operation.” Employers also should examine the feasibility of establishing flexible worksite policies (telecommuting) and/or flexible work hours (staggered shifts) to encourage social distancing among employees. The CDC also recommends employers prepare to respond to supply chain disruptions.
- **Proactively review human resources policies.** The CDC recommends employers should review their employee policies to ensure those policies “are consistent with public health recommendations[.]” Specifically, employers should consider in advance how their employee policies will apply to coronavirus outbreak scenarios, and prepare to answer questions posed by employees regarding those policies, including sick leave policies, paid time off policies, FMLA policies, and other policies likely to be implicated by a coronavirus outbreak.
- **Authorize local managers to act.** The CDC recommends employers with multiple business locations to “provide local managers with the authority to take appropriate actions . . . based on the condition in each locality.”
- **Establish a standard process to communicate with employees.** The CDC recommends employers “[e]stablish a process to communicate information to employees . . . [regarding its] infectious disease outbreak response plans and latest COVID-19 information.” Much about coronavirus remains unknown, and the CDC anticipates rising “employee fear, anxiety, rumors, and misinformation.” The CDC encourages employers to directly communicate its coronavirus response plans to employees, and to accurately share up-to-date information from public health authorities with employees.
- **Prevent stigma and discrimination in the workplace.** The CDC encourages employers to “not make determinations of risk based on race or country of origin, and be sure to maintain confidentiality of

people with confirmed COVID-19.” The CDC encourages employers to work to ensure that their employee policies apply equally to all employees, regardless of race or country of origin.

The social, economic, and public health impacts of coronavirus in the United States are rapidly changing, and likely will continue to evolve in the near future. Crowley Fleck PLLP encourages you to seek out the most up-to-date information available from national, state, and local public health authorities to protect your workforce and your business. If you are interested in discussing the CDC’s coronavirus recommendations to employers, please contact Crowley Fleck’s Employment Practices Group.

¹ See Centers for Disease Control and Prevention, *Coronavirus Disease 2019 (COVID-19) March 9, 2020 Situation Summary*, <https://www.cdc.gov/coronavirus/2019-ncov/summary.html> (last accessed March 10, 2020).

² See Centers for Disease Control and Prevention, *Interim Guidance for Businesses and Employers*, <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html> (last accessed March 10, 2020).

³ See Centers for Disease Control and Prevention, *Symptoms*, <https://www.cdc.gov/coronavirus/2019-ncov/about/symptoms.html> (last accessed March 10, 2020).

⁴ See Centers for Disease Control and Prevention, *Hygiene Etiquette & Practice*, https://www.cdc.gov/healthywater/hygiene/etiquette/coughing_sneezing.html (last accessed March 10, 2020).

⁵ See Centers for Disease Control and Prevention, *Travelers’ Health*, <https://wwwnc.cdc.gov/travel> (last accessed March 10, 2020).

⁶ See Centers for Disease Control and Prevention, *Interim Guidance for Businesses and Employers*, <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html> (last accessed March 10, 2020).

⁷ See Centers for Disease Control and Prevention, *People at Risk for Serious Illness from COVID-19*, <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/high-risk-complications.html> (last accessed March 10, 2020).

⁸ See Occupational Safety and Health Administration, *COVID-19*, <https://www.osha.gov/SLTC/covid-19/> (last accessed March 10, 2020).

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