**COVID-19 Health/Safety Policies**

These guidelines apply to all businesses in regions of New York that have been permitted to re-open, as well as business statewide that were previously permitted to operate as essential. These policies will remain in effect until there is further guidance from a federal, state or local government.

During the COVID-19 public health emergency, these polices are subject to change. Any changes should be incorporated into your business operations.

**Screening/Monitoring**

* Employees who are sick should stay home or return home, if they become ill at work. Implement mandatory health screening assessment (e.g. questionnaire, temperature check) before employees begin work each day and for essential visitors.
* Employees with COVID-19 symptoms should be sent home to contact their health care provider for a medical assessment and COVID-19 testing. If tested positive, the employees may only return after completing a 14-day quarantine.
* Employees that present no symptoms but have tested positive in the past 14 days may only return to work after completing a 14-day quarantine.
* Employees that have had close contact with a confirmed or suspected person with COVID-19 but are not experiencing any symptoms should inform their employer and may be able to work with additional precautions, including regular monitoring of symptoms and temperature, required face coverings at all times, and appropriate social distancing from others.

*\*Health screening assessment provided.*

**Social Distancing**

* Ensure six (6) feet distance between employees, unless safety or core function of the work activity requires a shorter distance. If less than six (6) feet apart, employees must wear acceptable face coverings.
* When working indoors, limit workforce presence to no more than 50% of max occupancy if possible.
* Tightly confined spaces (e.g. elevators and control rooms) should be occupied by only one individual at a time unless all occupants are wearing face coverings.
* Post social distancing markers using tape or sign that denote six (6) feet of spacing in common areas (e.g. clock in/out stations, health screening stations and break rooms.)
* Limit in-person gatherings if possible. Use tele or video conferencing. Essential in-person meetings should be held in open, well ventilated spaces with appropriate social distancing among participants.

**Personal Protective Equipment PPE**

* Employers must provide employees with acceptable face coverings at no-cost to the employees and have an adequate supply of coverings.
* Acceptable face coverings include but are not limited to cloth (e.g. homemade sewn, quick cut, bandana) and surgical masks unless the nature of the work requires stricter PPE (e.g. N95 respirator, face shield).
* Face coverings must be cleaned or replaced after use or when damaged or soiled, may not be shared, and should be properly stored or discarded.
* Limit the sharing of objects (e.g. tools, machinery) and discourage touching of shared surfaces or when in contact with shared objects or frequently touched areas, wear gloves (trade-appropriate or medical) or sanitize or wash hands before and after contact.

**Sanitation/Cleaning**

* Adhere to hygiene and sanitation requirements for the Center for Disease Control and Prevention (CDC) and Department of Health (DOH) and maintain cleaning logs on site that document date, time, and scope of cleaning.
* Provide and maintain hand hygiene stations for personnel, including handwashing with soap, water, and paper towels, as well as an alcohol-based hand sanitizer containing 60% or more alcohol for areas where handwashing is not feasible.

**Personal Hygiene**

* Provide and encourage employees to use cleaning/disinfecting supplies before and after use of shared and frequently touched surfaces, followed by hand hygiene. Provide cleaning/disinfecting supplies and encourage employees to clean their workstations.

**Contract Tracing Policies**

* NYS will provide guidance once in place.

**EEOC and ADA Policies for COVID-19**

The EEOC allows employers to ask all employees who physically enter the workplace if they: (i) have COVID-19; (ii) have been tested for COVID-19; or (iii) are experiencing symptoms associated with COVID-19. Employers may also check the temperatures of employees entering the workplace.  If an employee refuses to answer or refuses to submit to a temperature check, the employer may refuse to permit him or her to enter the workplace.  However, employers are encouraged to reassure refusing employees that the questions are simply designed to ensure workplace safety.

Employers may single out individual employees for temperature checks or questioning only if the employer has a reasonable belief, based on objective evidence, that the employee has COVID-19 or symptoms associated with COVID-19.

Employers may ask employees if they have had contact with anyone who has been diagnosed with COVID-19 or who has symptoms of COVID-19. Employers should avoid limiting this question to inquiries about family members, as this may violate GINA.

If a manager learns that an employee that he or she supervises has COVID-19 or symptoms associated with COVID-19, the manager may disclose this information to an employer official so that the employer may take action consistent with CDC guidance. However, as a general rule, employers should make “every effort” to limit the number of people who know the employee’s identity, and those who know the employee’s identity should be advised to keep the information confidential.

In the event that an employee needs to telework or take leave due to COVID-19, employers may disclose the fact that the employee is either teleworking or taking leave, but not the reason why.

Employers may not exclude older or pregnant employees who may be at a higher risk of complications if they contract COVID-19 from the workplace. Such conduct violates the ADEA, Title VII and other applicable federal antidiscrimination laws.  Conversely, employers are not obligated to grant requests to telework from employees simply on the basis of their age or pregnancy.  As described below, employees who have a preexisting medical condition or medical conditions associated with pregnancy may be entitled to a teleworking accommodation.

The ADA, which protects applicants and employees from disability discrimination, is relevant to pandemic preparation in at least three major ways. First, the ADA regulates employers’ disability-related inquiries and medical examinations for all applicants and employees, including those who do not have ADA disabilities. Second, the ADA prohibits covered employers from excluding individuals with disabilities from the workplace for health or safety reasons unless they pose a "direct threat" (i.e. a significant risk of substantial harm even with reasonable accommodation). Third, the ADA requires reasonable accommodations for individuals with disabilities (absent undue hardship) during a pandemic.

**Confidentiality Policies**

The ADA requires that all medical information about a particular employee be stored separately from the employee's personnel file, thus limiting access to this includes an employee's statement that he has the disease or suspects he has the disease, or [confidential information](https://www.eeoc.gov/transcript-march-27-2020-outreach-webinar#q9). An employer may store all medical information related to COVID-19 in existing medical files. This includes employer's notes or other documentation from questioning an employee about symptoms, testing and screening information.

I certify that I have read and understand the COVID-19 health and safety policies.

Print Name ­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature Date ­­­­­­­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_

Health Screening Assessment

Employee or Visitor name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Job title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Supervisor's name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Date** | **Body Temperature** | **Covid-19 Symptoms in the last 14 days? (Y/N)** | **Positive Covid-19 Test in the last 14 days? (Y/N)** | **Close contact with confirmed or suspected Covid-19 case in the past 14 days?** | **Screened By** **Initial** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

**If an employee's body temperature is at or above 100.4 degrees Fahrenheit, the employee must be sent home immediately and the following completed:**

Date the employee was sent home: \_\_\_\_\_\_\_\_\_\_\_ Recorded temperature: \_\_\_\_\_\_\_\_\_

Are visible signs of respiratory illness present?  \_\_\_\_\_ Yes      \_\_\_\_\_ No

An employee sent home with a fever can return to work when:

* He or she has had no fever for at least three days without taking medication to reduce fever during that time; AND
* Any respiratory symptoms (cough and shortness of breath) have improved; AND
* At least ten days have passed since symptoms began.

The employee may return to work earlier if a doctor confirms the cause of the employee's fever or other symptoms is not COVID-19 and provides a written release for the employee to return to work.

Date the employee returned to work: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_