

HOW EMPLOYERS CAN HELP TO STOP THE SPREAD OF THE VIRUS Ouestions and Answers

By Lisa F. Harper, Esq.

How does an employer protect the physical spread of the virus in its offices or facilities?

Among other policies, the employer should institute policies requiring employees to:

- 1. Clean hands frequently and before and after entry into the employer facility; washing hands with soap and water for at least 20 seconds; or using an alcohol-based hand sanitizer that has at least 60% alcohol;
- 2. Avoid touching their eyes, nose and mouth;
- 3. Stop handshaking as a greeting and use other forms of noncontact greeting;
- 4. Cover coughs or sneezes with a tissue, then toss that tissue in the trash;
- 5. Clean and disinfect frequently touched objects and surfaces using sprays and wipes approved by the EPA as sanitizers encompassing COVID-19;
- 6. Wear a face mask if an employee is showing symptoms of respiratory infection, or if the employee is a caregiver of someone who is sick;
- 7. Refrain whenever possible from using phones, desks, tools or similar equipment being used by others; and when such multi-personnel equipment is used, wear protective gloves or insure proper disinfecting before and after each such use.
- 8. Insure that all kitchen, brewing, distilling equipment is frequently sanitized using an approved sanitizer.
- 9. Maintain physical distance from others of at least 6 feet:
- 10. Avoid contact with those who are sick:
- 11. Replace in person meetings with telephone or conference meetings; and
- 12. If the business or any part of the business (such as back office) lends itself for work at home; allow such employees to do so and institute policies governing the same.

If the employer is a restaurant, bar, brewery, distillery or other food or beverage establishment still open to the public, the employer should abide by all Georgia regulations regarding the same and should institute other general policies and procedures, such as:

- 1. Placing hand sanitizing stations at all entrances and bathrooms;
- 2. Requiring all stations used by the public to be sanitized using appropriate sanitizing wipes after each customer leaves;
- 3. Placing signs requesting customers displaying signs of respiratory illness to use take out or online ordering and delivery service rather than dining in;
- 4. Placing approved sanitizing wipes at tables, booths and counters for each customer to use to wipe down the area if he or she is concerned;



- 5. Rearranging tables or blocking off certain booths or tables, such that customer parties are at least not within six feet of other customer parties;
- 6. Using single use menus, utensils, tableware, and condiments (including salt and pepper))if tablets are used as menus, insure proper sanitizing after each customer use);
- 7. Instituting a cashless policy during the threat, removing the need for cash and coins to be exchanged;
- 8. Using credit and debit devices that do not require handling of customers' credit and debit cards and wiping down the device with proper sanitizing wipes after each use;
- 9. Posting the policies employed to help control the spread of the virus;
- 10. Instituting curbside pick-up or delivery rather than dine-in or inside take-out and insuring that anyone waiting is at least six feet from anyone else; and
- 11. Limiting the number of people at any location to 10, unless it can be assured that no persons must stand or be seated within six feet of each other pursuant to Governor Kemp's March 23, 2020 Executive Order.

What do I do if an employee or his or her relative has traveled to an area of high concern?

Any employee who has recently been in an area of high concern for COVID-19, which is being defined as a CDC Level 3 area (see https://wwwnc.cdc.gov/travel) should confidentially advise the employer of the same in writing, and self-isolate for the 14 day or for the then recommended quarantine period.

For employees continuing to work at the employer location, what if an employee comes to work showing respiratory illness signs?

To protect other employees and customers, employees who develop or display symptoms of a respiratory illness may be quarantined in an area of the employer facility until they can leave that day and may be asked to wear a surgical mask. Employees who have symptoms of respiratory illness prior to work or during work hours should be asked to stay home or to go home and not come to back to work until they are free of fever and free of any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g., cough suppressants). A fever is defined as a temperature of 100.4 degrees Fahrenheit or 38 degrees Celsius taken by an oral thermometer. The EEOC has given the green light to employers (the EEOC on the ADA and COVID -19) confirmed that in times such as these, the employer can take the temperature of the employee

What if an employee tests positive for COVID-19?

The health status of any employee is confidential and may not be disseminated. Employers can and should however inform their employees that someone has tested positive and remedial actions should be immediately be taken, including, among other things, determining everyone



with whom the employee came into contact (without disclosing protected information about the identity of the employee), requiring self-isolation of those with whom the employee came into contact, and remediating the facility by cleaning it with disinfectants approved by the EPA.