Possible Employee Exposure to COVID-19 Letter

When to Use

Employers should use this letter to notify employees that an employee in the organization or at a particular worksite location tested positive for the novel coronavirus (COVID-19) and that they may have been exposed to it.

Customizable Letter

**[insert organization's logo, name and address]**

**[insert date]**
**[insert recipient's name]**
**[insert recipient's physical address (and/or email address if applicable)]**

Subject: Possible Exposure to COVID-19

Dear**[insert recipient's name]**:

This letter is to advise you that an employee of **[insert employer's name]**has tested positive for the novel coronavirus, COVID-19. While we cannot disclose the employee's name because of privacy laws, employees working **[insert description of areas where the employee worked or may have visited]**during **[insert time period (e.g., between [insert date] to [insert date])]**may have been exposed to COVID-19.

If you experience symptoms of a respiratory illness such as the flu, including fever, dry cough or shortness of breath, please contact **[insert employer's name, Human Resources or other appropriate contact]** at**[insert contact information (e.g., phone number)]**as soon as possible.

We also compiled a list of names of those who worked in close proximity with this employee for the past 14 days and will be notifying each of them. These employees are urged to consult their health care providers and to follow their advice or that of a public health department regarding how long to stay at home. At a minimum, these employees should stay at home for 72 hours (three days) without a fever (100.4° F or higher) and or any other symptoms (e.g., cough). If an employee develops symptoms, they should stay at home for at least:

* 14 days from when the symptoms began; and
* 72 hours (three days) free of a fever (100.4° F or higher) without the aid of fever-reducing medication or any other symptoms.

**[Insert employer's name]** is taking steps to limit the risk to employee health and safety during these challenging times. Therefore, out of an abundance of caution, we will close the **[insert worksite location]** on**[insert dates location will be closed]**to clean and disinfect the area. Employees who work at **[insert worksite location]** who are able to work remotely are expected to do so while this location is closed. Please consult with **[insert Human Resources or appropriate contact (e.g., manager)]** for additional instructions and information.

During this time, we will continue to closely monitor government and public health developments to determine other steps **[insert employer's name]**can take during this pandemic. We also urge employees to comply with guidelines from the Centers for Disease Control and Prevention (CDC) by:

* Maintaining appropriate "social distancing" measures (i.e., keeping a distance of at least six feet from others);
* Avoiding touching of the face;
* Washing hands frequently; and
* Wearing a mask or other face covering.

If you have any questions or concerns, please contact **[insert Human Resources or appropriate contact].**

**[insert closing (e.g., Sincerely, Very truly yours)]**

**[insert handwritten signature (for a mailed letter) and typed signature]**

**[insert sender's title]**

**[insert enclosure line as applicable (e.g., Enclosure or Enclosures)]**

Tips

Consult with local health officials if your organization has an employee(s) who tests positive for COVID-19. Health officials may be able to provide important guidance and, in some cases, access to additional resources, including assisting in the testing of other employees.

The Americans with Disabilities Act (ADA) allows an employer to ask employees during a pandemic if they are experiencing symptoms to determine if they have or may have COVID-19. Symptoms include, for example, fever, chills, cough and shortness of breath or sore throat. Employers must maintain all information about employee illness as a confidential medical record in compliance with the ADA.

Employees should be urged to follow CDC guidelines, including staying home, until it's determined that they are safe to be at work. The guidelines specify that an employee may return to work when the employee is free of fever (100.4° F or greater) and any other symptoms for at least 72 hours, without the use of fever-reducing or other symptom-altering medicines (e.g., cough suppressants).

The Equal Employment Opportunity Commission (EEOC) has stated that remote work is one strategy to control transmission of the coronavirus. Encourage employees who work remotely to set up a safe workspace at home.

In accordance with the Centers for Disease Control and Prevention (CDC) guidelines, cleaning surfaces followed by disinfection is the best practice measure for prevention of COVID-19. Routinely clean and disinfect frequently touched objects and surfaces, such as keyboards, telephones, touchscreens, handrails, doorknobs, desks and work tools. For cleaning, use a detergent or soap and water. For disinfection, the CDC recommends the use of EPA-registered household disinfectants approved for use against the virus that causes COVID-19, diluted household bleach solutions or alcohol solutions with at least 70% alcohol.

Employers should also provide disposable alcohol-based wipes or alcohol solutions containing at least 70% alcohol so that employees may wipe down their workspaces and frequently touched objects routinely.

Employers should also consider implementing other measures to reduce exposure to COVID-19, such as:

* Installing physical barriers between employees or between employees and customers (e.g., clear plastic sneeze guards);
* Increasing ventilation rates;
* Modifying shifts to provide for alternating days or extra shifts to reduce the number of workers in the workplace at a given time or day; and
* Providing employees with personal protective equipment (PPE) (e.g., masks, gloves).

The sender's address usually is included in letterhead. If not using letterhead, include the sender's address at the top of the letter one line above the date. Do not write the sender's name or title, as it is included in the letter's closing. Include only the street address, city and ZIP code.

Warnings

While the Health Insurance Portability and Accountability Act (HIPAA) does not apply to all employers, other laws like the ADA, the Genetic Information Nondiscrimination Act (GINA) and various state privacy laws protect certain employee medical information. Therefore, do not reveal the name or other identifying information (e.g., title) of an employee who tests positive for COVID-19 to others.

If an employee tests positive for COVID-19, employers should avoid providing information that identifies the employee to the extent possible and limit who learns of the test results. For multi-facility employers, consider only notifying employees at the facility where the employee worked or employees who otherwise had direct contact with the infected employee.

The EEOC's Pandemic Preparedness Guidance provides that an employer may ask for a doctor's note. However, if the request is not disability-related or if the pandemic illness is truly severe, as a practical matter, doctors and other health care professionals may be too busy during and immediately after an outbreak to provide fitness-for-duty documentation. Instead, an employer should consider depending on new approaches, such as reliance on local clinics to provide a form, a stamp or an email to certify that an individual does not have COVID-19.

Under the General Duty Clause of the Occupational Safety and Health Act, employers are required to provide a workplace that is free from recognized hazards that are likely to cause death or serious physical harm. When deciding how to respond to a positive COVID-19 test in your workforce, be mindful of potential liability related to employees who had contact with an infected employee.

An employer may implement temperature screening measures in response to the current COVID-19 pandemic, according to the EEOC's Pandemic Preparedness Guidance. However, be aware that some people with COVID-19 do not have a fever, and some people with a fever do not have COVID-19.