

Human Resources Policy Bulletin

Lancaster County

Number: 2020-6

Date: June, 2020

Reference:	Title:
Americans with Disabilities Act, Rehabilitation Act, 29 CFR Part 1630 EEOC Guidance, “Pandemic Preparedness in the Workplace and the Americans With Disabilities Act”, Updated in Response to COVID-19 Pandemic, March 19, 2020	WORKPLACE RESPONSE TO COVID-19

I. PURPOSE

The purpose of this policy is to help prevent workplace exposures to COVID-19 and to establish criteria for daily symptom and temperature screening of County employees. This policy is based upon the Centers for Disease Control and Prevention’s interim guidance for businesses and employers responding to COVID-19¹.

II. POLICY

A. Employees with these symptoms² may be infected with COVID-19:

1. New onset of a sustained persistent nonproductive cough (a dry cough lasting longer than 24 hours)
2. Unresolved or new onset shortness of breath or difficulty breathing
3. Measured temperature of 100.4°F or higher
4. Sustained (longer than 2 hours) chills or repeated shaking with chills
5. Muscle pain or body aches
6. Headache
7. Sore throat
8. New loss of taste or smell

¹ <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>.

² Symptoms are based on those the Lincoln-Lancaster County Health Department have identified are most common of those infected in Lancaster County and the CDC’s list of symptoms consistent with COVID-19, which can be found at https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fabout%2Fsymptoms.html.

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9. Congestion and/or runny nose
10. Nausea or vomiting
11. Diarrhea

B. Daily Symptom Screening

Upon arrival at work or as close to arrival as possible, the employee shall be asked the following questions by his or her supervisor or supervisor's designee.

1. Do you have a measured temperature of 100.4°F or higher, or have you had to use fever-reducing medications (i.e. Tylenol®, Acetaminophen, Advil®, Ibuprofen) in the last 24 hours to control a fever of 100.4 or higher?
2. Do you have unresolved or new onset shortness of breath or difficulty breathing?
3. Do you have new onset of sustained persistent nonproductive cough (a dry cough lasting longer than 24 hours)?
4. Do you have a new onset of loss of taste or smell?
5. Do you have two or more of the following prolonged (symptom(s) lasting for longer than 24 hours) and unexplained (no other reasonable cause) symptoms?
 - i. Sore throat
 - ii. Sustained (longer than 2 hours) chills or repeated shaking with chills
 - iii. Headache
 - iv. Muscle pain
 - v. Congestion and/or runny nose
 - vi. Nausea or vomiting
 - vii. Diarrhea

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Employees who answer affirmatively to any of the foregoing questions should be asked to go home and should be directed to contact their personal physician. The employee should not return to work until the employee satisfies the conditions promulgated by the Return to Work Protocol below.

All screening must be performed confidentially, and all information arising from the screening must be kept confidential, in accordance with the Americans with Disabilities Act.

C. Daily Temperature Screening

Upon arrival at work or as close to arrival as possible, the employee shall have his or her temperature taken by his or her supervisor or supervisor's designee. The employee's temperature should first be taken with a non-contact thermometer.

The employee shall wear a face covering when having his or her temperature taken. The temperature taker shall wear a face covering, eye protection (goggles or disposable face shield) and disposable gloves. The temperature taker does not need to use new PPE between employees if using a non-contact thermometer and there was no physical contact with the employee. In the event a temperature is rechecked with an oral or tympanic thermometer, the oral or tympanic thermometer shall be disinfected before reuse and the temperature taker shall use a clean pair of disposable gloves.

1. If the employee's measured temperature is 100.4°F or higher:
 - i. The employee should sit and clear his or her forehead of any hair or coverings for ten minutes.

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- ii. After ten minutes, the supervisor or his or her designee should recheck the employee's temperature with the non-contact thermometer, or an oral or tympanic thermometer if available.
 - iii. If upon recheck the employee's temperature is 100.4°F or higher, the employee should be asked to go home and should be directed to contact their personal physician. The employee should not return to work until the employee satisfies the conditions promulgated by the Return to Work Protocol below.
2. If the employee's measured temperature is lower than 100.4°F, the employee may work the remainder of the day unless they develop symptoms consistent with COVID-19.

All screening must be performed confidentially, and all information arising from the screening must be kept confidential, in accordance with the Americans with Disabilities Act.

D. Return to Work

The employee may return to work if they meet the following criteria:

1. At least 10 days have passed since symptom(s) first appeared;
2. They have had a measured temperature < 100.4°F for at least 3 days without the use of fever-reducing medications; and
3. There has been improvement in the remaining symptom(s).

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E. Face Coverings

1. Face coverings shall be worn by all employees when interacting with co-workers, members of the public or in group meetings larger than 2 people. For purposes of this Policy, a face covering shall mean cloth face coverings or masks.
2. The face covering should incorporate the following conditions at a minimum:
 - i. Fit snugly against the side of the face;
 - ii. Be secured with ties or ear loops;
 - iii. Include multiple layers of fabric if made of cloth;
 - iv. Allow for breathing without restriction; and
 - v. Be able to be laundered and machine-dried without damage or change to shape if made of cloth.
3. Face coverings shall be provided by the County; however, employees are free to provide his or her own face coverings provided they meet the conditions stated above in Section E.2.
4. Face coverings shall be appropriate for the workplace and any inappropriate depictions or materials on them will not be allowed.
5. Face coverings are not required in workplaces or worksites where the employee is the only occupant, including but not limited to private offices, cubicles, County vehicles or equipment. Face coverings are also not required in outdoor worksites that maintain adequate physical distance of at least six (6) feet between individuals.

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6. The use of face coverings are not a substitute, and is instead a supplement, to maintaining adequate physical distance of at least six (6) feet between individuals.
 7. The use of face coverings are not a substitute for other forms of Personal Protection Equipment (PPE) that may be required and utilized by some employees in specific work classifications or work environments.
 8. If an employee believes he or she is disabled or has been diagnosed with a disability and needs a reasonable accommodation to the requirements in Section E, the employee should contact the City-County Human Resources Department to request a reasonable accommodation.
- F. County Departments or Offices that have established a daily screening procedure or a procedure for requiring face coverings prior to the effective date of this Bulletin may continue to utilize the established procedure so long as it meets the minimum requirements in Sections B, C, D, and E. County Departments or Offices that have established a daily screening procedure in accordance with the Essential Employee Testing Directive³ may continue to utilize the established procedure.

III. CONFIDENTIALITY

The responses elicited from the daily symptom screening and daily temperature screening shall be considered confidential medical information. This includes an employee’s statement that he or she has the disease or suspects he or she has the disease, and the employer’s notes or other

³ LLCHD County Directive 2020-10.01 Lincoln-Lancaster County Health Department Directive for Essentially Employees of Lancaster County Who Have Been Exposed to Individuals Suspected of, or Being Infected with COVID-19.

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documentation from questioning an employee about symptoms and taking the employee's temperature. Any medical information related to screening for COVID-19 shall be stored in the employee's medical file.

V. SANCTIONS

Employees who violate any provision of this policy may be subject to disciplinary action up to, and including, dismissal from employment.

VI. DURATION

This policy is effective June 11, 2020. This policy is temporary in nature and may be terminated at any time for any reason by the Lancaster County Board of Commissioners.

Doug McDaniel
Human Resources Director

Date

Sean Flowerday, Chair
Board of County Commissioners

Date