

COVID-19 FAQ

7. We take temperatures of employees per guidelines, if a provider has a fever, we won't allow them to work. Can we make them use sick time or do we put them on administrative time not charged to their leave?

Date Added: 03/30/20

Answer: First, under pandemic conditions you are permitted to take the temperature of all employees as part of a screening process to determine if they are safely capable of working. (Ordinarily that would be considered a medical inquiry or examination and would not be permitted). It is recommended that you follow the CDC guidelines when taking employees temperatures and excluding them from working. Second, you are permitted to not allow them to work if they have a fever or other symptoms of COVID-19. Third, you may charge the time off from work against other accrued leave as long as state law does not prohibit it. So you need to check state law in your jurisdiction. Also, if you send the employee home, some states may require a minimum amount of pay for showing up – called “reporting pay.” This may also be addressed in a collective bargaining agreement if you are a unionized workforce. Aside from these laws, you should pay your employee consistent with any accrued paid time off benefits that your organization provides. Additionally, if your organization is required under the new Emergency Paid Sick Leave Act, then you should pay the employee consistent with those provisions and final Regulations, once they are published.