



ILA-USMX JOINT SAFETY COMMITTEE

The Novel Coronavirus

Workers and Employers Want to Know

Q. Workers and employers have asked the ILA~USMX Joint Safety Committee (JSC): “As the availability of Coronavirus test kits rise, and more positive tests results become inevitable, what is the process we must follow in the aftermath of worker’s/employee’s positive test?”

A. Once an employer has direct knowledge that an employee has tested positive for the Coronavirus, the following guidance is offered:

- 1). Contact the relevant local health agency and disinfect the work area(s) normally occupied by the infected employee;**
- 2). Inform potentially exposed employees (those typically in contact with the infected worker) without mentioning the infected worker’s name;**
- 3). Within the parameters offered by the relevant collective bargaining agreement and by applicable (and evolving) Federal & State laws and regulations, promptly sort out and implement the proper means and methods available for granting leave (paid, subsidized or otherwise) from work;**
- 4). Maintain absolute confidentiality. Several Federal laws impose strict confidentiality requirements in re a CoVid-19 employees’ symptoms, test results, treatments, etc.; and**
- 5). Carefully manage return to work certifications. Once an employee has recovered from a Coronavirus infection and is well, it is important to verify his/her recovery so as not to potentially endanger other, uninfected employees on a return to work. To that extent, a note/certification from a licensed health care profession would serve that purpose. Given the workload being imposed upon those health care providers during the current Coronavirus crisis, however, acquiring timely return to work notes/certifications may be problematic. Both CDC and OSHA have encouraged “Alternative” certifications, where possible. We’re confident that our industry can be inventive enough to arrive at a suitable and fully protective “Alternative” certification. [21 March 2020]**

Working Together For The Benefit Of All

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