

CLIENT ALERT

CDC GUIDANCE FOR ESSENTIAL WORKERS EXPOSED TO COVID-19

The Center for Disease Control (“CDC”) released new guidance that allows essential workers who have been exposed to COVID-19, but are not exhibiting symptoms of COVID-19, to return to the workplace without a 14-day quarantine period. If you have any questions about how to comply with the new CDC guidance, contact Lisa Petersen (lpetersen@ck.law) or Caitlin McKelvie (cmckelvie@ck.law).¹

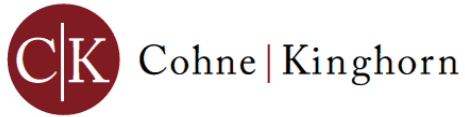
Under the prior CDC guidance, any individual who was potentially exposed to COVID-19 was required to self-isolate for a 14-day period before returning to work. This guidance contributed to significant staffing shortages in frontline, essential workers—the workers most needed to fight the COVID-19 outbreak and the workers most likely to be exposed to COVID-19. In recognition of the untenable staffing shortages, the CDC updated its guidance to allow essential workers to return to the workplace during the 14-day post-exposure window under the following parameters:

Who are Essential Workers?

The CDC’s updated guidance applies to critical infrastructure workers, which includes the following 16 sectors:

- Healthcare and public health;
- Emergency services;
- Food and agriculture;
- Water;
- Communications;
- Critical manufacturing;
- Transportation systems;
- Financial;
- Commercial facilities;
- Government facilities;
- Information technology;
- Chemical;
- Dams;
- Defense industrial base;
- Energy; and
- Nuclear reactors, materials, and waste.

¹ This Client Alert is provided for informational purposes only. It is not intended as, and does not constitute, legal advice. Further, access to or receipt of this Client Alert by anyone does not create an attorney-client relationship. As such, it is not reasonable for anyone to rely upon this Client Alert with respect to any particular legal matter. Rather, readers are encouraged to retain a licensed attorney to provide individualized and current legal advice.



What is Potential Exposure?

Potential exposure occurs when an individual is in household contact or has close contact within 6 feet of an individual confirmed or suspected to have COVID-19. Potential exposure includes 48-hours before the potentially infected individual became symptomatic.

When Can an Essential Worker Who Has Been Potentially Exposed Continue to Work?

An essential worker who has been potentially exposed to COVID-19 may continue to work during the 14-day post-exposure window under the following conditions:

1. The employee is asymptomatic;
2. The employer measures the employee's temperature and checks for symptoms before the employee starts work²;
3. The employee self-monitors under the supervision of the employer's occupational health program;
4. The employee wears a face mask at all times;
5. The employee practices social distancing to the extent the employee's work duties permits; and
6. The employer routinely disinfects all areas, including offices, bathrooms, common areas, and shared equipment.

² See Cohne Kinghorn's Client Alert regarding the DOs and DON'Ts of Managing Employee Illness in the Age of COVID-19 for steps to take when checking an employee's temperature and other COVID-19 symptoms.