

OHIO AUTOMOBILE DEALERS ASSOCIATION



An employee has exhibited symptoms or tested positive for COVID-19. What should we do?

1. TALK WITH YOUR EMPLOYEE:

When your employee notifies you that he/she has tested positive for COVID-19, the dealership should require that the employee remain home or leave the dealership. Similarly, if one of your employees is exhibiting symptoms of COVID-19, take this same approach and ask them to seek medical attention or be tested for COVID-19. Additionally, the dealership should take steps to understand the employee's interaction with fellow employees, customers, and other third parties. Ask questions that will help you determine what to do next, such as:

- When did you begin to experience symptoms?
- When were you diagnosed?
- Where at the dealership have you been in the past 14-days?
- What staff members have you been in contact with in the 14-days before you began to experience symptoms?
- Did you have any contact with any customers or other third parties? If so, can you identify them?
 - Did you attend any meetings?
 - Did you talk with any vendors?
 - Did you deliver any vehicles or parts?

Based on the CDC's recommendations, the dealership should advise the employee to contact their healthcare provider. The Dealership may also refer the employee to the CDC's webpage on what to do if you are sick, which can be found [HERE](#).

If the employee is tested to determine if he/she is still contagious, then the employee may leave home after these three things have happened:

- (1) The employee no longer has a fever (without the use of medicine that reduces fevers);
- (2) Other symptoms have improved (e.g. cough or shortness of breath have improved); AND
- (3) The employee received two negative tests in a row, 24 hours apart.

If, however, the employee is not tested to determine if he/she is still contagious, then the employee may leave home after these three things have happened:

- (1) The employee has had no fever for at least 72 hours (that is three full days of no fever without the use of medicine that reduces fever);
- (2) Other symptoms have improved (e.g. cough or shortness of breath have improved); AND
- (3) At least 7 days have passed since the employee's symptoms first appeared.

2. NOTIFICATION TO EMPLOYEES:

- Provide a notice to all employees that an employee has tested positive for COVID-19. A template is available [HERE](#). Remember, federal privacy laws prohibit an employer from sharing the identity of infected employee.
- In addition to a general notice to all employees, anyone who worked in close proximity (within six feet) for a prolonged period of time (more than a few minutes) with them in the previous 14-days should be sent home to ensure the virus does not spread.

When sending the employees home, do not identify by name the infected employee or you could risk a violation of confidentiality laws. In all communications, use gender-neutral terms such as “they” or “the individual”, instead of “him” or “her”.

How long should the employees who worked near the employee stay at home?

Those employees should first consult and follow the advice of their healthcare providers or public health department regarding the length of time to stay at home. If those resources are not available, the employee should at least remain at home for three days without a fever (achieved without medication) if they don't develop any other symptoms. If they develop symptoms, they should remain home for at least seven days from the initial onset of the symptoms, and three days without a fever (achieved without medication).

- If you work in a shared office building or area, you should inform building management so they can take whatever precautions they deem necessary. The CDC provides that the employees who worked closely to the infected worker “should then self-monitor for [symptoms](#) (i.e., fever, cough, or shortness of breath).”

Additional FAQ's created by Fisher Phillips can be found [HERE](#).

3. CLEAN AND DISINFECT THE AFFECTED AREA(S) OF THE DEALERSHIP:

[CDC provides the following recommendations](#) for offices or other facilities that do not house people overnight, that have suspected or confirmed COVID-19 cases. We will continue to provide updates to the recommendations as they become available:

- Close off areas used by the ill person and wait as long as practical before beginning cleaning and disinfection to minimize potential for exposure to respiratory droplets.
- Open outside doors and windows to increase air circulation in the area. If possible, wait up to 24 hours before beginning cleaning and disinfection.
- Cleaning staff should clean and disinfect all areas (e.g., offices, bathrooms, and common areas) used by the ill persons, focusing especially on frequently touched surfaces (shared electronic equipment, phones, keyboards, remote controls, etc).
- Employers should develop policies for worker protection and provide training to all cleaning staff on site prior to providing cleaning tasks. Training should include when to use PPE (Personal Protective Equipment), what PPE is necessary, how to properly put on, use, and take off PPE, and how to properly dispose of PPE.
- If you require gloves or masks or other PPE, prepare a simple half-page Job Safety Analysis (JSA): list the hazards and the PPE (gloves, masks, etc., as needed), and the person who drafts the JSA should sign and date it.
- If employers are using cleaners other than household cleaners with more frequency than an employee would use at home, employers must also ensure workers are trained on the hazards of the cleaning chemicals used in the workplace and maintain a written program in accordance with OSHA's Hazard Communication standard (29 CFR 1910.1200).
 - Simply download the manufacturer's Safety Data Sheet (SDS) and share with employees as needed, and make sure the cleaners used are on your list of workplace chemicals used as part of the Hazard Communication Program (which almost all employers maintain).

4. BE PREPARED TO ANSWER QUESTIONS:

Your dealership should be prepared to answer questions from employees, the media, customers, and vendors.

- Assign one person, or a small team of individuals, such as the HR manager & dealer principal, who are authorized to respond to inquiries both internally and externally.

Questions From Employees:

- Once potentially exposed employees have been notified, employers should not share further information with the rest of their employees about the infected employee's identity. Remember, federal and state confidentiality and privacy laws prohibits an employer from sharing the employee's identity with other employees, customers, and vendors.
- Be truthful and compassionate
- Be up front regarding the health and safety protocols you are following to address employee concerns.
- Let employees know the steps you are taking to following the health and safety protocols.
- Consider whether remote working opportunities are available for those employees whoa re being asked to stay home.
- Be prepared to answer one-on-one question about the dealership's leave policy, including whether FFCRA leave is available, any accrued time off the employee is eligible to use, or any options under short-term disability programs that may apply.

Questions From the Media:

- Reported cases will become public record via your local health department, so media will have access to the general information and may contact you.
- You can respond to media queries by acknowledging that you are working with local health officials, but due to health care confidentiality, you can't share the name and/or medical details of the individual.
- Use gender-neutral terms such as "they" or "the individual", instead of "him" or "her".
- Draft a standard statement so that your point person/team are ready.

Sample Media Statement

"We have been notified by the Health Department that one of our <employees> has tested positive for COVID-19. We are working with community health officials to identify and notify anyone who may have been in close contact with the individual. Health officials will provide those individuals with the proper health guidance in line with protocols. Our thoughts go out to them and their loved ones."

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