

Some Frequent Questions That May Arise:

1. An Employer is permitted to ask an employee to seek medical attention and get tested for COVID-19. You can order employees to stay home if they have traveled to suspect areas of the country or the world. If the employee has tested positive, you can order the employee to stay home.
2. An employer cannot take an employee's temperature at work, this would most likely violate the ADA, and considered a prohibited "medical examination" under the ADA. The employer should send the employee to a proper medical provider.
3. If an employee does have COVID-19, and has to be sent home, ask them to identify those employees and customers that they have been within 6 feet of at work, and consider sending those employees home for a 14-day period of time. However, do not disclose the employees name, you may violate confidentiality laws if you do. Then consider have a cleaning company come and clean the effective work areas. You will also have to contact the customers.
4. An employer has no duty to report a confirmed case of COVID-19 to the CDC, that is the responsibility of the medical provider.
5. An employee cannot refuse to come to work just out of fear. Generally, under OSHA, for an employee to refuse to work out of fear of injury, the threat must be immediate or imminent, which means that an employee must believe that death or serious physical harm could occur within a short time, for example, before OSHA could investigate the problem. Requiring travel to China or to work with patients in a medical setting without personal protective equipment at this time may rise to this threshold. Most work conditions in the United States, however, do not meet the elements required for an employee to refuse to work. Once again, this guidance is general, and employers must determine when this unusual state exists in your workplace before determining whether it is permissible for employees to refuse to work.
6. The questions surrounding OSHA about employees wanting to wear mask, or an employer required to provide mask is a legal memo, but generally, such personal protective equipment is not required for salesmen or office workers. The CDC as stated that masks are only necessary when treating someone who is infected with COVID -19 and are not necessary to protect the health of most employees. If specific situation arises, please contact your attorney.

Here is a [comprehensive FAQ](#) developed by Fisher Phillips that addresses paid sick leave and Family and Medical Leave Act (FMLA) benefits during this national emergency and also briefly summarizes the refundable tax credits for employers, as well as a small-business exemption that attempts to mitigate these costs for businesses.