

FAQs For Employers On the COVID-19 Coronavirus

How much time does our business have to close the business after an employee tests positive for COVID-19? Do you recommend outsourcing the deep cleaning to a professional?

Currently, there are no rules regarding how long a business must close after an employee tests positive; however, 14 days would be the ideal amount of time. We are aware that many businesses have been doing 4-5 days but keeping exposed workers out of the workplace. While it may be hard to outsource the cleaning right now, it is recommended because doing so provides you a level of insulation from potential claims.

When can we reopen the business after the cleaning has been completed?

Timing for when your business can reopen will depend on the exposure and cleaning methods used. Currently, there are no rules; however, 14 days is recommended time frame.

Our business stores food inside the restaurant; do we need to throw it all away or can existing food items still be served?

COVID-19 is not a foodborne illness. Currently, there is no such law in place with regard to whether food stored in a restaurant with potential exposure must be discarded, but this will depend on who was infected or exposed. If the employee was a chef, you may need to discard the food, but if the employee was a hostess, likely no need to discard the food items. The rules continue to change, so this is an issue that will have to be evaluated at the time.

Do we need to report a confirmed case to OSHA and local health department?

You must record instances of employees who have contracted COVID-19 if the employee contracted the virus while on the job, not while off the clock. The case must be reported if it was confirmed as COVID-19, was work related, and involves one or more requirements in 29 CFR 1904.7 (e.g. extensive medical treatment, days off from work). Thus, it is advised you call the hotline to evaluate each case – as it will be fact specific.

Are we required to quarantine all the employees who work at the restaurant? If yes, is it at least for 14 days?

The current rule is an “ask” that all individuals who have been exposed to COVID-19 self-quarantine; the recommendation would be yes, at least 14 days.

STILL HAVE QUESTIONS?

CRA Members have exclusive access to legal help. Members get one call (not to exceed 15 minutes) of legal advice every month. To set up a call with one of our legal partners, please call 800.765.4842 ext. 2743 or email helpline@calrest.org