

# TOP 5 THINGS YOU SHOULD DROP WHAT YOU ARE DOING AND ADDRESS IF AN EMPLOYEE REPORTS A **POSITIVE COVID TEST**

## DO THIS

I

Investigate, communicate, and apply leave of absence rules.<sup>1</sup>

II

Sanitize the employee's work area and ensure that your safety protocols are in effect.<sup>2</sup>

III

Notify your worker's compensation carrier and instruct your employee to file a claim.

IV

Consider how you will address your employees' questions and concerns about their safety.

V

Notify the proper governing bodies and your employees, and perform contact tracing.

## NOT THAT

**DO NOT** terminate your COVID-positive employee.

**DO NOT** send everyone home and shut down unless you feel it is unsafe or a state or local ordinance requires it.

**DO NOT** divulge the identity of the employee.

**DO NOT** retaliate against any employee filing a worker's compensation claim.

**DO NOT** ignore questions or issue blanket rules without engaging in the interactive process with your employees.

# ADDITIONAL **COVID-19** RESOURCES

State and local ordinances are changing all the time, as is the guidance from the CDC, OSHA, and the California Department of Public Health. The following websites are updated regularly and can be great resources for questions you and your business might have after a positive COVID test.

[HTTPS://WWW.CDPH.CA.GOV/PROGRAMS/CID/DCDC/PAGES/COVID-19/WORK-PLACE-OUTBREAK-EMPLOYER-GUIDANCE.ASPX](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Work-Place-Outbreak-Employer-Guidance.aspx)

[HTTPS://WWW.CDC.GOV/CORONAVIRUS/2019-NCOV/COMMUNITY/CRITICAL-WORKERS/IMPLEMENTING-SAFETY-PRACTICES.HTML](https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/Implementing-Safety-Practices.html)

[HTTPS://WWW.CDC.GOV/CORONAVIRUS/2019-NCOV/COMMUNITY/GUIDANCE-BUSINESS-RESPONSE.HTML](https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html)

[HTTPS://ONWARDCA.ORG/RESOURCES/?STATE=CA&LANG=EN](https://onwardca.org/resources/?state=ca&lang=en)

**PLACER COUNTY:**

[HTTPS://WWW.PLACER.CA.GOV/DOCUMENTCENTER/VIEW/45728/BUSINESS-PACKET-FINAL](https://www.placer.ca.gov/documentcenter/view/45728/business-pack-et-final)

<sup>1</sup>While there are many potential leaves of absence applicable to a positive COVID test (including sick leave, FMLA, CFRA, and disability leave), the Federal Families First Coronavirus Response Act is at the top of the list and is paid for through a payroll tax credit to employers. This poster explains the leave and must be disseminated to all employees:

[HTTPS://WWW.DOL.GOV/SITES/DOLGOV/FILES/WHD/POSTERS/FFCRA\\_POSTER\\_WH1422\\_NON-FEDERAL.PDF](https://www.dol.gov/sites/dolgov/files/whd/posters/FFCRA_POSTER_WH1422_NON-FEDERAL.PDF)

<sup>2</sup>More information can be found here:

[HTTPS://MEDINAMCKELVEY.COM/WP-CONTENT/UPLOADS/2020/04/TOP-FIVE-WAYS-TO-PROTECT-YOUR-BUSINESS.PDF](https://medinamckelvey.com/wp-content/uploads/2020/04/top-five-ways-to-protect-your-business.pdf)

IF YOU HAVE QUESTIONS PLEASE REACH OUT  
TO BRANDON MCKELVEY AT [BRANDON@MEDINAMCKELVEY.COM](mailto:BRANDON@MEDINAMCKELVEY.COM)  
OR CALL US AT 916.960.2211