

COVID-19 SYMPTOMS IN THE WORKPLACE

Guidance for Supervisors, Managers, and Local HR Representatives

To limit the spread of COVID-19 at UW–Madison, employees who exhibit one or more COVID-19 symptoms need to leave the on-site workplace. The Centers for Disease Control (CDC) identifies the following symptoms associated with COVID-19:

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea



The CDC is learning more about COVID-19 and will update this list as necessary.¹

A supervisor, manager, or human resources (HR) professional may become aware that an employee is experiencing one or more symptoms of COVID-19. Such knowledge may be acquired, for instance, through personal observation or observations made by a coworker. It is important to treat all situations in a consistent manner that is unrelated to an employee's race, gender, national origin, age, etc.

We recommend the following steps:

Step One-Ask: In a location that is apart from other coworkers and in a manner that maintains social distancing and adherence to other public health guidelines, speak with the employee. Inform them that you have observed/been made aware that they are exhibiting one or more symptoms that have been associated with COVID-19. Mention the specific symptom(s) and ask the employee for their insight.

Step Two-Listen: Listen carefully to the employee's answer.

Step Three-Respond: Your response will depend on the employee's answer. Some possible answers from the employee and responses from you are as follows:

¹ See CDC, "Symptoms of Coronavirus," available at www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html (last accessed July 24, 2020).

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A. Acknowledgment: The employee may acknowledge the symptom(s). A subset of acknowledgment is minimization (e.g., “Yes, I have a sore throat, but it’s not a big deal.”).

Response: Tell the employee that:

- (a) because they are exhibiting one or more symptoms of COVID-19, they need to leave the workplace immediately;
- (b) the employee may telecommute if their position permits it;
- (c) they will receive notification from their supervisor or from HR regarding steps to return to the workplace. If an employee does not appear well enough to drive, consider additional options (calling a cab; calling a family member to pick them up; etc.). See also *Step Four*.

B. Acknowledgment with Non-COVID Explanation: The employee may acknowledge the symptom but offer an explanation that is unrelated to COVID. (E.g., “Yes, I was coughing violently. I accidentally choked on my lunch.”).

Response: There is a strong presumption that any employee exhibiting symptoms should leave the workplace immediately. Even so, there is some room for reasonable judgment. For instance, if you observe an otherwise asymptomatic employee choke on her food, and if she coughs for a brief time period, removing her from the workplace arguably would be unreasonable. If you determine that the employee should leave the workplace, see “*Response*” to scenario A (above). See also *Step Four*.

C. Denial: The employee may deny the symptom. (E.g., “No, I do not have a headache. Who told you that I do have one?”)

Response: You will need to use your discretion here. If you observed the symptom, telling the employee that you observed it would be reasonable. If someone else told you about it, you could state something as general as “it came to my attention that [the employee allegedly was experiencing a symptom].” The key to this conversation is that you are not being accusatory and simply want to determine what may be going on. If you determine that it is more likely than not that the employee is experiencing a symptom of COVID-19, see “*Response*” to scenario A (above). See also *Step Four*.

Step Four-Follow-up: If you direct an employee to leave the workplace, that information should be shared only on a need-to-know basis. If necessary, you may tell the employee’s coworkers that the employee is no longer at work that day, but do not share any details regarding the reasons.

Immediately inform divisional HR preferably via email. At a minimum, your communication should include

- (a) what caused you to make an inquiry of the employee;
- (b) what the employee stated; and
- (c) any other relevant information (e.g., your thought process in directing the employee to leave the workplace). Also, ask divisional HR who should follow up with the employee. For consistency, divisional HR will follow up in most cases, but divisional HR may prefer that individual supervisors do so.

Sample communication to the employee

The sample assumes that divisional HR sends the communication.

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The bold text in brackets indicates sections that should be included:

Dear [Employee]:

[Brief Summary of What Transpired] I am sending this email as a follow-up to a conversation you had with your supervisor earlier today. At approximately 10:30 a.m., your supervisor heard you coughing. She spoke with you about her observations, and you acknowledged coughing. In alignment with campus protocols surrounding COVID-19, she asked you to leave the workplace, and you did so immediately.

[Acknowledgment of Employee's Cooperation--if applicable] Before outlining next steps, I want to thank you for your cooperation today. The safety of our students, employees, and others depends on following public health guidelines, and your willingness to follow those protocols by leaving the workplace is much appreciated.

[Next Steps] With respect to a path forward, please note the following:

- **[For positions where telecommuting IS an option]** Telecommuting: If you feel well enough to continue working, you may telecommute.
- **[For positions where telecommuting IS an option]** Accrued Leave: If you do not feel well enough to telecommute, please enter sick leave or other applicable leave in UW–Madison's Time and Absence System, which is available on MyUW.
- **[For positions where telecommuting is NOT an option]** Accrued Leave: For the time when you normally would be working (including for today), please enter sick leave or other applicable leave in UW–Madison's Time and Absence System which is available on MyUW.
- **[For all employees] Return to Workplace (No COVID-19 Test):** If you are not tested for COVID-19, you may return after all of the following apply:
 - (1) you have been fever-free for 24 hours (without any fever-reducing medication);
 - (2) your symptoms have improved; and
 - (3) at least 10 days have passed since your symptom started.
- **[For all employees] Return to Workplace (Negative COVID-19 Test):** If you are tested for COVID-19, and if the test comes back negative, standard employee illness protocols apply. In general, you may return to work on-site when approved by a doctor or after all of the following apply:
 - (1) you have been fever-free for 24 hours (without any fever-reducing medication);
 - (2) 48 hours have passed since the last episode of vomiting or diarrhea; and (if applicable)
 - (3) 24 hours have passed since you began taking antibiotics. [Note: Some units may have division-specific protocols for non-COVID illnesses. If applicable, those should be inserted in this bullet point.]
- **[For all employees] Return to Workplace (Positive COVID-19 Test):** If you are tested for COVID-19, and if the test comes back positive, you may return after all of the following apply:
 - (1) you have been fever-free for 24 hours (without any fever-reducing medication);
 - (2) your symptoms have improved; and
 - (3) at least 10 days have passed since your symptom started.

For more information contact smartrestartHR@ohr.wisc.edu

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Before you return, please contact me at this email address or phone number so we can review protocols. Then, I will notify your supervisor of your anticipated return date.

If you have any questions, feel free to contact me. You may also contact [insert name], our divisional disability representative (DDR), and the Office of Human Resources-Workforce Relations (OHR-WR). I am copying both the DDR and OHR-WR on this email.

I look forward to seeing you back on campus.

Sincerely,

[Name of Divisional HR Representative]

In some cases, employees may not check their UW–Madison email account or do not have access to a computer. In these situations, divisional HR or the supervisor should have a phone conversation with the employee about the information outlined above. Also, divisional HR or the supervisor should document any such conversation.

FAQS

What if a symptomatic employee refuses to leave the workplace?

If an employee refuses to follow your directive, take the following steps:

- Ensure that the directive aligns with campus guidelines.
- Ensure that you have authority to provide a directive to the employee.
- Repeat the directive, ensuring that the employee understands:
 - (1) its meaning and its intent as a directive;
 - (2) that you have authority to give the directive; and
 - (3) the consequences of not complying with the directive. *E.g.*, “As your supervisor, I am directing you to leave the workplace. Your failure to leave the workplace immediately may be viewed as insubordination and may result in disciplinary action, up to and including discharge.”
- If the employee fails to follow your directive, contact divisional HR for more guidance.

When can a symptomatic¹ employee who has been removed from the workplace return to work?

If they have NOT been tested for COVID-19, they may return after all of the following apply:

- (1) they have been fever-free for 24 hours (without any fever-reducing medication);
- (2) their symptoms have improved; and
- (3) at least 10 days have passed since their symptom started.

If they have been tested for COVID-19, and if the test comes back negative, standard employee illness protocols apply. In general, they may return when approved to work by a doctor or after all of the following apply:

¹The scope of both this document and this question is symptomatic employees. Guidance for asymptomatic employees is not covered here.

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- (1) they have been fever-free for 24 hours (without any fever-reducing medication);
- (2) 48 hours have passed since the last episode of vomiting or diarrhea; and (if applicable)
- (3) 24 hours have passed since they began taking antibiotics.

[Note: Some units may have division-specific protocols for non-COVID illnesses. If applicable, those should be followed.]

If they have been tested for COVID-19, and if the test comes back positive, they may return after all of the following apply:

- (1) they have been fever-free for 24 hours (without any fever-reducing medication);
- (2) their symptoms have improved; and
- (3) at least 10 days have passed since their symptom onset.

If an employee is sent away from the workplace for having one or more symptoms of COVID-19, do they get paid for the full day?

Probably yes, but they generally will need to telecommute (if possible) or use their accrued leave. To the extent relevant sick leave or other policies apply, divisions should follow those policies. See, e.g., Sick Leave Policy.

There may be exceptions to the principle outlined above. For instance, hourly student employees typically do not have accrued leave. Accordingly, student employees who do not complete their shifts likely will not receive compensation for hours they do not work.

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