

COVID-19 FREQUENTLY ASKED QUESTIONS FOR BUSINESSES



GENERAL BUSINESS GUIDANCE

Where can I find the current requirements for businesses?

The most recent requirements and guidance for businesses can be found on the Team Kentucky Healthy at Work site, <https://govstatus.egov.com/ky-healthy-at-work>. Here you can find the **Minimum Requirements for All Entities**, as well as the most recent Executive Orders and Guidance. Businesses must be able to meet and maintain these requirements or will be subjected to close.

In addition, you can sign up for the latest news and email updates from the Governor's office at <https://public.govdelivery.com/accounts/KYGOV/signup/14922>.

What steps should I take to prevent COVID-19 at my business?

The top ways to prevent a COVID outbreak at your place of business are:

1. Continue telework where possible
2. Phased Return to Work and Cohorting
3. Have daily temperature checks/health screenings
4. Enforce social distancing
5. Limit face-to-face interaction
6. Require Universal Face Covering and Other Necessary PPE
7. Follow CDC **recommended cleaning and disinfecting practices**

These are minimum requirements for all employers. See the Kentucky Healthy At Work **Minimum Requirements for all Employers** for more information.

What should I do if I can't meet the Healthy at Work Minimum Requirements?

All employers are required to meet the Kentucky Healthy At Work **Minimum Requirements for all Employers** or shut down.

Do I have to require employees to wear masks?

Yes. Anyone in a public space where it is difficult to maintain safe distancing of at least 6 feet from all individuals who are not members of that person's household is required to wear a face covering that covers their nose and mouth.

See KY CHFS, **COVID-19 Face Coverings Frequently Asked Questions**, and **Executive Order 2020-586**.

What is phased return to work?

Phased return to work includes generous telework, sick leave, and family leave policies for those employees who are not able to come into work due to illness, taking care of a family member(s), or lack of childcare options.

What accommodations should/must employers make?

The Families First Coronavirus Response Act (FFCRA) **requires** certain employers to provide employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19, and offers **tax credits** to employers to help cover the expense. In addition, the Family and Medical Leave Act (FMLA) **requires** covered employers to provide employees job-protected, unpaid leave for specified family and medical reasons.

All employers are strongly encouraged to offer generous sick leave to accommodate those who have COVID-19 or must care for a loved one. In addition, employers must, to the greatest extent practicable, make special accommodations for employees and customers at higher risk for severe illness. Individuals in these high-risk categories have been identified by the Centers for Disease Control and Prevention. Further information is available at: <https://www.cdc.gov/coronavirus/2019-ncov/faq.html#Higher-Risk>.

What is cohorting?

Cohorting is grouping employees to work with as few individuals as possible and limiting interactions outside that group.

What should be included in daily temperature/health screenings

Entities must require employees to undergo daily temperature and health checks. Health checks must include a questionnaire to

determine if employees has had any symptoms of COVID-19 or had contact with anyone who has COVID-19. Identify a central entry location where temperature and health checks will occur at or around the main entrance.

Employees who have a fever and/or any symptoms of COVID-19 should be directed to a company sponsored testing site or their health care provider to be tested, and then instructed to quarantine at home as soon as any illness is detected. This includes employees that passed a temperature and health check prior to reporting to work but become ill during their shift.

What should I do if an employee reports they have tested positive?

Foremost, employees should be instructed to remain home and isolate from others to prevent further spread of infections.

Kentucky Healthy at Work requires all employers to report positive cases among employees to their local health department. The employee's name, date of birth, and date and location of test should be reported. Louisville, Jefferson County employers may report positive cases to IMTReporting@louisvilleky.gov or by calling the **LOU HEALTH COVID-19 Hotline at 502-912-8598**.

What information can I require an employee to give me as proof of the need for them to stay home from work due to COVID-19?

You can ask for a doctor's note or other health information if you need the information for sick leave, workers' compensation, wellness programs, or health insurance. For sick leave a doctor's note or order or letter from the local health department to quarantine or isolate at home should be enough.

However, employers cannot require protected health information from a healthcare provider such as the results of a specific test. For more information see U.S. Equal Employment Opportunity Commission (EEOC), [What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws](#), and [Pandemic Preparedness in the Workplace and the Americans with Disabilities Act](#), as well as U.S. Health and Human Services (HHS), [Employers and Health Information in the Workplace](#).

If an employee tested positive for COVID-19, when is it safe for them to come back to work?

In general, a person who tested positive can be around others after:

- 10 days since symptoms first appeared (or since a positive test) and
- 24 hours with no fever without the use of fever-reducing medications and
- Other symptoms of COVID-19 are improving

A negative test is not required or recommended for an employee to return to work.

Additional requirements may exist depending on the specific case circumstances. See U.S. Centers for Disease Control (CDC) guidance: [When You Can be Around Others After You Had or Likely Had COVID-19](#).

What should I do if an employee reports they have been ordered to quarantine or are a close contact/household member of a positive case?

Employers should ask employees during daily screening whether or not they have:

- Been in close contact with someone diagnosed with COVID-19
- Been in close contact with someone with COVID-19 symptoms
- Been in close contact household member who has been diagnosed with COVID-19
- Been ordered to quarantine by the local health department

If the employee answers "yes" to any of the questions, they should be asked to self-quarantine, and be provided instructions for claiming paid leave and other emergency support they are eligible for during their quarantine period. The quarantine period is 14 days starting on the day after the employees last exposure to a positive case. Employees living with household members diagnosed with COVID-19 must separate and isolate from the positive household member in order to stop additional exposure and start their quarantine period.

Quarantined Individuals must complete the entire 14 day period, as an infection can still occur for up to 14 days. A negative COVID-19 test prior to the end of the quarantine period does not mean the individual can end quarantine.

Employers should make all reasonable efforts to assist employees to quarantine, and may ask for verification of orders to quarantine or contact the Louisville COVID-19 Hotline at 502-912-8598 to seek assistance verifying quarantine orders.

What are other ways to prevent COVID-19 at my business?

Other measures included in the Kentucky Healthy at Work [Minimum Requirements for all Employers](#) include:

- Access to gloves
- Restricting common areas
- Develop a testing plan
- Educate and train employees
- Adequate hand sanitizer and encouraging hand washing
- Proper sanitation
- Designate a "Healthy at Work" officer



CONTACT TRACING & BUSINESSES

How do I know if an employee has tested positive for COVID-19?

Employers may ask employees if they have tested positive or had close contact with a person who has tested positive for COVID-19 pursuant to safeguards contained in [Minimum Requirements for All Entities](#) at Kentucky Healthy at Work. Also, if an employee tests positive, the Health Department contact tracing team will most likely reach out to you with this information, and to begin tracing any close contacts the employee may have had during their likely contagious period.

The test results may take 48 to 72 hours for test results to become available to the Health Department, and additional time after for the contact tracing team to contact you. Do not wait to act on this information until you have been contacted. You may also contact the **LOU HEALTH COVID19 Helpline at 502.912.8598**.

If an employee tests positive, how can I support contact tracing in my place of business?

Be prepared to identify anyone who may have been in close contact with a positive case while they were at work. This means making sure you have staffing records for at least two days before someone became symptomatic and identifying where they were assigned and with whom they might have spent time in proximity (within 6 feet for 15 cumulative minutes). Some large employers have opted to purchase contact tracing software if frequent cases are anticipated.

If patrons of your business come in close contact with each other or with employees, you should also consider keeping a list of patrons that visit your facility. This would include name, date, and time of visit, location of visit, and contact information (phone number and/or email address). This will allow the health department or its contact tracing affiliate to trace every individual that was potentially exposed to a case in the facility and avoid the need for a Press Release to notify the public of an exposure.

If an employee tests positive for COVID-19 what can and should I tell other employees?

You may not disclose the positive employee's identification.

Be prepared to speak with each employee who had close contact with the positive employee. Inform the individual they have been in close contact with a positive case and potentially exposed to COVID-19. Ask them to quarantine at home for 14 days starting with their last close contact with the positive employee. Continue regular communications with all employees concerning COVID-19 precautions and safeguards.



TRAVEL

May an employee return to work after returning from traveling within Kentucky?

Yes, currently there are no restrictions or advisories regarding travel within the state. As with any situation where you are exposed to new people, places, or situations, anyone traveling should follow all Healthy-at-Work requirements at a minimum and use extra caution and be alert for any signs or symptoms of COVID-19.

May an employee return to work after returning from traveling out of state?

It depends. On July 20, 2020 the Kentucky Department for Public Health issued a travel advisory with the recommendation of a 14 day self-quarantine for travelers who went to any of the states reporting positive testing rate equal to or greater than 15 percent-of COVID-19 testing. A list of current states meeting this threshold can be found at <https://kycovid19.ky.gov/>.

Kentucky Public Health has advised avoiding these areas. Anyone returning from one of these areas should self-quarantine for 14-days before having contact with others, including reporting to work in-person. Employers should allow employees returning from travel to one of these areas to work from home or take leave to stay home.

All people returning from out-of-state should follow all Healthy-at-Work requirements at a minimum, use extra caution and be alert for any signs or symptoms of COVID-19, or monitor any changes in situations from areas previously traveled.

See Team Kentucky, <https://govstatus.egov.com/kycovid19> & Kentucky Department for Public Health Issues Advisory for Recent Travelers to States, One U.S. Territory Reporting High Rates of COVID-19, Johns Hopkins University & Medicine, [WHICH U.S. STATES MEET WHO RECOMMENDED TESTING CRITERIA?](#)

May an employee return to work after returning from traveling out of the country?

International travel is highly discouraged at this time, and U.S. travelers may face quarantine orders or be completely prohibited from certain destinations. For those who must travel internationally, see U.S. Department of State, COVID-19 Traveler Information at <https://travel.state.gov/content/travel/en/traveladvisories/ea/covid-19-information.html>. See also the list of country-specific Travel Advisories at <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories.html/>.



EMPLOYER TESTING GUIDANCE

What is a testing plan? What should be included?

The primary role of a testing plan in the workplace is to quickly determine whether employees showing symptoms are COVID-19 positive so that appropriate measures are taken to provide care to the individual and to prevent further spread in the workplace and community.

For more information on what should be in a testing plan, see this guidance from the Kentucky Healthy at Work page: [Healthy at Work Testing Plan Guidance](#).

Should I require that my employee have a negative test before they can come back to work (if they had previously tested positive)?

It is not recommended that employers require negative COVID tests prior to allowing previously positive employees to return to work. See [Testing](#), above.

Can I test all employees for COVID-19? Is this recommended?

Although not recommended, the U.S. EEOC has determined that testing employees for COVID-19 is “job related and consistent with business necessity,” and therefore allowed under the ADA. See [What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws](#).