

“Essential Employee” Return to Work Following “Close Contact” Exposure to a Family Member or Housemate with COVID-19

Background:

The Centers for Disease Control and Prevention (“CDC”) provide that following a “close contact” exposure¹, employees should self-quarantine for 14 days.² However, the CDC³ and the California Department of Public Health (“CDPH”)⁴ provide that, in order to maintain the continuity of operations of critical infrastructure sectors⁵, an employer may require that employees who are essential to that sector’s operation (“essential employees”) return to work prior to the expiration of the 14 day quarantine period so long as they remain asymptomatic⁶.

Purpose:

This certification is intended to be used in order to effectuate the safe and timely return to work of “essential employees” who had “close contact” exposure to a family member or housemate, but remain asymptomatic.

Certification:

The employee may provide one of two documents: (1) A note from the health care provider of the individual who has COVID-19 indicating the health care provider authorizes the discontinuation of isolation for that individual; or (2) A certification attesting to the facts below.

I, _____, certify to the truth and accuracy of each of the following representations concerning the individual with COVID-19 with whom I had “close contact” exposure:

1. The individual has been free of fever (a “fever” is defined as 100.4° F [37.8° C] or greater using an oral thermometer), signs of a

¹ CDC “Appendices” (See Appendix A – Glossary of Key Terms) <https://www.cdc.gov/coronavirus/2019-ncov/php/contact-tracing/contact-tracing-plan/appendix.html> (Last updated on May 29, 2020; Last accessed on July 23, 2020)

² CDC “Public Health Guidance for Community-Related Exposure” <https://www.cdc.gov/coronavirus/2019-ncov/php/public-health-recommendations.html> (Last updated on June 5, 2020; Last accessed on July 23, 2020)

³ CDC “Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19.” <https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html> (Last updated on April 20, 2020; Last accessed on July 23, 2020)

⁴ CDPH “Workplace Outbreak Guidance” <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Workplace-Outbreak-Guidance.aspx> (Last updated on June 16, 2020; Last accessed on July 23, 2020)

⁵ The State Public Health Officer designated the following list of essential critical infrastructure workers <https://covid19.ca.gov/essential-workforce/> <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Workplace-Outbreak-Guidance.aspx> (Last updated on April 28, 2020; Last accessed on July 23, 2020)

⁶ CDC “Symptoms of Coronavirus” <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html> (Last updated on May 13, 2020; Last accessed on July 23, 2020)

fever, for at least 24 hours, without the use of fever-reducing medicines;

2. The individual has experienced improvement of other symptoms associated with COVID-19; and
3. Ten (10) or more days have passed since the individual first presented symptoms associated with COVID-19.

Signature

Date