

Should Employers Monitor Employees Outside of Work to Ensure They Are Taking COVID-19 Precautions?

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As the country begins to reopen many employers remain concerned about the safety of their workplace and are left wondering if there is anything they can do to monitor employees when off-duty to ensure they are taking precautions to avoid catching COVID-19. In an interview with *SHRM*, **Michelle Anderson** explains that keeping an eye on off-duty employees to ensure they are social distancing may not be practical and may even impose an undue hardship on the employer. Michelle noted that “[t]here are measures to be taken in the workplace that reduce the potential for transmission of the virus that are much more manageable from a business standpoint than trying to keep up with what employees are doing during their off hours.” She goes on to explain that it would likely not be appropriate for employers to take action against off-duty employees who are not wearing masks, especially if wearing masks is not required by a state, federal or local order. She was careful to point out that within the workplace, employers do have the right to require certain precautions, and “if an employer has implemented social distancing and wearing of personal protective equipment (PPE) in the workplace, it can expect employees to abide by these rules.”

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