

New York Partner Speaks with Newsday on EEOC's COVID-19 Guidance for Employers

News
6.01.20

In an interview with *Newsday*, **Michael Marra** provides insight on the EEOC's updated guidance that helps businesses keep their workplaces safe and navigate murky waters post-pandemic. Among the EEOC's guidance, Michael says, is the green light for employers to measure an employee's body temperature, require employees to wear personal protective equipment and test employees before entering the workplace. "That doesn't mean employees won't protest such actions, but whether they can be terminated isn't cut and dry," he adds.

Michael says: "If an employee refuses to submit to these legal requests meant to create a safe work environment, it is appropriate for the employer to not permit that person to perform services at the worksite. Whether it will be defensible to terminate that person's employment will depend on a more fact-specific inquiry regarding the reasons for the refusal, the needs of the workplace and requirements of the position, and other issues specific to that employee."

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