

INDIANA EMPLOYERS AND EDUCATORS NEED TO ADAPT TO UPDATED COVID-19 CONTROL MEASURES

Insights
Sep 9, 2021

The Indiana State Department of Health (ISDH) recently updated its [COVID-19 control measures](#) in response to the resurgence of positive cases across the state, and all employers regardless of industry will be expected to take certain steps as a result. While the control measures unveiled on September 7 emphasize mitigating the spread of COVID-19 within the healthcare setting, K-12 schools, and daycares, your organization will need to review the new measures to ensure compliance and protect your workforce. Here is what you need to know.

Do fully vaccinated employees who test positive for COVID-19 still need to be excluded from the workplace?

Yes. All individuals who test positive for COVID-19, *regardless of vaccination status*, must isolate until at least 10 days following the onset of symptoms or, if asymptomatic, at least 10 days from the date of the positive test and must be fever free for 24 hours (without fever-reducing medications) and see an improvement in their symptoms.

Do asymptomatic employees who have had a close contact with someone with COVID-19 need to be excluded from the workplace?

It depends. Asymptomatic individuals who have had close contact with someone with COVID-19, unless fully vaccinated or recovered from COVID-19 within the past 90 days, shall quarantine, until: (1) 14 days after the date of last exposure; (2) 10 days after the date of last exposure,

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following additional precautions* for days 11-14 (see below); or (3) seven days after the date of last exposure with a negative PCR test on day five or later, following additional precautions for days 8-14.

Employees who are fully vaccinated (i.e., two weeks have passed since the final dose of the Pfizer, Moderna, or Johnson & Johnson vaccination) are not required to quarantine, if exposed. Fully vaccinated employees who are exposed to COVID-19 should monitor for signs and symptoms, get tested three to five days following exposure, and wear a mask for 14 days or until they receive a negative test result. If symptoms develop, the employee should isolate and get tested.

**"Additional precautions" include monitoring for symptoms, wearing a mask at all times around other people, and maintaining at least six feet of distance from others at all times unless otherwise directed by state or local health authority.*

Are there additional requirements placed on employers to prevent COVID-19 outbreaks in the workplace?

Yes, but the requirements vary depending on your industry as discussed below.

Public or Private Schools, Daycare Settings, Preschools, or Postsecondary Facilities

On the same day that a report of a confirmed COVID-19 case is received, school personnel shall:

- conduct an inquiry into absenteeism to determine the existence of any other cases of COVID-19;
- immediately report the confirmed case(s) to your local health department and the ISDH;
- send a notice home with each student, attendee, or employee who is required to isolate or quarantine that they shall be excluded from the date of the letter until the appropriate isolation or quarantine period has ended as discussed above (students, attendees, or employees who are fully vaccinated or have recovered from COVID-19 within the past 90 days, and are asymptomatic, are not required to quarantine); and

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- send a notice home to each student, attendee, or employee who has been in close contact with someone who has tested positive for COVID-19 (but have been allowed to continue to remain in school because the school has consistently enforced a face covering requirement) to instruct them on how to monitor and report COVID-19 symptoms,

Healthcare Setting, Long-Term Care Facilities, Jails, Correctional Facilities, or Group-Living Facilities

All workers and employees who have been exposed to COVID-19 should be excluded from the facility, unless: (1) they are fully vaccinated; (2) they have recovered from a COVID-19 infection within the past 90 days; (3) the appropriate quarantine or isolation period has ended (as defined above); or (4) they are otherwise directed by state or federal guidance.

Conclusion

We will continue to monitor the developing COVID-19 situation in Indiana and provide updates as appropriate. Make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information. For further information, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in any of our [Louisville](#) office.