



CDC Significantly Relaxes Essential Worker Return-To-Work Standards After COVID-19 Exposure

Insights

4.09.20

The Centers for Disease Controls and Prevention (CDC) significantly relaxed its previous guidance on returning critical infrastructure workers to work after being potentially exposed to COVID-19. The relaxed guidelines, issued late yesterday, now allow critical infrastructure workers potentially exposed to COVID-19 to continue to work following exposure provided they remain symptom-free and employers implement additional precautions to protect the employee and the community. What are the key issues employers need to know about?

Who Does The New Standard Apply To?

The new guidelines apply to critical infrastructure workers in 16 different sectors of work, previously defined by the Cybersecurity and Infrastructure Security Agency.

Which Employees Are Directly Impacted By This New Guidance?

Those who were potentially exposed to COVID-19. The CDC defines a potential exposure as “being a household contact or having close contact within six feet of an individual with confirmed or suspected COVID-19.”

What Were The Previous Guidelines?

Previously, the CDC recommended that any worker having such close contact with an individual with a confirmed or suspected case of COVID-19 be sent home for a period of up to 14 days.

What Is The New Guidance?

Essential workers who are and remain **asymptomatic** are now advised that they can return to work so long as they follow additional precautions suggested by the CDC. They include:

- **For Employers:**
 - Measure the employee’s temperature and assess symptoms prior to permitting the worker resuming work, ideally, before they enter the facility.
 - Clean and disinfect all areas such as offices, bathrooms, common areas, shared electronic equipment routinely.
- **For Employees:**
 - Self-monitor under the supervision of their employer’s occupational health program.

- wear a face mask at all times while in the workplace for 14 days after last exposure.
- Maintain a six-foot distance from others and otherwise observe social distancing in the workplace as work duties permit.

What If An Employee Becomes Sick During The Work Day?

You should continue to send such workers home immediately. You should notify those who had contact with the ill employee while the employee had symptoms, and two days prior to the symptoms appearing. You should then implement additional precautions for those employees as described in [our Comprehensive And Updated FAQs For Employers On The COVID-19 Coronavirus](#).

Conclusion

This new guidance significantly changes how employers in critical infrastructure industries can handle employees who have potentially been exposed to a confirmed or suspected case of COVID-19. Employers in these industries may now allow employees who are asymptomatic to continue to work, with additional precautions. This step will help stabilize the workforce in critical infrastructure industries.

Fisher Phillips will continue to monitor the rapidly developing COVID-19 situation and provide updates as appropriate. Make sure you are subscribed to [Fisher Phillips' Alert System](#) to get the most up-to-date information. For further information, contact your Fisher Phillips attorney, or [any member of our COVID-19 Taskforce](#). You can also review our nationwide [Comprehensive and Updated FAQs for Employers on the COVID-19 Coronavirus](#) and our [FP Resource Center For Employers](#), maintained by our Taskforce.

This Legal Alert provides an overview of a specific developing situation. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.

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