



COVID-19 Return-to-Work FAQ

SUPERVISOR AND MANAGER FAQs

My employee came to me and told me they were tested for COVID-19. What should I do?

The information should be protected as confidential under the ADA and HIPAA. Be supportive and empathetic in your response as they are most likely overwhelmed with the information and the personal implications. Until there is a positive diagnosis, the information should only be shared with those needing to know. Specifically, Human Resources and your leadership.

If the employee notifies you that the test came back positive, then please work with your Department Head, the Health Center, and Human Resources on next steps.

Refer to the Interim COVID-19 Policies for more information.

Can I ask my employee if they have the Coronavirus?

Employers can ask an employee how he or she is feeling in general but should not inquire about a specific illness as that could rise to the level of a disability related inquiry under the ADA.

What should we do if an employee discloses that they have been in close contact with a person who tested positive for COVID-19?

According to CDC guidance, employees who have had close contact with a person diagnosed with COVID-19 may continue to work as long as the employee is asymptomatic and protective measures are taken. Employees should continue to practice social distancing and other protective behaviors.

Refer to the Interim COVID-19 Policies for more information.

Can I tell employees if a co-worker has tested positive for the coronavirus or other communicable disease?

No. The Americans with Disabilities Act (ADA) privacy rules restrict employers from sharing personal health information of an employee. Employers should inform employees that possible exposure has occurred in the workplace without disclosing any identifying information about the individual who tested positive.

Can I require an employee to go home (or stay home) if he or she is sick?

Yes, employees who show signs of respiratory illness can be asked to leave the workplace and stay at home until they are symptom free.

Refer to the Interim COVID-19 Policies for more information.

Employee Frequently Asked Questions

I have an underlying health condition. Can the University force me to return to work?

For those employees with an underlying health condition that could affect their return to work, please contact your supervisor or the Human Resources Department.

Refer to the Interim COVID-19 Policies for more information.

I'm healthy, but I don't feel safe and have been working from home just fine. Do I have to go back?

Yes, you have to return to work. Fear isn't a legal reason for refusing to return to work. If you have a diagnosed physical or mental-health disability, such as severe anxiety, and the pandemic is exacerbating that disability, please contact Human Resources to begin an interactive process for reasonable accommodations under the ADA.

The Interim Covid-19 policies provide details on how the University is working to maintain a safe and healthy work environment as well as details on alternate work options.

What if I'm pregnant?

Pregnant women aren't identified as vulnerable workers in the White House guidelines. However, California has laws that protect you and provide reasonable accommodations for pregnant employees. Please contact Human Resources to begin an interactive process for reasonable accommodations under the ADA.

What can I do if my supervisor doesn't enforce social distancing?

First, we would encourage every employee to begin the conversation with their immediate supervisor. If you have addressed your concerns with your supervisor and feel your concerns are not being heard, then please work through your leadership chain.

The University has called me back to the office, and schools are still closed. What do I do if I have no one to look after my kids?

The University recognizes that employees are in a difficult spot, since schools and day care are a prerequisite for many people to go to work. Please work with your supervisor to see what temporary scheduling or telecommute options may be available to you.

Can the University take my temperature at work?

Yes. The U.S. Equal Employment Opportunity Commission has determined that, given the risks associated with COVID-19, temperature screening is permissible.

Do I have to report any coronavirus symptoms to my supervisor?

Employees are encouraged to proactively report any symptoms and to stay home and visit their medical provider if they are experiencing any symptoms.

Can my supervisor send me home if I'm showing symptoms?

Yes. The University has a duty to protect all of its employees, including you.