**Return to Work**

**Temperature and Symptom Screening Toolkit**

***Usage Note*:** This toolkit was prepared by members of Littler’s COVID-19 Task Force to assist employers who are considering using workplace temperature screening and/or symptom checking as a safety measure in response to the COVID-19 pandemic.

Symptom screening should only be one element of a comprehensive, multi-layered mitigation strategy. Other components should include employee education about COVID-19 symptoms, employee and visitor screening questionnaires or interviews related to other risk factors, limitations on non-essential travel, encouragement of telework/work from home/alternative scheduling, emphasis on good hygiene (e.g., handwashing, increased office cleaning) and social distancing, use of face coverings and other protective measures), and assessment of paid and unpaid leave programs to ensure that symptomatic employees do not come to the workplace.

***Use of this toolkit is not a substitute for seeking specific legal advice with regard to such screenings. We strongly recommend fact-specific consultation with employment and/or labor law counsel prior to using these materials. Please also note that new guidance and orders that address temperature and symptom screening are being issued on a near-daily basis by federal, state and local government officials. Littler is tracking these updates and can provide advice, upon request, whether any recently issued orders require jurisdiction-specific modifications to any of the samples contained in this Toolkit.***

**Littler Mendelson, P.C.**

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The Centers for Disease Control and Prevention (CDC) has highlighted certain common symptoms of the novel coronavirus (COVID-19):

* Fever (100.4°F/38°C or higher, but some jurisdictions use a lower figure) or chills
* Cough
* Shortness of breath or difficulty breathing
* Fatigue
* Muscle or body aches
* Headache
* New loss of taste or smell
* Sore throat
* Congestion or runny nose
* Nausea or vomiting
* Diarrhea

Since March 2020, the CDC has suggested that employers may conduct symptom screens in workplaces, and certain states and localities have also recommended or required temperature and/or symptom screens either as a general workplace safety measure and/or a condition of returning employees to the workplace following the lifting of “pause” or “stay-at-home” orders.

In the United States, temperature and other symptom checks would normally constitute an overly broad medical exam under the Americans with Disabilities Act as well as various state non-discrimination laws. However, in light of the COVID-19 pandemic, and CDC and other guidance, the EEOC has provided guidance permitting employers to measure employees’ body temperature and to ask employees about symptoms associated with COVID-19 in order to avoid a “direct threat” of harm to employees and others in the workplace. Therefore, in most U.S. jurisdictions, employers seeking to conduct temperature or symptom screens may use one or more of the following approaches:

* Mandatory temperature screening conducted by an authorized employee or contractor prior to site entry;
* Mandatory temperature and/or symptom screening conducted by a trained medic or other health care professional prior to site entry;
* Regular employee self-screening, with employees instructed not to come to the workplace if they have one or more of the above-listed symptoms.

Regardless of which approach is used, employers should 1) establish a consistent process for conducting such screening and excluding symptomatic individuals to promote workplace safety; 2) adopt measures to mitigate the risk of claims under laws related to discrimination, wage payment, leaves of absence or medical privacy; and 3) be mindful of employee relations considerations. This Toolkit is intended to assist employers to achieve those objectives.

***The following protocols must be consistently followed with regard to symptom screening****:*

* Symptom checks must be conducted on **all** individuals before they enter the premises for the first time each day, including all employees regardless of level or exemption status, contingent workers, subcontractors, vendors, customers and visitors.
* **All** employees should be informed of the above symptoms of COVID-19 (as updated from time to time by the CDC) and advised both to monitor their own temperature and other symptoms before arriving at the site each day, not to come to the premises if they are experiencing any of these symptoms and to leave the premises if they develop these symptoms during the work day. The employer may wish to provide employees with thermometers in order to facilitate these self-checks. The employer also may wish to consider periodic reminders to employees (such as by email or text message) to perform these checks before coming to work.
* Vendors, contractors and others who send their employees to the site should be advised that their employees will be required to submit to temperature checks and confirm that they are not symptomatic, and will not be permitted access if they refuse to be checked. Failure to check non-employees who have regular site access may undermine the business justification for the screen.
* A notice should be posted at all entry points to remind employees and all visitors that temperature checks will be conducted and that if they are experiencing any of the listed symptoms, **or** if they refuse to submit to screening, they will not be allowed into the site.
* Temperature checks need to be conducted in a way that is safe for all concerned. This includes (i) identifying a non-contact instrument (e.g. an infrared thermometer or thermal scanner or camera) and (ii) providing the individual who will be doing the screens with appropriate personal protective equipment, as most thermometers require close contact with the subject (typically, within 6 inches, whereas the CDC defines “close contact” as within 6 feet).
* A backup instrument and/or sterilization method should be available in the event of inadvertent contact between the instrument and a subject.
* The screener need not be a health care professional, but must have adequate training to perform the check consistently, discreetly and safely (without creating additional risk for themselves or others being checked), and to prepare any documentation that is required by state or local law or under the Company’s guidelines. The screener may need to be prepared to answer questions from inspectors in certain jurisdictions.
* The screener must be a person who is authorized by their employer to perform such a check. This generally precludes using vendor or contractor personnel unless they have been specifically contracted for this purpose.
* The screen should be conducted privately both to ensure the individual’s own privacy and to avoid panic among others who hear or see someone being excluded due to fever. Consider setting up an enclosed entry tent that is just outside the premises and noting that only one person may enter at a time. Note that if the screen is conducted inside the premises, this increases the risk that the premises will need to be shut down and deep cleaned after a symptomatic person has been identified.
* If an individual is being *excluded* based on the screen, this should be documented appropriately so that the employee can be excluded from the site for the appropriate time. If an individual is not being excluded based upon the screen, it is not necessary to document this fact, as the individual will simply proceed to work as normal. Note that it is not necessary to record the specific temperature of those who are excluded, only the fact that the individual’s temperature equaled or excluded the cut-off temperature.
	+ For employees, any documentation should be securely stored in a file separate from the general personnel file. Access to the documentation should be limited to employees with a need to know for purposes of managing the employer’s response to the COVID-19 outbreak as well as the employee’s working time and any leave of absence.
	+ For visitors, in the absence of any other site requirements, records should be maintained for at least three months (in case they are needed by a public health authority for contact tracing).
* For temperature screening, there must be an objective temperature cutoff, e.g., all persons registering 100.4°F or higher will be excluded from the premises for the relevant quarantine period. Employers should consider guidance from CDC, state and local public health authorities, and state and local orders when determining the appropriate quarantine period.
* All persons whose temperature exceeds the cutoff should be excluded for the requisite time, regardless of their status. A discretionary standard, or different standards for different groups of individuals based on status or position, will undermine the good faith basis for performing the test and should not be used.
* Where hourly employees are required to wait for temperature screening prior to entering the premises and clocking in, the employer may be required to pay for this time in many states, as well as to preserve positive employee relations. As a result, consideration should be given to measuring the amount of time that such screening requires, implementing staggered start times or multiple check points and enforcing appropriate distancing among those waiting.
* Where an employee is excluded based on their temperature or other symptoms, evaluate whether the employee is eligible for paid or unpaid leave under any federal, state or local law, or to use paid time under company policy. Note that being instructed to self-isolate solely based on an employer instruction, or even based on a fever, may not qualify for leave under certain statutes. In addition, if the employee is still able to work notwithstanding their temperature, consider whether the employee can perform their job from home, in which case the employee does not need to take leave until their condition precludes them from working.
* Where an individual objects to having their temperature taken, they should be excluded from the site. Based upon the nature of the employee’s job, the employer should consider allowing work from home or sending the employee home with or without pay (if work cannot be performed from home). Note that employees who are exempt from overtime must generally be paid for the full workweek if they have performed any work during that workweek, and employees who are paid hourly may have to be paid for reporting time/call in pay. Employees that refuse the test should not be disciplined other than the loss of pay (if applicable).
* From an employee relations standpoint, it is advisable to notify employees of the temperature screen in advance. In certain jurisdictions, it also may be required to comply with privacy requirements, such as the California Consumer Privacy Act.
* If any site personnel are subject to collective bargaining agreements, the Company should consider whether to consult the relevant union representatives prior to implementing the temperature screening protocol.  While temperature screening is not necessarily a mandatory subject of bargaining, where personnel may be excluded without pay based on either the results of the check or a refusal to be checked, it is foreseeable that objections may be raised.

**TEMPERATURE SCREENING PROTOCOL:**

**Purpose:**

[**insert name of company**] (the “Company”) has implemented a comprehensive plan in response to the novel coronavirus (COVID-19) pandemic. As part of that plan and consistent with recommendations from the Centers for Disease Control and Prevention (CDC), the Company is instituting a temperature screening protocol in an effort to protect the health and safety of its workforce and to reduce the risk of infection. This protocol provides the procedures the Company will follow when conducting temperature checks of its employees and others seeking entry to its premises.

**A. Pre-Implementation Steps**

Before implementing temperature checks, the Company will take the following steps:

1. Personnel Conducting Checks: Only personnel designated by [**insert responsible person**] (“Temperature Takers”) will be authorized to conduct temperature checks. [**Littler Note #1:** Before considering using any third-party service provider to conduct temperature checks, ensure that the service agreement addresses key issues, such as safety, safeguards for stored temperature check results, insurance, and indemnification.] [**Littler Note #2**: This template protocol would need to be revised in the event the Company uses a third-party service provider to conduct temperature checks.]
2. Training: The Company will provide appropriate training to all Temperature Takers. The training will address at a minimum: (a) how to properly use the temperature scanner, including proper calibration; (b) how to care for and store the equipment when not in use; (c) how to conduct the checks without putting at risk the Temperature Taker’s own health or the health of those being checked; (d) how to document the results of the temperature checks; (e) what criteria should be used when conducting temperature checks, including when to exclude individuals from the Company’s premises; and (f) how to escalate issues that may arise when conducting the temperature checks or when individuals raise concerns.
3. Equipment: Temperature Takers will be provided appropriate personal protective equipment (“PPE”) before taking anyone’s temperature. The Company will use non-contact temperature scanners that measure temperature accurately and reliably. As the checks are being conducted, the temperature scanners should be regularly sanitized and otherwise properly maintained, and should be cleared between each individual scan. Temperature Takers must immediately report to [**insert job title**] any apparent malfunctioning of a temperature scanner so that the Company can promptly provide a replacement scanner. Temperature scanners must be securely stored when not in use to prevent unauthorized modifications, tampering, or mis-calibration.
4. Notice Of Temperature Checks and Self-Screening for Other Symptoms: Before the program’s implementation, all employees will be notified of the temperature checks. The notice will inform employees, at a minimum, that checks (a) will be conducted before they are permitted entry to the Company’s premises, and (b) may result in exclusion from the Company’s premises. The Company will post a notice at relevant entries to its premises to inform all persons of the temperature checks and the common symptoms of COVID-19 and to advise individuals not to enter the facilities if they have any of the listed symptoms.
5. Compensation For Wait and Check Time: Non-exempt employees will be informed that they will be compensated for their time waiting at an entrance to a company facility to be checked and the time spent undergoing the check. [**Littler Note #1:** Whether reimbursement is required depends on applicable state law. If needed, we can assist the Company in analyzing whether reimbursement is required by law.] [**Littler Note #2**: The Company might consider staggered start times to reduce potentially compensable time waiting for the temperature check as well as time studies to assess the appropriate amount of any reimbursement based on site-specific observation.]

**B. Conducting The Temperature Screens**

The following requirements apply to conducting the temperature checks:

1. Who Will Be Checked: Every individual will be subject to a temperature check each time the individual enters the Company’s premises. [**Littler Note #1:** Employers can use a method, such as wristbands in a color that changes daily, to indicate employees who already have had their temperature checked so that employees would need to be checked only the first time they enter the premises for the day.] [**Littler Note #2:** Certain businesses, such as restaurants may choose to check only employees and vendors, such as delivery drivers, with regular access to employee but not to check customers entering the premises. Any business that chooses not to screen customers should ensure other steps have been taken to reduce the risk of infection, such as requiring customers to wear masks, limiting capacity, and regular cleaning.] By way of illustration, but not limitation, all employees regardless of level or exemption status, temporary workers, service providers, contractors, and attendees at training programs and other visitors must undergo a temperature check before being permitted entry.
2. Location Of The Checks: The Company will establish a screened area immediately outside the entrance to the Company’s premises where the temperature checks will take place. Only one employee or visitor will be permitted within the screened area at a time. Individuals waiting to be checked will be reminded to stand at least six feet apart. [**Littler Note:** Establishing a screened area, using measures such as an entry tent or a partition, for the temperature taking helps to address potential privacy concerns, promotes social distancing while the checks are being conducted, and should prevent those who are waiting in line from seeing which individuals are excluded. However, depending on the physical location, establishing a screened area may not be feasible.]
3. Exclusion Criteria: Any person registering a temperature of 100.4°F or higher must be denied entry into the Company’s premises. [**Littler Note #1:** Verify that the selected non-contact thermometer is appropriately calibrated so that it registers 100.4°F accurately. Non-contact accuracy can vary, so this temperature figure may need to be adjusted downward to reflect the specific equipment used.] [**Littler Note #2:**  *State or local orders may establish a different temperature cut-off*, particularly for certain industries, such as health care. Appendix A provides variations in the cut-off as the “Last Updated” data above. Please check relevant state and local ordinances that may have been issued after the “Last Updated” date.]
4. Excluding Individuals From Company Premises: The Temperature Taker should state to any person with a disqualifying temperature, “I am sorry, but you cannot enter the Company’s premises at this time.” Every excluded person who is an employee should be provided with the “Notice Of Denial Of Entry To Company Premises (Employee)”. All other excluded persons should be provided with the “Notice Of Denial Of Entry To Company Premises (Non-Employee)”.
5. Exclusion Period: Any employee whose temperature equals or exceeds 100.4°F will be required to self-quarantine in accordance with guidance established by the CDC and/or state and local public health authorities. Any non-employee whose temperature equals or exceeds 100.4°F will not be permitted to enter the Company’s premises for at least 14 days from the date of the temperature check and must be subject to temperature check before being permitted entry after the exclusion period.

1. Refusals To Be Checked: Any person who refuses to allow a temperature check will be excluded from the Company’s premises. The Temperature Taker should state to any person who refuses to be checked, “I am sorry, but you cannot enter the Company’s premises unless you agree to have your temperature checked.” If the person, nonetheless, attempts to enter, the Temperature Taker should not try to restrain the individual. Instead, the Temperature Taker should immediately contact the Corporate Security department at [**insert phone number**] and provide the name (if known) and a description of the person who has entered, or attempted to enter, the facility without being checked.

**C. Recording Temperature Check Results And Exclusions**

The following requirements apply to documentation of temperature check results and exclusions:

1. Recording Temperature Check Results: Temperature Takers should not record any temperature below 100.4°F. Temperature Takers are required to record the date of the check, first and last name, corporate affiliation, and that the temperature result was 100.4°F or higher (but not the specific temperature), using the Temperature Check Report form provided by the Company. [**Littler Note:** Limiting the information recorded reduces the risk of a security breach involving temperature check log. As of the “Last Updated” date reflected in Appendix A, state and local ordinances do not mandate recording the actual temperate result.]
2. Confidentiality Of Temperature Check Results: With respect to employees, the Company will treat temperature check results as a confidential medical record that will be filed separately from the general personnel file. With respect to non-employees, temperature check results will be maintained confidentially and securely. Access to the Temperature Check Report form will be restricted to the Temperature Takers, designated individuals on the Company’s Coronavirus Task Force (“CVTF”) and designated individuals in the Company’s Legal Department and Human Resources Department responsible for supporting the CVTF. Temperature Takers are prohibited from disclosing temperature screen results to anyone except the person who is checked and designated members of the CVTF. [**Littler Note:** The ADA requires that access to temperature screen results be limited to employees with a legitimate business need to know because they are involved in addressing matters related to employees’ possible infection with COVID-19. The identification of authorized personnel should be customized, as needed, to align with the Company’s operations.]
3. Authorized Disclosure Of Temperature Check Results: Any request by a third party for disclosure of temperature check results must be directed to the Legal Department.
4. Record Retention: The Company will retain temperature check results for three months from the date of the check. At the conclusion of this retention period, the results will be securely and permanently deleted unless the Company is required by law, public health regulation or litigation hold to hold them for a longer period of time.

# *This document can be used to survey employees prior to the return to on-site work or to survey employees on a regular basis. In either case, the completed questionnaire must be maintained according to all applicable recordkeeping, medical privacy and confidentiality requirements. The NOTE below should be communicated to all Human Resources or other personnel who are involved in administering the questionnaire. We do recommend against asking these questions of employees orally or in any other manner that may not be uniform except in the case where an employee is visibly symptomatic.*

# [NOTE: This document must not be shared with anyone except employees authorized to receive the information, must be filed separately from any personnel files, and may be accessed only by the COVID-19 Human Resources and Safety Committee Team.]

# CONFIDENTIAL

# Employee COVID-19 Questionnaire

# We at [COMPANY] are focused on the health and well-being of our employees. In view of the novel COVID-19 outbreak, we are taking precautionary measures to keep the workplace safe for everyone. Please help us maintain a safe environment by completing this Questionnaire.

# Pursuant to the Company’s COVID-19 Safety and Health Policy, in the event you answer “Yes” to any of the below questions, you will be excluded from the workplace.

## Questionnaire

**Question# 1:** Within the last 14 days, have you been in close contact with anyone who has been diagnosed as infected with, or is being screened or monitored for, COVID-19?

Yes [ ]  No [ ]

If you answered “Yes” to this question, you must self-quarantine away from work for 14 days since your last close contact with the individual who was diagnosed as infected with, or is being screened for, COVID-19. If you develop symptoms of COVID-19 please consult with a medical provider. If you are diagnosed with COVID-19 during your period of self-quarantine, immediately contact [INSERT CONTACT].

**Question# 2:** Within the last 14 days, have you been in close contact with anyone who has been advised to self-quarantine by a healthcare provider?

Yes [ ]  No [ ]

If you answered “Yes” to this question, you must self-quarantine away from work for 14 days since your last close contact with the individual who was advised to self-quarantine by a healthcare provider. If you develop symptoms of COVID-19 please consult with a medical provider. If you are diagnosed with COVID-19 during your period of self-quarantine, immediately contact [INSERT CONTACT].

**Question# 3:** Have you tested positive for COVID-19 or been diagnosed as COVID-19 positive by a healthcare provider?

Yes [ ]  No [ ]

If you answered “Yes” to this question, you cannot report to work. The Company encourages you to continue to seek medical care. The Company will assess a return to work strategy based on your medical diagnosis.

**Question# 4:** Are you currently experiencing symptoms of COVID-19 which include, but are not limited to, fever or chills, cough, shortness of breath or difficulty breathing, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea?

Yes [ ]  No [ ]

If you answered “Yes” to this question, you cannot report to work. The Company encourages you to seek medical care. The Company will assess a return to work strategy once you obtain a medical diagnosis.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employee I.D. Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**NOTICE OF SYMPTOM SCREENING AND DATA COLLECTION**

To All Employees:

We want to notify you about steps the Company is taking to protect our employees and all other persons at this site in response to the novel Coronavirus (COVID-19) pandemic.

Beginning **[START DATE],** 2020, the Company will perform temperature screens on all individuals who enter this site. These temperature screens will be conducted on all employees at the beginning of every day or work shift and on all non-employees before they are permitted entry to the location. These temperature screens will be conducted by trained personnel using a non-contact thermometer.

Any individual who has a body temperature of 100.4°F/38°C degrees or higher will be excluded from this site for (i) the required self-quarantine period, (ii) until provision of a negative test result for COVID-19 or flu or, (iii) as an optional alternative for employees, certification from a health care professional of fitness for duty.

All results of the temperature screens will be kept confidential. The Company will record only whether your temperature indicates that you have an elevated fever (unless otherwise required by law) and will use the results of the temperature check only to determine whether to permit you to enter this site and for no other purpose.

If you suspect that you have a fever before coming to work, we recommend that you take your own temperature at home. If your temperature measures 100.4°F/38°C or above, promptly notify Human Resources and do not come to work.

The Company will share information about your temperature only with those within the company who have a legitimate, business need to know or as required by law. If you are excluded from the site, your supervisors will be notified that you will be absent from work or working remotely, as applicable, and Human Resources personnel will be informed as necessary to track and manage your working time and any leave of absence.

We are also asking those on site to confirm that they have not been in close contact with anyone exhibiting any COVID-19 symptoms within the last 14 days. According to the Centers for Disease Control and Prevention (CDC), COVID-19 symptoms can include fever or chills, cough, shortness of breath or difficulty breathing, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea. The CDC defines “close contact” as being within approximately 6 feet (2 meters) of a person who is confirmed or suspected to have COVID-19 for more than a few minutes. If you have been in close contact with such a person, please do not enter this site. Employees should contact **[insert]** to disclose such contact.

If you do not agree to the temperature screens, you will not be permitted to enter this site.

Please note we have implemented these temporary precautionary measures out of concern for the health and safety of everyone. If you have questions or comments regarding this Notice , please contact **[insert]**.

For more information about COVID-19, please visit <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/index.html>.

*Notice should be posted outside all entry points to inform individuals that temperature screens will be conducted on-site and offer them the opportunity not to come in if they are experiencing any COVID-19 symptoms or if they do not wish to be screened. Individuals are not required to specifically disclose their answers to these questions, but should review them before entry and understand that their entry will be construed to mean they are not experiencing any symptoms.*

**NOTICE TO EVERYONE ENTERING THIS LOCATION**

**PLEASE REVIEW THIS NOTICE AND DO NOT ENTER**

**IF YOUR ANSWER TO ANY OF THESE QUESTIONS IS YES**

* Have you tested positive for or been diagnosed with COVID-19?
* Do you currently have any of the following symptoms?
	+ Fever or chills
	+ Cough
	+ Shortness of breath or difficulty breathing
	+ Fatigue
	+ Muscle or body aches
	+ Headache
	+ New loss of taste or smell
	+ Sore throat
	+ Congestion or runny nose
	+ Nausea or vomiting
	+ Diarrhea
* In the past 14 days, have you been within 6 feet of any person who has either:
	+ Tested positive for COVID-19
	+ Been diagnosed with COVID-19
	+ Shown any of the symptoms above?
* Have you been told by any health care provider or Department of Health to self-quarantine or self-isolate due to actual or suspected exposure to COVID-19?

**If you answer NO to all of the above, you may enter the site [if the temperature check does not reveal a fever of 100.4°F or higher].**

**If your answer to any of these questions is YES, DO NOT ENTER THIS SITE.**

**If you are a regular employee at this site, please contact Human Resources for further information.**

*Any documentation that is created regarding an individual’s temperature or other specific symptoms may constitute a medical record that is subject to federal, state and/or local regulations and recordkeeping requirements. The sample below can be provided to an employee who registers a high temperature without recording the specific temperature. A duplicate copy should be maintained in a separate confidential file from the personnel file, and the employee should be excluded from the site for 14 days or until it can be determined that the employee’s presence would not constitute a threat to health or safety.*

**Note To User:** If the Company will rely on responses to a symptom screening questionnaire to exclude individuals from entry either in addition to, or in lieu of, a temperature screen, each Notice of Denial of entry would need to be modified to take this additional screening method into account.

**Notice Of Denial Of Entry To Company Facilities (Employee)**

Employee Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[**insert name of company**] (the “Company) is taking steps to protect the health and safety of our employees in response to the novel coronavirus (COVID-19) pandemic. These steps include, for example, (a) temperature checks of all individuals entering Company premises, and (b) exclusion from the Company’s premises of any individual who registers a body temperature of 100.4°F or higher.

You are receiving this notice because the temperature check revealed that your temperature equaled or exceeded 100.4°F. **Because this temperature suggests that you may be experiencing symptoms of COVID-19 infection, you have been denied entry to the Company’s premises.**

Please carefully review the following for steps you should consider taking to protect your own health and the health of those around you, and for more information concerning your temporary exclusion from the Company’s premises:

1. Self-Quarantine: As a result of your temperature check results, you must self-quarantine.  Please apply the appropriate quarantine period below:
* Close Contact:  If you have been in close contact with another person who has tested positive for, or has otherwise been diagnosed with, COVID-19, you should (a) self-quarantine for a period of at least 14 days from your last contact with that person, and (b) continue to monitor yourself for further symptoms (including daily temperature checks) of COVID-19. Symptoms of COVID-19 can include fever or chills, cough, shortness of breath or difficulty breathing, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea. You should continue to self-quarantine until you are completely free of symptoms or until a health care professional advises you that it is not necessary to self-quarantine.
* No Close Contact:  If you have not been in close contact with another person who has tested positive for, or has otherwise been diagnosed with, COVID-19, you should self-quarantine until you have 72 hours without fever and without fever-suppressing medication or a minimum of 10 days from the first day that you registered a temperature that equaled or exceed 100.4 °F. Please note that if during this time you test positive for, or otherwise are diagnosed with, COVID-19, you must self-quarantine for 14 days from the data of the test result or the diagnosis.
* For more information about symptoms of COVID-19 and what to do in response, please visit the Centers for Disease Control and Prevention’s website at: <https://www.cdc.gov/coronavirus/2019-ncov/index.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2Findex.html>.
1. Seek Medical Attention If Necessary: If your symptoms worsen, if you have been in close contact with a person suspected or known to have COVID-19, or you otherwise think you need medical attention, please consider consulting with a health care professional.
2. Attendance And Pay While Quarantined: Please contact [**insert name**] at [**insert e-mail address and phone number**] for information about the Company’s policies on work from home, leave, and pay during leave related to the self-quarantine period and days of work missed because of COVID-19 infection.
3. Company Benefits: Participants in the Company’s health benefits plans should take advantage of those benefits as applicable. For more information about available benefits, please visit the benefits page on our corporate intranet.
4. Notify the Company if You Are Infected: If a health care professional determines that you have COVID-19, or if you receive a positive test result, please notify HR immediately. Prompt notification will allow the Company to ensure that others who have recently had close contact with you are promptly notified, so they can take appropriate action to protect their health and the Company can take appropriate action to reduce the risk of contagion. Your identity will not be disclosed to other employees unless you specifically provide written consent for the Company to share your identity with potentially infected individuals. The Company may submit your name to relevant public health authorities in connection with its response to the COVID-19 pandemic.
5. Contesting Exclusion Decision: If you have reason to believe the temperature check results were inaccurate, or otherwise believe you should not have been denied entry into the Company’s premises, please contact the [Insert job title], at [Insert relevant contact information] to discuss the situation further.

*The sample below can be provided to a non-employee who registers a high temperature without recording the specific temperature. A duplicate copy should be maintained in a confidential file and the individual should be excluded from the site for 14 days.*

**Notice Of Denial Of Entry To Company Facilities (Non-Employee)**

Issued to: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_

The Company is taking steps to protect the health and safety of our employees in response to the coronavirus (COVID-19) pandemic. These steps include (a) temperature checks of all individuals entering Company premises, and (b) exclusion from the Company’s premises of any individual who registers a body temperature of 100.4°F or higher.

You are receiving this notice because the temperature check revealed that your temperature equaled or exceeded 100.4°F. **Because this temperature suggests that you may be experiencing symptoms of COVID-19 infection, you have been denied entry to the Company’s premises.**

Please consider taking these steps to protect yourself and those around you:

1. **Inform Your Employer**: If you are currently employed, you should consider informing your employer that you may be experiencing symptoms of COVID-19.
2. **Self-Quarantine:** You should consider a self-quarantine in accordance with guidance issued by the Centers for Disease Control and Prevention (CDC) and your local public health authority. For more information about COVID-19, please visit the CDC’s website at: <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/index.html>.
3. **Seek Medical Attention if Necessary:** If your symptoms worsen, if you have been in close contact with a person suspected or known to have COVID-19, or you otherwise think you need medical attention, please consider consulting with your health care provider.

*This document is a practical guide for implementing the actual temperature check process and should be supplemented with any instruction manuals or materials for the equipment and PPE that is actually being used.*

**Temperature Screening Training Guide**

**[Insert Company Name]** (the “Company”) has implemented a comprehensive plan in response to the novel coronavirus (COVID-19) pandemic. As part of that plan and consistent with recommendations from the Centers for Disease Control and Prevention (“CCD”), the Company is instituting a temperature check program in an effort to protect the health and safety of its workforce and customers and to reduce the risk of infection. Each person who is authorized to take the temperature of employees and others entering the workplace (“Designated Personnel”) must review this Temperature Check Training Guide and Best Practices (the “Guide”) before taking any person’s temperature. The Guide describes the procedures Designated Personnel are required to follow when conducting temperature checks of employees and others seeking entry to the Company’s facilities. All Designated Personnel shall also review the COVID-19 Temperature Screening Protocol and the Temperature Check Log.

**A. Use Of Personal Protective Equipment**

Company shall provide each Designated Personnel with Personal Protective Equipment (PPE) as recommended by the CDC or other public health authorities. The PPE shall consist of the following: (i) a face mask, (ii) protective eyewear, (iii) latex gloves, and (iv) an apron or smock. Instruction on how to put on the PPE will be provided [**Littler Note:** consider showing and instruction video on the proper way to put on, take off and store the PPE, especially if using an N95 face mask]. In addition, all Designated Personnel must comply with the following:

1. You must wear all required PPE before checking anyone’s temperature.
2. Do not touch your face under the mask or protective eyewear while you are wearing the PPE.
3. Do not take off your PPE until your temperature checking responsibilities have been completed.
4. Do not throw away any used PPE in a regular trash bin. Use only the trash bin that has been specially marked for discarding PPE (“PPE Bin”).
5. If you must take a restroom break, take off and discard your PPE in the PPE Bin. After doing so, do not touch your face and immediately wash your hands with soap and water or apply hand sanitizer if a sink is not in close proximity. Put on a new set of PPE when you return and before you continue taking anyone’s temperature.
6. At the end of your shift, wash your hands thoroughly with soap before touching your face and returning to your normal duties.

**B. Using The Temperature Scanners**

1. All Designated Personnel will be provided with a non-contact thermometer or thermal scanner. Training will be provided on how to use the thermal scanners, how sanitize and otherwise care for them, and how to store them. [**Littler Note**: If you are using a thermal scanner, rather than a hand-held thermometer, consider bringing someone who knows how to operate the type of thermal scanners you plan to use to instruct the Designated Personnel on the proper use of thermal scanners. In the alternative, you can show employees a video from the manufacturer regarding operation of the scanners.]
2. Temperature scanners should be properly calibrated at the start of each business day. Be sure to check with the manufacturer’s recommendations regarding calibration of the device.
3. As the checks are being conducted, the temperature scanners should be regularly sanitized and otherwise properly maintained, and should be cleared between each individual scan.
4. Any malfunctioning of a temperature scanner must be reportedly immediately so that it may be replaced without delay to the temperature checking process.
5. Temperature scanners must be securely stored when not in use to prevent unauthorized modifications, tampering, or mis-calibration.

**C. Documenting The Temperature Checks**

1. **EITHER:** Designated Personnel must record all temperatures that are 100.4℉ or higher in the Temperature Check Log. **OR:** Designated Personnel must (a) provide all individuals who are excluded based on their temperature with a Notice of Denial of Entry, (b) retain a duplicate copy of the Notice, and (c) send it to **[designate]** who will maintain the record.
2. Do NOT record temperatures below 100.4℉.
3. Confidentiality of Temperature Check Results: All Temperature Check Report Forms and the results of the temperature checks are confidential medical information. Designated Personnel are prohibited from disclosing information regarding the temperature checks and the results, including the identity of any individual and his/her temperature, to anyone except the designated individuals on the COVID-19 Response Team and the Legal Team.
4. At the end of the temperature checking process, the Designated Personnel who took the temperatures shall sign the Temperature Check Report Form at the bottom. The Form should be collected and given to a designated individual on the COVID-19 Response Team for your shift. [**Littler Note**: Company should have a supervisor level COVID-19 Response Team member overseeing the temperature check process to resolve any issues (see below) and to collect the Temperature Check Report Form].
5. The COVID-19 Response Team member responsible for collecting the Temperature Check Report Form should refer to the procedures in “Recording Questionnaire Responses and Exclusions” section of the COVID-19 Screening Questionnaire Protocol for storing the completed Temperature Check Report Form.

**D. Responding To Individuals With A High Temperature**

1. Designated Personnel must inform anyone with a temperature 100.4℉ or higher that they are not permitted entry.
2. When denying entry, Designated Personnel should say, “I am sorry, but you cannot enter the Company’s facility at this time,” and hand them a Notice of Denial of Entry. If the individual is an employee, please use Notice of Denial of Entry form A. If the individual is not an employee, please use Notice of Denial of Entry form B. [**Littler Note**: For Forms A and B, please refer to the Notices included separately in this Toolkit].
3. Designated Personnel should be discrete in communicating with the individual who is denied entry so as not to cause embarrassment to the individual.

**E. How To Escalate Issues That Arise During The Temperature Checks**

1. Do not engage. If an individual tries to dispute the temperature check results or otherwise tries to engage with you, please escalate the matter to a designated COVID-19 Response Team member for your shift. [**Littler Note**: Company should consider having a supervisor level COVID-19 Response Team member available during the temperature check process, at least initially, to review any disputes or issues that may arise during the check. Having such a designated manager will help move the line along when there are disputes so that the temperature takers are not spending time communicating/engaging with the complaining individual. This will also allow for consistency in resolving any disputes].
2. You can say, “One of our Response Team members (or supervisor) can discuss the results with you,” and refer the individual out of the line to the COVID-19 Response Team member standing by.
3. Continue with the temperature check process.

**NOTE TO USER:** If your organization is subject to the California Consumer Privacy Act (CCPA), this Notice should be provided to employees who reside in California. If the Company wishes to provide all employees with the same notice regarding temperature screening, this notice can be distributed to the entire workforce; however, it would need to be modified to remove references to the CCPA.

**NOTICE OF COLLECTION OF TEMPERATURE SCREENING INFORMATION**

**[Insert Company Name]** (the “Company”) has implemented a comprehensive plan in response to the global COVID-19 pandemic. As part of that plan, and consistent with recommendations from the U.S. Centers for Disease Control and Prevention (CDC) and other public health authorities, the Company is performing temperature screens on all employees who access Company facilities.

Pursuant to the California Consumer Privacy Act (CCPA), the following notice explains the categories of personal information that the Company will collect in connection with the temperature screens and the purposes for which your personal information will be used.

**Categories of Personal Information the Company Will Collect**:

* **Identifiers:** First and Last Name
* **Medical Information:** (1) current body temperature, specifically whether you display a body temperature of 100.4°F or higher; and (2) information related to symptoms of COVID-19.

**Littler Note:** If the Company is using a thermal scanner to perform the temperature screens, add the following:

* **Sensory Information:** thermal scan.

If the Company is using a thermal scanner that has facial recognition capability, add the following:

* **Biometric Information:** facial geometry.

**Purposes of Use**: The Company will use your personal information for the following business purposes:

* to protect the health and safety of our workforce;
* to prevent the spread of the COVID-19 infection in the workplace;
* to determine whether you are fit for duty;
* to comply with state, county, or city orders that require the Company to perform temperature screens of employees;
* to comply with applicable law, government orders, or guidance issued by the CDC;

**Littler Note:** If the Company uses a temperature scanner that collects biometric information, add the following:

* to confirm your identity when you perform your temperature screen.

These symptom screenings will be conducted on all workers at the beginning of every day or work shift before workers are permitted entry to the Company’s premises. The temperature screens will be conducted by **[insert who will conduct the temperature check] [Optional language: “trained personnel” or “[insert name of third-party company], a third-party medical provider”.]** As precaution against the spread of the COVID-19 infection, any employee who has a body temperature of 100.4°F or higher will be excluded from the premises for: (i) the required self-quarantine period; or (ii) until the employee provides a negative test result for COVID-19, or (iii) as an optional alternative to (i) or (ii), a fitness-for-duty certification from a health care provider.

The Company will treat your medical information as a confidential record. The Company will share your medical information only with those employees who have a need to know for legitimate business purposes or as required by law. If you are excluded from the premises, your **[select applicable title: managers/supervisors]** will be notified that you will be absent from work or working remotely, as applicable, and human resources personnel will be informed as necessary to track and manage your working time and any leaves of absence.

*This form is to be used (a) in California when temperature checks are conducted by a third-party service provider who is a licensed health care professional subject to California’s Confidentiality of Medical Information Act, or (b) when temperature checks are conducted by a third-party service provider who is a health care provider subject to HIPAA. California law requires that the Authorization be in 14-point font.*

**AUTHORIZATION FOR RELEASE OF**

**TEMPERATURE SCREENING RESULTS**

TO: [**insert name]**

 [**insert address**]

1. **Authorization:** I hereby authorize you to disclose to [**insert company name and address**] (the “Company”), Attention: [**insert relevant job title**], the results of temperature screening conducted on me.
2. **Purpose Of The Disclosure:** For my employer, [**insert name of company**], to assess my fitness for duty.
3. **Revocation Rights**: I understand that I have the right to revoke this Authorization at any time by sending a written notice of revocation to the health care provider identified above. I understand that the revocation will become effective upon receipt. I understand that any temperature screening results disclosed pursuant to this Authorization before the effective date of a revocation will not be subject to the revocation.
4. **Further Disclosure**: I understand that once the health care provider identified above discloses the temperature screening results pursuant to this Authorization, the information may no longer be protected under federal law, and the recipient may further disclose the information which it receives pursuant to this Authorization unless barred from doing so by applicable law. I further understand that federal and state law generally prohibit the Company from re-disclosing the temperature screening results without my prior, written consent.
5. **Expiration Date:** I understand that this Authorization will expire one year from the date stated below.
6. I understand that the provider listed above may condition treatment on whether I sign this Authorization.
7. I understand that I am entitled to receive a paper copy of this Authorization upon request.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Any documentation that is created regarding an individual’s temperature or other specific symptoms may constitute a medical record that is subject to federal, state and/or local regulations and recordkeeping requirements. If the Company wishes to create a single list of all individuals who are excluded for safety-related reasons, it should do so without recording the individual temperatures on that list. If it is necessary to document that individuals were screened, the first sample log can be used to record the screener’s attestation on each date. If a state, county or municipal order requires recording of specific temperatures or of individuals with a fever over 100.4°F, the second sample log can be used to record temperatures and/or other symptoms.*

**Temperature Screen Record**

**Screener:** By entering your name and signature below with today’s date, you certify that you performed temperature checks on each person who entered the facility at the start of their shift or at the time of their arrival and that any individual registering a temperature of 100.4 degrees or higher was excluded from the site.

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| --- | --- | --- | --- |
| **Date** | **Shift** | **Screener Name** | **Signature** |
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*If a state, county or municipal order, or a specific regulatory or occupational mandate, requires recording of specific temperatures or of individuals with a fever of 100.4°F or higher, this sample log can be used to record temperatures and/or other symptoms. This log must be maintained in compliance with all federal, state and local confidentiality and medical privacy requirements.*

**Confidential Temperature Screen Log**

Notice to all Designated Personnel: Temperature screen results must be kept **confidential**. This means, this form as well as its contents must be maintained as a confidential record, separate from any personnel files, and with access limited to the COVID-19 Response Team and HR representatives with a business need to know.

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| --- | --- | --- | --- | --- |
| **Date** | **Last Name** | **First Name** | **Department** | **Temperature above 100.4℉** |
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Temperature Taken By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_

**APPENDIX A**

**Jurisdiction-Specific Variations to**

**Temperature Screening Protocol**

**Last updated:** May 4, 2020

States and many local jurisdictions have issued guidance, some required and some recommended, regarding how to screen employees’ temperature. Some of this guidance differs from the guidance issued by the Centers for Disease Control and Prevention (CDC) and other federal agencies. Because the Sample Temperature Screening Protocol (the “Protocol”) is based principally on CDC and other federal guidance, the Protocol varies from some state and local requirements.

In this Appendix, we have provided the state and local guidance that materially varies from the Protocol. Depending on the jurisdictions where your organization conducts temperature screening, your organization may have to customize the Protocol to address varying requirements and recommendations in different jurisdictions.

Please note that the variations listed below are current as of the “last updated” date above. Jurisdictions continually issue new guidance. We recommend regularly checking applicable state and local guidance and updating your Temperature Screening Protocol as necessary for legal compliance. We would be happy to provide assistance with this updating, if needed.

***Arkansas:***

* Type of thermometer: Arkansas ***requires*** gym/fitness centers to check the temperature of staff by digital thermometer prior to entry.  *Guidance available at:* <https://www.healthy.arkansas.gov/images/uploads/pdf/GymFitnessCenterResumeDraft4.29.20.pdf>
* Temperature cut-off: Arkansas ***requires*** gym/fitness centers to prohibit entry to anyone (staff, gym member, etc.) if that person had a fever of 100.4°F or greater within the last two days. *Guidance available at:* <https://www.healthy.arkansas.gov/images/uploads/pdf/GymFitnessCenterResumeDraft4.29.20.pdf>

***California****:*

* ***Los Angeles:***
	+ Who should take temperature:Los Angeles ***recommends*** that health care professionals self-monitor prior to starting work with patients each day with oversight by healthcare facilities. Screening recommended twice a day, once prior to work and once 12 hours later for symptoms, such as fever over 100°F and coughs or shortness of breath. *Guidance available at:* <http://publichealth.lacounty.gov/acd/docs/HCWMonitoring.pdf>
* ***Pasadena:***

Temperature monitoring cut-off: Pasadena ***recommends*** that grocery stores, food delivery services, and restaurants screen staff, volunteers, and drivers for symptoms of illness including a fever of 100.0°F or above. <https://www.cityofpasadena.net/economicdevelopment/wp-content/uploads/sites/3/Grocery-Store-Guidance-COVID-19.pdf?v=1588533341959> <https://www.cityofpasadena.net/economicdevelopment/wp-content/uploads/sites/3/Food-Delivery-Guidance-COVID-19.pdf?v=1588533341958>

<https://www.cityofpasadena.net/economicdevelopment/wp-content/uploads/sites/3/Restaurant-Guidance-COVID-19.pdf?v=1588552420837>

***Colorado****:*

* Temperature monitoring cut-off:Colorado ***recommends*** that employers require employees with a temperature between 99.2°F and 100°F notify their supervisor and take their temperature twice daily for 7 days to determine whether their temperatures are going up or down. The guidance is not clear about how to treat employees whose temperatures measure between 100°F and 100.4°F. Colorado appears to require employers to send employees home if their temperatures are 100.4°F or greater. It may be that Colorado meant to say that the monitoring range is 99.2°F to *100.4°F*and not 99.2°F to *100°F*. *Guidance available at:* <https://covid19.colorado.gov/symptom-screening>
* Procedure – general:Colorado***recommends*** that: (a) employers ask employees about their symptoms other than fever, in addition to checking their temperatures, before employees enter the premises; (b) employers clean all surfaces at the temperature screen station with bleach wipes or disinfectant wipes at the beginning of the day, the end of the day, and regularly throughout the day; (c) the temperature taker wear medical gloves; (d) if using a temple thermometer, the thermometer be cleaned between each use; (e) on cold days, the employer direct individuals who are being temperature checked to rub their temples to warm cold skin; (f) individuals be given a wristband with the color of the day after finishing the temperature/symptoms scan; and (g) the employer not permit anyone to enter the facility without the wristband of the day or undergoing the temperature/symptoms screening.  *Guidance available at:* <https://covid19.colorado.gov/symptom-screening>

***Connecticut:***

* Who should take temperature: Connecticut ***recommends*** that employees take their temperature before they go to work. If they have a temperature above 100.4°F, they should stay home. *Guidance available at:* <https://portal.ct.gov/DECD/Content/Coronavirus-Business-Recovery/Safe-Workplace-Rules-for-Essential-Employers>

***Delaware:***

* Temperature cut-off:
* Healthcare: Delaware ***requires*** employers to send health care providers home from work if they have a fever of or over 100°F.  *Guidance available at:* <https://www.medicalsocietyofdelaware.org/DELAWARE/assets/files/coronavirus/DPH%20Guidance_Isolation%20Clearance%20and%20Return%20to%20Work_3.25.20.pdf>
* ***Required*** for [high-risk businesses](https://coronavirus.delaware.gov/wp-content/uploads/sites/177/2020/03/Essential-Services-Screening-Policy_03.31.20.pdf), ***recommended*** for all others: Employees must not report to work or must stay home if the employee reports, or is measured to have, a body temperature at or above 99.5°F.  *Guidance available at:* <https://www.medicalsocietyofdelaware.org/DELAWARE/assets/files/coronavirus/DPH%20Guidance_Isolation%20Clearance%20and%20Return%20to%20Work_3.25.20.pdf>

***Illinois***

* Temperature cut-off:

Healthcare: Illinois ***recommends*** that health care workers ensure that their temperature is below 100.0°F before they report to work and that employers ask if they have a fever upon reporting to work.  *Guidance available at*: <https://www.dph.illinois.gov/sites/default/files/COVID19/IDPH_Symptom%20monitoring%20forms%20_1.6.pdf>

***Indiana***

* Temperature cut-off:

Healthcare: Indiana ***recommends*** employees who have a measured body temperature higher than 99.5°F (armpit) or 100 °F (oral) be sent home immediately. *Guidance available at* <https://www.coronavirus.in.gov/files/IN-COVID-19_Occupational%20Guidance%204.1.20.pdf>

Essential critical infrastructure (non-healthcare): Indiana ***recommends*** employees who have a measured body temperature higher than 99.5°F (armpit) or 100 °F (oral) be sent home immediately. Also, if the employer conducts a temperature check, Indiana recommends that the employer check the employee’s temperature while the employee is at rest and in a climate-controlled environment.  *Guidance available at* <https://www.coronavirus.in.gov/files/IN-COVID-19_Occupational%20Guidance%204.1.20.pdf>

***Massachusetts:***

* Who will be checked: State employees and contracted staff working on behalf of the state are ***required*** to self-certify to a supervisor that they have no fever or symptoms within 24 hours before starting work on a given day at a workplace. Further, the employer is ***required*** to have a medical professional or trained individual check the temperatures of state employees, and contracted staff working on behalf of the state, who work in a confined space or inside a closed building envelope, provided that such screening is out of public view to respect privacy and results are kept private.  (<https://www.mass.gov/info-details/covid-19-employee-health-protection-guidance-and-prevention>)

***New Hampshire***

* Location of checks: If it is not possible for employers to take temperature on site, “temperatures can be taken [by employees] before arriving as long as it can sufficiently be authenticated by the employee. Normal temperature should not exceed 100.0 degrees Fahrenheit.” [Executive Order](https://www.governor.nh.gov/news-media/emergency-orders/documents/emergency-order-40.pdf) (<https://www.governor.nh.gov/news-media/emergency-orders/documents/emergency-order-40.pdf>)
* Temperature cut-off: New Hampshire ***requires*** that all individuals who are allowed to gain access to the workplace have a temperature of no more than 100.0°F. (<https://www.governor.nh.gov/news-media/emergency-orders/documents/emergency-order-40.pdf>).

***North Carolina***

* ***City and County of Durham***
* Equipment: The County ***recommends*** that employers take employees’ temperature at the beginning of each shift. If the employee’s temperature is 100.4°F or above, the County ***requires*** the employer to send the employee home and ***recommends*** that employer provide employee with a facemask if employee does not already have one. *Guidance available at:* <https://durhamnc.gov/DocumentCenter/View/30402/Fourth-Amendment-to-Durham-County-Declaration-of-Emergency-4-24-20>
* ***Wake County:***
* Equipment: The County ***recommends*** that employers take employees’ temperature at the beginning of each shift. . If the employee’s temperature is 100.4°F or above, the County ***requires*** the employer to send the employee home and ***recommends*** that employer provide employee with a facemask if employee does not already have one. *Guidance available at:* <https://covid19.wakegov.com/wp-content/uploads/2020/04/Second-Amendment-to-Proclamation-of-Emergency-Restrictions.pdf>

***Ohio***

* Equipment: If the employer checks employee temperatures, Ohio ***recommends*** using touchless thermometers (forehead/temporal artery thermometers) if possible, but if employer must use oral or other types, the employer must make sure to clean the thermometers before each temperature check. *Guidance available at:* <https://coronavirus.ohio.gov/wps/portal/gov/covid-19/checklists/english-checklists/potentially-exposed-essential-workers-covid-19-checklist>
* Location of checks: Ohio ***recommends*** that, if employer does not have thermometers on site, employers ask employees to take temperatures at home. If neither employer nor employee has a thermometer, Ohio recommends that employees should self-monitor symptoms. *Guidance available at:*<https://coronavirus.ohio.gov/wps/portal/gov/covid-19/checklists/english-checklists/potentially-exposed-essential-workers-covid-19-checklist>

***Texas***

* Temperature cut-off: Texas requires employers to screen employees before coming into work and to send employees home if they measure a temperature greater than or equal to 100.0°F. *Guidance available at*: <https://www.dshs.texas.gov/coronavirus/docs/opentx/AllEmployers.pdf>.
* ***Austin***
* Temperature cut-off: Austin ***recommends*** that employees in critical infrastructures not report to work if they have a fever greater than 99.6° F.  *Guidance available at:* <http://www.austintexas.gov/edims/document.cfm?id=337770>
* ***Dallas County***
* Temperature cut off: Dallas ***requires*** all employees in essential retailers, construction industries, manufacturing, and distribution centers to take their temperature at their residence before going to work. If the employee has a temperature above 99.6°F, they are prohibited from going to work and must remain at their residence. *Guidance available at:* <https://www.dallascounty.org/Assets/uploads/docs/covid-19/orders-media/040320-AmendedOrder.pdf>
* ***El Paso County***
* Temperature cut-off: El Paso ***requires*** all employers in construction activities to verify that employees do not have a fever of greater than 100°F.  *Guidance available at:* <http://www.epcounty.com/admin/requirementsforconstruction.htm>
* ***Tarrant County (Fort Worth)***
* Temperature cut-off: Fort Worth ***requires*** screening for any entry into city buildings. Anyone with a temperature of 99.6°F or greater must be asked to leave and contact a health care provider. Anyone who refuses to have their temperature taken will not be allowed entry.  *Guidance available at:*<https://fortworthtexas.gov/COVID-19/city-services/>

***Wisconsin***

* Temperature cut-off: Wisconsin ***recommends*** that health care organizations check staff temperature before each shift and send staff home from work if they have a temperature over 100.0°F. *Guidance available at:* <https://content.govdelivery.com/accounts/WIDHS/bulletins/2824782>