

TOOLBOX TALKS

Communicable Diseases & Sample Policies

Background

Definitions

- ❑ **Communicable disease.** A health-threatening disease that can be transmitted from one person to another through direct or indirect contact, e.g., HIV, tuberculosis, hepatitis A.
- ❑ **Exposure.** Direct contact of an infectious agent such as a body fluid, droplet, or aerosol with an open wound, area of broken skin, or mucous membrane of the eyes, nose, or mouth, or piercing of the skin with a contaminated sharp instrument or other method of infection.

Specific Communicable Diseases

Here is some brief information on communicable diseases of concern in the workplace. Should an employee suspect they have one of these diseases, the healthcare provider should be contacted in advance so arrangements can be made, if necessary, for infection control measures to prevent transmission to others in the healthcare facility.

- ❑ **AIDS/HIV.** For more information on Acquired Immune Deficiency Syndrome (AIDS), see the Life-Threatening Diseases section.
- ❑ **MRSA.** The official name of this infection is Community-Associated Methicillin-resistant Staphylococcus Aureus (CA-MRSA). MRSA is a type of staph infection that is resistant to some antibiotics, including methicillin, oxacillin, penicillin, and amoxicillin. The type of MRSA infection causing new concern—and media attention—is acquired by people who haven't been hospitalized within the past year or had medical procedures such as surgery or catheters. Staph or MRSA infections usually show up as skin infections, such as pimples and boils, and occur in otherwise healthy people. MRSA is often spread by skin-to-skin contact or contact with shared items, such as towels, or surfaces that have come in contact with someone else's infection.
- ❑ **Hepatitis A.** Hepatitis A is a liver disease caused by the hepatitis A virus. Symptoms include jaundice, fatigue, abdominal pain, loss of appetite, intermittent nausea, fever, vomiting, and diarrhea. It is transmitted by fecal-oral material, food/waterborne outbreaks, or it can be bloodborne (rare). Persons with hepatitis A can spread the virus to others who live in the same household or with whom they have sexual contact. Casual contact as in the usual office or factory setting does not spread the virus.
- ❑ **Influenza.** Influenza is a communicable disease that includes symptoms such as fever, headache, tiredness, dry cough, sore throat, nasal congestion, and body aches. While most people who get influenza recover, some individuals will develop life-threatening complications such as pneumonia. The company sponsors flu vaccination days during the fall each year. The company underwrites the cost of these vaccinations. Employees are encouraged, but not required, to obtain a flu vaccination.
- ❑ **Tuberculosis.** Tuberculosis (TB) is a disease that is spread from person to person through the air. The general symptoms include feeling sick or weak, weight loss, fever, and night sweats. The symptoms of TB of the lungs include coughing, chest pain, and coughing of blood. TB can also affect other parts of the body such as the kidneys. Employees who suspect they may have been infected with tuberculosis should contact their healthcare provider for a tuberculin skin test and if the skin test is positive, for a follow-up X ray.



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- **Typhoid fever.** Typhoid fever is an acute, life-threatening febrile illness caused by the bacterium *Salmonella enterica Typhi* (S. Typhi). The primary symptom is persistent, high fevers. Other common symptoms include headache, malaise, and anorexia. Many mild and atypical infections occur. Typhoid fever can be contracted from eating food or drinking beverages that have been handled by a person who is shedding S. Typhi or if sewage contaminated with S. Typhi bacteria gets into the water used for drinking or washing food. Therefore, typhoid fever is more common in areas of the world where handwashing is less frequent and water is likely to be contaminated with sewage.
- **Plague.** Local outbreaks of this once-devastating disease continue to be recognized worldwide, including in the United States, where the disease exists in wild rodents in the western third of the country. Cats, dogs, coyotes, rabbits, and goats have also been associated with human infection. Most cases are the result of bites by infected fleas or contact with infected rodents.
- **SARS.** While in areas where severe acute respiratory syndrome (SARS) occurs, employees who have fever or respiratory symptoms should not travel and should seek medical attention. Employees returning from areas with SARS should be vigilant for fever and respiratory symptoms such as cough, shortness of breath, or difficulty in breathing over the 10 days after leaving the area. Employees returning from areas with SARS should notify their healthcare provider immediately if fever or respiratory symptoms develop within 10 days after leaving such an area.

Procedures to Follow

Note: Here is a sample of procedures to follow that can be incorporated into a policy or employee handbook.

The company has established procedures to follow when employees come into contact with another employee or customer (ill or deceased) who has a communicable disease (tuberculosis, hepatitis, meningitis, etc.).

Any employee who is exposed to a communicable disease or becomes aware of another employee who may have been exposed to a communicable disease while at work, will immediately contact his or her supervisor.

The company-authorized occupational healthcare provider will coordinate all treatment of those employees who are exposed at work to a communicable disease.

If hospitalization is required, the employee will be instructed by the company to go to medical facilities authorized by the healthcare provider.

When a period of convalescence and/or isolation is required due to an exposure to a communicable disease, the employee will be on sick leave in accordance with the company's workers' compensation policy.

The employee will complete and submit a report to Human Resources that includes the following information:

- The circumstances concerning the encounter, including the known or suspected nature of the disease
- The name and address of the infected person
- The name, address, and telephone number of the physician who is attending the infected person, if known
- The names and employee numbers of all employees who have come in contact with the person suspected of being infected with a communicable disease
- Any recommendations, diagnosis, and/or treatment given by the company-authorized occupational healthcare provider.



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The company-authorized occupational healthcare provider will:

- Coordinate treatment of those employees who have been exposed to the communicable disease.
- Receive information regarding persons suspected of having a communicable disease and verify that information with the appropriate medical facility and/or authority.
- Notify the Human Resources department of any information obtained from the various medical facilities and/or authorities needed to protect other employees.
- Notify, if required, the appropriate health agencies regarding persons infected with a communicable disease.

Communicable Disease Response Teams

Your company may want to form a communicable disease response team to assist with issues relating to communicable diseases. This team should work cooperatively with the state board of health, the county health department, employees, the healthcare provider, and physicians in order to:

1. Provide a support system for affected persons.
2. Design a plan to accommodate work assignments.
3. Design a plan to reduce exposure in the workplace.
4. Allay fears at work.

All persons involved in these matters shall be required to treat all proceedings, deliberations, and documents as confidential information. Confidential medical information should be shared with designated company and/or medical personnel in accordance with applicable law.

Points to Cover

- Workplace hygiene.** Include a statement that employees are to comply with hygiene standards, such as frequent and thorough handwashing, in order to reduce transmission of communicable diseases in the workplace.
- Identify communicable diseases.** Consider identifying communicable diseases most likely to affect your workplace. These may vary greatly from employer to employer.
- Identify life-threatening communicable diseases.** Life-threatening communicable diseases may be treated differently than other communicable diseases. You may want a separate policy for these diseases.
- Reporting communicable diseases.** State that employees are expected to follow directions of the physicians or public health officials to report communicable illnesses to the company when appropriate.
- Signs and symptoms.** You may want to include signs and symptoms of communicable diseases to which your employees may be exposed (see Communicable Diseases on page 189). As an alternative to avoid providing medical advice by the company, you may want to refer the employee to outside sources such as the Centers for Disease Control.
- Alerts.** Consider whether to include in your policy a requirement that the company periodically post alerts about communicable diseases, either in the workplace or on the intranet.



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- **Required medical leave.** State that you may require employees to take a medical leave if they pose a risk to others in the workplace. Include a statement that, depending upon the disease, you may require employees to provide a physician's statement that they are not communicable before they are allowed to return to work.
- **Medical examinations.** Determine if you will require employees with communicable diseases to undergo a physical examination. Determine if the examination will be by the employee's physician or by a physician selected by the company. You may want to include this concept as part of your fitness for duty policy and coordinate your communicable disease policy with a fitness for duty policy. As discussed below, applicable law may place restrictions on when an employer can require a medical examination.
- **Vaccinations.** State when and if the company pays for vaccinations. State if you require employees to obtain vaccinations. Determine what you will do if vaccinations pose a health risk to a specific employee.
- **Confidentiality.** State in your policy that medical information will be treated confidentially.
- **Responsibility for implementation.** Identify in your policy the persons who are responsible for implementing it, educating employees about communicable diseases in the workplace, and responding to news accounts of outbreaks of communicable diseases.
- **Coordination with other policies.** Coordinate your communicable disease policy with other policies such as your fitness for duty policy, required medical examinations, medical leave, life-threatening illnesses, travel, medical privacy, work at home, telecommuting, flexible work hours, safety, and reasonable accommodation policy.
- **Discipline.** State that employees may be disciplined for violating the policy, such as failing to report a life-threatening contagious disease.
- **Workers' compensation.** State that work-related communicable diseases are to be reported, and that the appropriate workers' compensation claim form is to be completed.
- **Travel.** Require employees to obtain information concerning communicable diseases in the areas to which they travel, especially outside of the United States.

Legal Points

- **Family and Medical Leave Act (FMLA).** Employees with communicable diseases may be eligible for leave time under the FMLA. Employees may have the right to take time off to care for a close family member with a communicable disease. The FMLA does create confidentiality obligations. The FMLA also places restrictions on medical examinations.
- **Americans with Disabilities Act (ADA).** Not all communicable diseases are disabilities. For example, a normal case of influenza will not be a disability. Other viral infections, such as the mumps, may lead to complications that are disabilities. Under the ADA, employers are required to reasonably accommodate individuals with disabilities. However, avoid identifying an individual as a person with a disability if, in fact, he or she is not. The ADA also creates confidentiality obligations and may restrict when an employer can require a medical examination.
- **Discrimination.** Both federal and state law may prohibit discrimination and harassment based on having a contagious illness.
- **Health Insurance Portability and Accountability Act (HIPAA).** HIPAA provides a variety of confidentiality obligations for plan administrators and plan sponsors. Generally, however, information that comes to an employer through a workers' compensation claim is not covered. Carefully distinguish between information that the company receives as a plan sponsor or plan administrator (which is subject to HIPAA) and information that the company receives in its role as an employer. You should consult with a professional knowledgeable in this area to assist in making these distinctions.



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- **Workers' compensation.** Employees who contract an illness through work usually are entitled to coverage under workers' compensation.
- **Medical examinations.** Workers' compensation laws, the ADA, and the FMLA may restrict your ability to require a medical examination. The ADA prohibits employers from requiring employees to undergo a medical examination unless the examination is shown to be job related and consistent with business necessity.

The FMLA also restricts medical examinations. Once the employee has provided a physician's statement justifying a medical leave under the FMLA, the employer is not permitted to contact that physician and make further inquiries. Not only do the ADA and FMLA restrict health examinations, but so do a variety of state laws.

State law may expressly limit tests for AIDS, HIV, or genetic-related conditions. On the other hand, your fitness-for-duty policy may permit you to require a physical examination with respect to a communicable disease that poses a danger to others. Consult with a professional familiar with these issues to determine under what circumstances you can require a medical examination.

- **Consent and release forms.** If you require an employee to submit to a medical examination, obtain consent prior to that exam to release the information to you. State in your policy that you may require employees to undergo an examination in order to ascertain whether they are capable of performing a job. Such a policy should only require them to undergo a physical examination that is job related and consistent with business necessity. With respect to any applicants, such a medical examination should occur only after an offer of employment has been made.

Please note that such an offer can be conditioned on passing the medical examination. If the person is rejected based on such a medical examination, the rejection must be based on job-related factors that are consistent with business necessity.

- **Occupational Safety and Health Administration (OSHA).** OSHA generally requires employers to provide a safe workplace. This may mean placing employees with a communicable disease on a forced medical leave. Furthermore, under OSHA, an employee may refuse to work with a co-worker when that co-worker has a communicable disease. Normally, this belief must be a reasonable one in order for the employee to be protected by OSHA.
- **Required medical leaves of absence.** You may be able to require an employee with a communicable disease to take a leave of absence. Health regulations may require you to prevent an employee from working. For example, public health regulations may require food service workers infected with salmonella to be on a leave of absence, even if they want to work.

Review standards set by health officials that may be applicable to your business. OSHA may require you to place an employee with hepatitis on a medical leave of absence. Rather than detailing those diseases that will cause you to require a leave of absence, allow yourself some discretion based on the fact that medical knowledge is constantly changing. Before requiring an employee to take a medical leave, the company should obtain a written opinion from a qualified physician that the communicable disease poses a direct threat to other employees or to customers in the workplace, and then document that the employee actually has that specific communicable disease.

Please note that the ADA prohibits discrimination based on perceived but nonexistent health risks. In other words, if a local or state ordinance prohibits a person with a perceived communicable disease from working, but medical facts indicate the disease is not contagious, you cannot rely on the local ordinance or state law for protection. Instead, the ADA will be applied based on the medical facts regardless of what local ordinances or state laws may require.



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- **Confidentiality.** All medical information should be maintained in confidence. If it is provided to persons who do not need it, you may be sued for a violation of the ADA and/or the FMLA. At the same time, you do not want to prevent disclosure to those who need the information. For example, you may restrict yourself unnecessarily if you require the permission of the employee to disclose medical data. Additionally, the ADA permits disclosure of medical information on a need-to-know basis to first-aid and safety personnel if the illness might require emergency treatment, and to government officials investigating compliance with the ADA. Generally, disclose only the information needed. For example, employees exposed to a communicable disease may need to know about the exposure, but not the identity, of the ill person.
- **Privacy.** In addition to privacy rights under statutes, there may be a right to privacy created by the courts with respect to healthcare conditions and medical records. Employers may be sued for intentional infliction of emotional distress, invasion of privacy, public disclosure of a private fact, or other legal theories.
- **Discharge.** Firing an employee because of a communicable disease may violate a variety of laws such as the FMLA, ERISA or workers' compensation. To illustrate, ERISA makes it illegal to discharge employees for making a claim under their group health benefit plan. Thus, if you fire employees to avoid the cost of treating them, you may face a claim under ERISA.
- **Local health codes.** Local health codes may require an employer to report cases of communicable diseases.

Things to Consider

- **Employee education.** With media reports of new diseases such as avian flu or MRSA, outbreaks of older diseases, or threats of bioterrorism, consider an education program to reduce worries among employees. Providing employees with accurate, up-to-date information about the risks of diseases making the headlines may avoid many legal entanglements, such as employees refusing to work with someone. You may want to place links to the CDC or other government resources on your company website. Depending on the diseases that are prevalent in your workforce, consider an education program using videos or presentations by healthcare providers. If your business exposes your customers to communicable diseases, such as salmonella, you may want to focus on preventive measures within the workplace.
- **Supervisor education.** Consider focusing your efforts on educating and training your supervisors so they do not overreact to a particular illness, while at the same time knowing how to prevent its transmission. For example, food service managers should be trained regarding the sources of foodborne diseases and prevention of the transmission of the disease from the employee to the customer or among employees. You will also want to consider training your supervisors regarding the obligations under the ADA and the FMLA.
- **Employee refusal to work.** Determine what your reaction will be if your employees refuse to work with a fellow employee because they perceive he or she has a communicable disease. Their belief must be a reasonable belief. If the employees' beliefs concerning contagion are unreasonable, then the National Labor Relations Act does not protect their refusal to work, particularly if they are asking for removal of a person protected by a federal or state disability law.

If an employee's belief is unreasonable due to a lack of information or misinformation, then prior to discharging the employee, the employer may have an obligation to provide accurate and complete information to the employee. Thus, your reaction may be different if the employee has hepatitis, as opposed to AIDS. Co-workers are much more justified in fearing contagion from hepatitis.



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- ❑ **Industry and government guidelines.** Investigate whether your industry has initiated guidelines for the best method to handle contagious diseases, or there are experts available who will advise on such policies, such as the Centers for Disease Control or the American Medical Association. Federal and state agencies may also provide guidelines.
- ❑ **Communication.** Consider how to communicate your communicable disease policy to your employees. You may want to use a variety of media, such as an orientation session, a handbook, bulletin board notices, or supervisor training. Be prepared to respond to inquiries from employees concerning the policy. Ask employees for suggestions on improving your policy.
- ❑ **Planning.** If your industry may be particularly exposed to the outbreak of a contagious disease, consider creating a plan for the impact of the disease on your business. A sample checklist follows the sample policies.
- ❑ **Accuracy of diagnoses.** The initial diagnosis may be wrong. Give the employees the opportunity to obtain information from their own physician and to submit it for your consideration. Furthermore, arrange for the company to obtain medical advice independent of the diagnosing or treating physician.
- ❑ **Coordination with other policies.** Coordinate your communicable disease policy with other policies such as leave, paid medical leave, fitness for duty, medical examinations, harassment, medical privacy, attendance, sick pay, vacation pay, and workers' compensation.

Sample Policies

Subject: Communicable Diseases

Example of: Strict Policy

The company is committed to maintaining a healthy work environment by endeavoring to appropriately protect the health and well-being of all employees in the work force. The company also is committed to compliance with applicable laws, such as the ADA and the FMLA.

An employee is required to report any exposure to a contagious disease that might pose a direct threat to health or safety in the workplace. An employee who fails to do so is subject to discipline, up to and including discharge.

The company may remove or reassign an infected or contagious employee or co-worker, if a secondary infection would pose a higher than usual risk to the employee, co-workers or others. The company may require employee to take a medical leave of absence, to undergo a fitness-for-duty examination, to provide a fitness for duty certificate from a physician or to state the risk of exposure in the workplace with regard to his or her contagious illness.

An employee who is at risk of exposure to bloodborne or contagious diseases will follow a system of "universal precautions" to limit the spread of infection in the workplace. Supervisors will instruct employees about any special precautions necessary in individual work areas.

An employee concerned about being infected with a contagious disease while in the workplace should convey this concern to his or her supervisor. An employee who refuses to work with or perform services for a person known or suspected to have a contagious disease that does not present a current direct threat in the workplace is subject to discipline, up to and including discharge.

While medical information is confidential, information relating to a contagious disease in the workplace will be disclosed to employees when the information is necessary to protect the health or safety of employees or others. The necessity of disclosure will be determined by the Human Resources director.



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If an employee with a communicable disease requests job accommodations for his or her medical condition, the Human Resources director will determine if the employee must obtain a written medical evaluation of whether (1) he or she is medically able to perform assigned and/or essential duties, (2) his or her condition poses a communicable disease threat to individual working associates, or (3) he or she needs specific job accommodations in order to maintain employment.

If it is medically necessary to remove the employee from the workplace, the supervisor, and the Human Resources director will initiate the appropriate medical and/or disability leave request.

This policy will be supplemented by reference to other applicable company policies, such as medical leave, fitness for duty, safety, confidentiality, harassment, etc.

Subject: Communicable Diseases

Example of: Standard Policy

When the Human Resources director has reasonable cause to believe that an employee is infected with a communicable disease, the Human Resources director should immediately seek the written consent of the employee to contact his or her physician or the director of the county health department. The physician or medical director of the county health department will ascertain whether a valid, positive medical diagnosis has been made. The written consent will also allow information to be released to the company and to medical personnel as needed.

When an employee has a communicable disease known not to be spread through normal work contacts, the response team will not need to review the case in light of (1) any inappropriate behavior that would increase the likelihood of transmission, or (2) if the employee has significant health problems. The medical director of the county health department will determine whether the individual may remain at work.

When an employee has a communicable disease that is known to be capable of spread through normal work contacts (e.g., measles), the employee may be placed on a required medical leave. The employee should be allowed to return to work when the treating physician or the medical director of the county health department determines that the employee no longer has a communicable disease or when the disease is no longer transmissible at work.

In general, the company follows the recommendations of the Centers for Disease Control (CDC).

- **Workplace health and hygiene standards.** Employees are expected to comply with all health and safety standards, especially when there is an outbreak of a communicable disease in the workplace or when they have a communicable disease. For example, employees who are ill with the flu should remain at home to reduce exposing others at work. Employees are to wash their hands regularly and cover their mouths when sneezing or coughing. Employees are to report any areas of the workplace that need to be cleaned.
- **Reporting communicable illness.** Employees who are diagnosed as being infected with a communicable disease, such as tuberculosis, hantavirus, avian flu or typhoid fever, are expected to follow the instructions of the healthcare providers and are expected to provide information to the company regarding their infection when directed to do so by their physician or public health officials. The company will issue reports of communicable diseases as required by law, such as reports to local health officials, workers' compensation carriers, and the like. Employees and managers should contact the Human Resources department if they believe that they or any other employee needs information about an illness or if there is any concern about the possible contagious nature of an employee's illness.



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- ❑ **Report of communicable illness.** When a supervisor or manager learns that an employee has, or is suspected of having, a communicable disease, the Human Resources manager should be contacted immediately for consultation.
- ❑ **Confidentiality.** An employee's medical condition is confidential, and information regarding an employee's health is to be provided only to those persons with a need to know. Employees are expected to report information only as required by applicable law.
- ❑ **Reports from health providers.** The supervisor, Human Resources manager, and, if appropriate, a consulting physician, shall determine if a statement should be obtained from the employee's attending healthcare provider that the employee's continued presence at work will pose no significant current risk of substantial harm to the employee, co-workers, or customers. The employee's consent to such reports will be obtained in accordance with applicable law.
- ❑ **Fitness for duty.** The company has the right to require an employee to undergo a medical examination to determine fitness for duty in accordance with its fitness-for-duty policy. When the company has reason to believe an employee has a communicable disease, the employee will be encouraged to take paid time off to obtain a physical examination by a healthcare provider of his or her choice.

If the employee refuses to do so, then the company's fitness-for-duty policy may be applicable, and the company may insist on a medical examination to determine whether the employee poses a direct threat to himself or herself or others. The employee's consent to such exams will be obtained in accordance with applicable law.

- ❑ **Medical examinations.** The company does not require medical testing of applicants for positions unless such a position requires a medical test to ensure the safety and welfare of the work force. Medical examinations may be required under the company's fitness-for-duty policy.
- ❑ **Accommodations.** Reasonable accommodations for the medically impaired employee with a communicable disease will be provided as long as the disease poses no threat or danger to the health, safety, or welfare of other employees. The company will accommodate employees with a communicable illness consistent with the business needs of the company and applicable law. If the Americans with Disabilities Act (ADA) or state disability law apply to a particular disease, the company will make reasonable accommodations for the employee in accordance with those laws.

Factors to be considered include danger to the employee, danger to other employees, danger to the public, and methods of accommodation. Other policies that may apply include working at home, telecommuting, flexible hours, and leave.

If an employee refuses to work with an employee who is diagnosed with a communicable disease that poses no life threat through casual contact, and such infected employee is medically approved as able to work, job transfer or work accommodation for the employee refusing to work will only be considered when medically indicated by a written recommendation from a physician acceptable to the company.

Decisions regarding transfer requests may be contingent on a vacancy existing. In the absence of a medical recommendation, normal transfer procedures will be followed.

- ❑ **Leaves.** Employees with a communicable disease may have rights for leave under the company's medical leave policy or under the Family and Medical Leave Act (FMLA). Supervisors should refer any questions regarding leave policy and the FMLA to Human Resources. When appropriate, the company may require an employee to take a medical leave of absence.
- ❑ **Workers' compensation.** If a communicable illness is work related, the employee is to report that fact by completing a workers' compensation claim form in accordance with company policy.



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- **Information source.** The Human Resources department is the information source for communicable diseases in the workplace and for work-related travel. Periodically, the department will provide training or information regarding communicable diseases at work and during travel for work. When there is a local outbreak of disease, such as during flu season, the department will issue reminders regarding workplace health issues and communicable diseases.

Subject: Communicable Diseases

Example of: Progressive Policy

The company has developed this communicable disease policy and these procedures for dealing with communicable diseases in the workplace. We are aware of the current medical pronouncements regarding the nature and transmission of various communicable diseases, as well as the laws regarding discrimination and communicable diseases. The policy and procedures are designed to deal with all types of communicable diseases.

The company will strive to provide periodic communicable disease orientation to its employees. The Human Resource department shall also periodically inform employees of the communicable disease policy and make available assorted publications, brochures, etc., deemed appropriate to enhance the education and understanding of the workforce. This education is provided to help employees understand how communicable diseases spread, how to reduce the risk of exposure and to reduce unrealistic fears of contacting a communicable disease.

General

Employees infected with a communicable disease may remain at work as long as the communicable disease is not spread by normal work contact and does not pose a health threat to others.

Employees who are diagnosed as having a medical condition that is determined by a licensed medical practitioner to pose no communicable health threat to the workforce may continue to work if they are deemed medically able to work and can meet acceptable performance standards inherent to their appointed position.

The company shall develop reasonable performance standards and communicate such standards to the employee. The company shall also provide reasonable accommodations to employees where accommodations are realistic and do not impair business necessity or the mission of the specific department.

If an employee has a communicable disease or infection known to be spread through normal work contact, such employee will be placed on an appropriate leave until the employee no longer has a communicable disease, when the disease is no longer transmissible in the work setting, or the employee has exhausted all leave.

All rumored or verified communicable disease shall be immediately reported to the director of Human Resources, who may activate the communicable disease response team, if appropriate.

Confidentiality

Personal records and medical information regarding communicable disease will be kept strictly confidential. Violations of this policy may result in immediate termination.

Training

The company will provide training and necessary equipment to each employee who has duties that require the employee to have contact with blood or body fluids in the scope of the employee's duties. The company's written personnel policy (1) requires the use of universal precautions when an individual has direct contact with blood or other bodily fluids, and (2) provides sanctions for failure to use Universal Precautions.



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Instruction on the principal means by which communicable diseases are spread, and the best methods for restriction and prevention of such diseases, shall be taught to employees.

Proper Response to Communicable Disease

All employees are required to report all communicable disease knowledge, rumored or confirmed, to the director of Human Resources or to their supervisor.

(A) HEPATITIS B VACCINATIONS

Supervisors in consultation with the [Safety Manager] shall maintain lists of all employees who risk on-the-job exposure to bloodborne pathogens. The supervisor must offer each employee, within 10 days of his or her initial working assignment and after training has been completed, a free hepatitis B vaccination series and explain why it is necessary. [Indicate method of obtaining the vaccination.] If the employee declines the offer, he or she must sign the following form:

FORM 27

[XYZ COMPANY] HBV VACCINATION DECLINATION STATEMENT

I understand that due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to me. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Employee Signature

Date

This statement must be retained in the employee's medical file.



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