

Step-by-step plan:

How the employer shall act in case of detecting an employee's COVID-19 symptoms?



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How the employer shall act in case of detecting an employee's COVID-19 symptoms?

Dear Ladies and Gentlemen!

ALRUD experts have prepared this material for HR directors, compliance officers and heads of legal departments, detailing the obligatory and recommended actions which should be taken, if an employee has symptoms of COVID-19.

The purpose of this step-by-step plan is to provide high-level guidance on how to stop the spread of a virus in a working place, protect the health of employees and therefore mitigate risks of administrative and criminal liability for the employer.

Please note that regional regulations may substantially differ, depending on the epidemiological situation in each region. Please, additionally, monitor local requirements of the Russian region where the company operates.

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Essential statements

This step-by-step plan **contains 7 steps**, which are sequential, unless otherwise stated

Steps 1-6 are essential for revealing the necessity to isolate all contacts of the infected employee, to stop the spread of a virus, as stated in **Step 7**

Obligations are highlighted in red and underlined in red, recommendations are underlined in black

The person responsible for conducting actions, as per Steps 1-7, is the employer, or **the person in charge** (according to local policies, an employment contract, or a job description), unless otherwise stated



Step-by-step plan

STEP 1: SUSPENDING THE EMPLOYEE FROM WORK AND ROUTING TO HOME/HOSPITAL

- Suspend the employee from work – an oral order is sufficient
- Route the employee home, or to a hospital
- Call a taxi, to prevent the employee from using public transport

STEP 2: RECOMMENDING THE EMPLOYEE TO CALL A DOCTOR AND TAKE SICK LEAVE

- Ask the employee to consult a doctor and take sick leave. Motivate this by the fact that he/she is obliged to comply with Health & Safety rules and cannot violate colleagues' rights on health protection
- Notify the employee that he/she shall ensure a self-isolation regime, until obtaining a COVID-19 test result and/or till the day of recovery (in the case of a positive test)
- Recommend calling a doctor immediately and testing for COVID-19. If the employee is confirmed to have COVID-19, the company will have to suspend, from work, all employees who were in contact with him/her, at the office, or other workplace

STEP 3: DISINFECTING A WORKPLACE

- Person(s) in charge shall disinfect (using disinfectants, aeration, etc.) the employee's workplace and all other places which the employee visited that day / surfaces with which he/she was in contact
- Disinfection shall be carried out ASAP after Step 1 or 2
- Record disinfection in the register of disinfections

STEP 4: ISSUING AN ACT

- ASAP after Step 2, issue the act on the detection of a person with high temperature / symptoms of respiratory diseases ("**Act**") in free form, indicating:
 - i. the employee with high temperature / symptoms of respiratory diseases,
 - ii. comments of the employee (e.g., on contact with infected persons),
 - iii. employer's actions (stated in Steps 1 and 2)

STEP 5: ISSUING AN ORDER

- The General Director of the Company, or Head of the Branch/Rep Office shall issue the order, suspending the employee from work ("**Order**") indicating persons responsible for ensuring that the employee arrives home and that the workplace is disinfected
- Familiarize the employee with the Act and the Order by sending him/her the scanned copy
- Request the scanned copy of the Act and the Order, signed by the employee, with later submission of the original (when possible)

STEP 6: OBTAINING TEST RESULTS

- Contact the employee for checking that he/she called a doctor and took a COVID-19 test
- Contact the employee and acquire information on the COVID-19 test result (explain that this may affect his / her colleagues' health and help to prevent further spread of the virus). Please note, that the employee is not obliged to provide this information to an employer, and therefore cannot be forced to inform an employer of the test results. *This shall be done ASAP, depending on the time necessary for testing, in the specific region*
- *In case of a positive COVID-19 test, please see the following: Step 7*

STEP 7: ISOLATING CONTACTS OF THE INFECTED PERSON AT WORK

- ASAP after receiving information on the employee's positive COVID-19 test – conduct Steps 1-6 in relation to all employees, who were in contact with the infected, including suspending the employees from work, disinfecting their workplaces and checking COVID-19 test results

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We hope you find the checklist useful!

ALRUD specialists have extensive expertise and will be glad to provide any legal support, in regard to detecting employees' COVID-19 symptoms and suspending them from work, including the preparation of all necessary acts, orders, registers and other documents that are necessary, from the perspective of federal and regional regulations.

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