

Electronic Alert

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The CDC's COVID-19 Guidance Has Changed: What Employers Should Know

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The Centers for Disease Control and Prevention (CDC) released revised COVID-19 guidance last week that may impact employers' COVID-19 workplace policies. The high levels of immunity from vaccines and prior infections have led the CDC to continue to ease restrictions in non-high-risk communities.

Quarantining

- The CDC no longer recommends quarantining just because a person has been exposed to COVID-19.
- A person who receives a notification that they have been in contact with another individual who has tested positive for COVID-19 need not quarantine if they remain asymptomatic.
- However, persons who have had recent confirmed or suspected exposure to an infected person should wear a mask for 10 days around others when indoors in public and should receive testing five days after exposure (or sooner, if they are symptomatic), irrespective of their vaccination status.

Vaccinated vs. Unvaccinated

- The CDC's COVID-19 prevention recommendations no longer differentiate based on a person's vaccination status.

What Does the New CDC Guidance Mean for Employers?

Employers are permitted to have COVID-19 workplace policies that provide greater restrictions than what the CDC recommends. For example, employers can still require that their employees wear masks or that they be vaccinated against COVID-19, though employers who have vaccine mandates may have a more difficult time denying religious and disability accommodations based on the CDC's new guidance.

Despite the change in the CDC guidance, employers still must follow the Oregon Occupational Safety and Health Administration's COVID-19 workplace rules which require that employers:

1. Allow employees to voluntarily use facial coverings and provide facial coverings at no cost to employees.

2. Facilitate COVID-19 testing for employees if such testing is conducted at the employer's direction by ensuring the employer covers the costs associated with that testing, including employee time and travel.
3. Continue to optimize the use of ventilation systems to help reduce the risk of COVID-19 transmission.
4. Follow Oregon Health Authority, public health, or medical provider recommendations for isolation or quarantine of employees for COVID-19.
5. Provide notice to employees who have had a potential work-related exposure to COVID-19 within 24 hours.

In addition, schools and employers in “exceptional risk workplaces,” including most health care settings, are subject to stricter requirements. It is important for employers to re-visit their COVID-19 policies from time-to-time to ensure that their policies are compliant with state and federal rules. In addition, employers may have COVID-19 policies in place from years prior that are no longer being followed. In these cases, employers should amend or repeal their policies so that they are consistent with day-to-day practices.

For any questions about managing COVID-19 in the workplace, contact Bruce Garrett at 503-276-2175 or bgarrett@barran.com.