



FAQs for UNL Supervisors: Guidance for Discussing Employee Health in the COVID-19 Pandemic



As a supervisor, you may have questions about what you can ask employees about their health during the COVID-19 pandemic, what information about possible coronavirus exposures you can share with other employees, and what actions as a supervisor you can take to help keep the campus safe for staff, faculty, students and others. This information has been created to assist you with those questions.

Q: Can supervisors ask employees if they have coronavirus?

A: No. Under the Americans with Disabilities Act, supervisors cannot ask employees about specific health conditions.

Q: Can supervisors take employees' temperatures to check for fevers?

A: No. You may not take your employees' temperatures. The only exception is when a local Directed Health Measure (DHM) requires otherwise for employees conducting certain duties, such as requiring food service workers to take their temperature at the beginning of a shift. As noted below, you may require an employee with visible signs of respiratory illness to leave campus. Supervisors should consult with HR about any uncertainty regarding an employee's health and appropriate measures that may be taken.

Q: Can supervisors require employees to leave the worksite if they appear to be ill?

A: Yes, if employees are clearly exhibiting symptoms of respiratory illness, supervisors may require them to leave campus. Supervisors should make arrangements for the employee to work remotely as they're able. Because supervisors cannot ask employees about specific health conditions and should not engage in conversations that lead to specifics, the following is suggested wording from a supervisor to an employee: "If you are ill, I'd like you to use your leave options." If there is non-compliance, the employee should be directed to leave the workplace. Employees may report back to work once criteria to discontinue home quarantine or isolation are met, or a medical release to return to work is obtained.

Q: What should supervisors do if employees (regardless of worksite location) say they have tested positive for COVID-19 or have been in contact with someone who has tested positive for COVID-19?

A: Supervisors must require employees who have been exposed or have tested positive to leave campus or not return to campus and discuss alternative work arrangements and paid leave options. Employees may report back to work once criteria to discontinue home quarantine or isolation are met, or they obtain a medical release to return to work. Supervisors should recommend the employee follow their healthcare provider's instructions. The supervisor will be given instructions by the UNL Public Health Advocacy Team regarding when they may tell other employees that they may have been exposed to coronavirus as long as the supervisor does not share which employee(s) may have been the source of the exposure. Upon instruction, supervisors may also need to share information about shifting work assignments among other employees during the affected employee's absence, while not disclosing the reason for the employee's absence.

Q: Can supervisors tell other employees any information about an employee who is absent due to COVID-19?

A: No. Supervisors must not share information about employees' medical conditions. Appropriate wording to use for anyone who needs to know about the absence includes "Your co-worker will be absent (or working remotely) until further notice. Let's discuss our operational needs going forward."

Q: How can supervisors express concern about employees' well-being and the well-being of employees' family members?

A: Supervisors can ask how employees and their family members are feeling, generally. However, care should be taken not to ask for information about specific medical conditions.