



Health Screening Policy

Objective

To the extent reasonably possible, prevent employees who may have COVID-19 from entering the agency workplace.

Policy Statement

The COVID-19 pandemic presents an unprecedented challenge to our State. The virus is highly contagious and potentially deadly. To safeguard the workplace, to the extent reasonably possible, employees who are assigned to work at the workplace (rather than telework) are expected to self-monitor for signs and symptoms of COVID-19, stay home if sick or experiencing symptoms, and report to their supervisor if they are sick or experiencing symptoms. In addition, screening employees for potential exposure to COVID-19 and symptoms of COVID-19 is a critical tool for minimizing potential exposure in the workplace to COVID-19.

To protect, to the extent reasonably possible, the health and safety of our employees from the direct threat resulting from the spread of COVID-19 in the workplace, Board of Water and Soil Resources (BWSR) is requiring mandatory screening of employees prior to entering the workplace for potential exposure to COVID-19 and symptoms of COVID-19.

Employees will not be admitted to the workplace if they do not complete and pass the screening. Employees are expected to answer the screening questions truthfully.

Employees who refuse to complete the screening will not be admitted to the workplace. Employees who are assigned to work at the workplace and refuse to complete the screening may be subject to disciplinary action, up to and including discharge, and may be placed in no-pay status.

This policy is subject to change at the discretion of the agency.

Scope

This policy applies to all employees who are assigned to work at the workplace (rather than telework), and all employees who wish to enter the workplace for more than **10** minutes.

Health Screening Protocol and Requirements

Every employee assigned to work at the workplace, or who wishes to enter the workplace for more than **10** minutes, must complete the health screening. By completing the health screening, the employee is warranting that their answers are true and correct to the best of their knowledge.

The Agency retains the discretion to adopt the specific type of screening procedure used and to change the screening procedure as needed. Currently, the Agency is using the State of Minnesota Automated COVID-19 Workplace Entry Health Screen. The Screening Tool will notify the employee whether they are authorized to enter the workplace, or whether they must contact their supervisor.

Employees who do not pass the health screening must report to their supervisor using their regular call-in procedure. They are not authorized to enter the workplace unless they are cleared through additional screening by a supervisor or HR. Employees are expected to truthfully answer any additional screening questions administered by a supervisor or HR.

For employees who: 1) do not pass the health screening; 2) are not cleared through additional screening; and 3) are required to work at the workplace (rather than telework):

1. **Get a COVID-19 Test:** The employee is expected to take a COVID-19 PCR test as soon as possible to determine whether they have COVID-19. If the employee was exposed but with no symptoms and tests negative, but the test was taken fewer than 5 days after the last exposure, the employee is expected to take a repeat COVID-19 PCR test on **day 5-7** after the last exposure.
2. **Paid COVID-19 Leave:** If Paid COVID-19 Leave is available and the employee is otherwise eligible, the employee may use Paid COVID-19 Health Leave as provided in the Paid COVID-19 Leave policy, while they are taking affirmative steps to obtain a COVID-19 PCR test result or diagnosis, if they are advised by a health care provider to self-quarantine, or if their supervisor has directed them not to report to work because they were exposed to a confirmed case of COVID-19.
3. **Other Leave:** If Paid COVID-19 Leave is unavailable or the employee is not otherwise eligible, the employee may use their accrued sick leave or unpaid medical leave while the employee is taking affirmative steps to obtain a COVID-19 PCR test result or diagnosis, while the employee has been advised by a health care provider to self-quarantine, or while their supervisor has directed them not to report to work because they were exposed to a confirmed case of COVID-19.
4. **Return to Work:** Employees are expected to return to work when authorized through the Screening tool, or if cleared through additional screening by a supervisor or HR. Generally, employees are expected to return to work under the following guidelines. Employees who need additional time off should contact the agency FMLA or ADA coordinator.
 - a. **Symptoms and positive test:** If the employee had a positive COVID-19 PCR test or otherwise had a confirmed case of COVID-19, at least **10** days have passed since they started having COVID-19 symptoms, they have been fever-free for at least **24** hours without fever-reducing medicine, and their other COVID-19 symptoms are improving. (Note: Loss of taste and smell may persist for weeks or months after recovery and need not delay the end of isolation.)
 - b. **Symptoms but negative test:** If the employee had a negative COVID-19 PCR test, they have been fever-free for at least **24** hours without fever-reducing medicine, and their other symptoms have resolved. If symptoms persist despite a negative COVID-19 PCR test, the employee is expected to take a repeat COVID-19 PCR test.
 - c. **Positive test without symptoms:** If the employee had no COVID-19 symptoms, and **10** days have passed since their first positive COVID-19 PCR test sample.

- d. **Exposed to someone with a confirmed case of COVID-19 in employee's home, the employee had no symptoms, and a negative test:** If the employee had no COVID-19 symptoms, they had a negative COVID-19 PCR test that they took on **day 5-7** after their last exposure, and either: 1) the employee is able to completely separate themselves from all persons in their home with COVID-19 and **14** days have passed since their last exposure to anyone in their home with COVID-19; or 2) if they are not able to completely separate themselves from all persons in their home with COVID-19, then **24** days have passed since the last person in their home with COVID-19 began symptoms OR, if the person did not have any COVID-19 symptoms, the person was tested with a positive result.
- e. **Exposed to someone with a confirmed case of COVID-19 outside of home and no symptoms:** If the employee had no COVID-19 symptoms, they had a negative COVID-19 PCR test that they took on **day 5-7** after their last exposure, and **14** days have passed since their last exposure.

However, if the absence of the employee will create a staffing shortage in a Priority 1/2 service, with supervisor or HR clearance, the employee may return to work after **7 days** have passed since their last exposure if they meet the following criteria:

- The employee had no COVID-19 symptoms.
 - They had a negative COVID-19 PCR test that they took on **day 5-7** after their last exposure.
 - They have not had a positive test for COVID-19.
 - No one in their home has COVID-19.
 - Their contact with someone with COVID-19 had a beginning and an end. For example, their close contact happened at:
 - School
 - Sports event
 - Work
 - Social gathering
 - They traveled outside of Minnesota for reasons other than crossing the border for work, study, medical care, or personal safety or security, and all of the above are true. Note: The "exposure" period ends upon arrival back home.
- f. **No symptoms, tested positive within the last 90 days, and have recovered:** If the employee has had close contact with someone with COVID-19 BUT has had a positive COVID-19 PCR test within the last **90 days** and has fully recovered AND they have no symptoms currently, they are not required to quarantine. (Note: Loss of taste and smell may persist for weeks or months after recovery and need not delay the end of isolation.)

Employees who refuse to complete the screening are not authorized to enter the workplace. Employees who refuse to complete the screening and are assigned to work at the workplace are refusing a work directive to report to work. Such employees:

1. Must report to their supervisor using their regular call-in procedure.
2. May be subject to disciplinary action, up to and including discharge.
3. If they are not temporarily reassigned by their supervisor to telework, will be placed in no-pay status (ETL-Scheduled Hours Not Worked) until they complete health screening as required by this Policy or their job responsibilities no longer require screening under this Policy.

- a. Prior to being placed in no-pay status, the employee will be offered a meeting with their supervisor to hear the reasons for being placed in no-pay status and to tell their side of the story. The employee may have union representation at the meeting.

Tennessen Notice

The following Tennessen Notice describes the purpose and intended use of the data that will be collected in the health screening process:

[If using the State of Minnesota Automated COVID-19 Workplace Entry Health Screen:

The data collected about you in the State of Minnesota Automated COVID-19 Workplace Entry Health Screen and through any additional screening by a supervisor or HR is classified as private under the Minnesota Government Data Practices Act.

We will use this data to screen individuals before they enter the workplace for potential COVID-19 related health risks to try to avoid the potential of spreading COVID-19. The data helps us to determine whether risk factors are present and whether you will be denied admission to the workplace for the protection of agency staff and/or the public.

This is not a COVID-19 test and is not a determination of whether or not an individual is infected with or has been exposed to COVID-19.

This data will be gathered and reviewed by agency staff, including non-medical personnel, to determine whether to permit you to enter the workplace. You are not legally required to provide this data. However, if you refuse to provide the data, you will not be admitted to the workplace. A refusal to provide the data may also result in employment consequences, as determined by the agency and as set forth in the agency's Health Screening Policy. The data collected from you may be shared with the agency's HR staff, safety administrator, and supervisors and managers, and other persons or entities authorized by law.]

[If using an in-person or other health screening procedure:

Prior to entering the workplace, all individuals will be asked a series of questions [FOR AGENCIES ALSO CONDUCTING TEMPERATURE SCREENING: and will undergo temperature screening]. Depending on the answers to these questions, some individuals may be asked additional screening questions by a supervisor or HR. This data is classified as private under the Minnesota Government Data Practices Act.

We will use this data to screen individuals before they enter the workplace for potential COVID-19 related health risks to try to avoid the potential of spreading COVID-19. The data helps us to determine whether risk factors are present and whether you will be denied admission to the workplace for the protection of agency staff and/or the public.

This is not a COVID-19 test and is not a determination of whether or not an individual is infected with or has been exposed to COVID-19.

This data will be gathered and reviewed by agency staff, including non-medical personnel, to determine whether to permit you to enter the workplace. You are not legally required to provide this data. However, if you refuse to provide the data, you will not be admitted to the workplace. A refusal to provide the data may also result in employment consequences, as determined by the agency and as set forth in the agency's Health Screening Policy. The data collected from you may be shared with agency staff collecting the data, agency HR staff, the agency safety administrator, agency supervisors and managers, and other persons or entities authorized by law.]

Confidentiality of Medical Information

All health-related information gathered from the health screening will be treated as confidential medical information, will be stored securely, and will not be stored or maintained in employees' individual personnel files. Health-related information gathered from the health screening will be maintained for at least one year.

Additional COVID-19 Screening Questions for Supervisors/HR (March 2021)

**Remember, all information collected through COVID-19 screening must be kept confidential.*

The State of Minnesota Automated COVID-19 Workplace Entry Health Screen asks the following questions, in the following order, for employees who state they are working at the workplace. A “no” answer to the question advances the employee to the next screening question. A “yes” answer to the question stops the screening, tells the employee they are not currently cleared to enter the workplace, and directs the employee to report to their supervisor using their regular call-in procedures. The screening questions are:

1. In the past **10 days**, have you had any of the following COVID-19 **symptoms** that you can't explain based on another health condition? Fever of 100.4°F or higher or feeling feverish; new chills; a new cough; new shortness of breath; a new sore throat; new congestion or runny nose; new muscle aches not related to exercise; new loss of taste or smell; new nausea/vomiting or diarrhea; new headache.
2. Have you had a **positive COVID-19 test** based on a sample taken in the past **10 days**?
3. Has anyone you **live with** had a confirmed case of COVID-19 in the past **24 days** (since they began COVID-19 symptoms or, if they have not had any COVID-19 symptoms, since they got tested with a positive result)?
4. In the past **14 days**, have you been exposed to someone you **don't live with** who has a confirmed case of COVID-19?

No automated screening tool can account for all particular employee circumstances. For that reason, employees who do not pass these screening questions are directed to contact their supervisor. When the employee contacts their supervisor, a supervisor may ask additional screening questions to determine whether the employee can nevertheless be cleared to enter the workplace, OR should refer the employee to HR to do so.

The following is a guide for supervisors/HR to conduct additional screening. If the employee passes these screening questions, the supervisor/HR may clear them to enter the workplace regardless of the results of the automated screening tool. **If the supervisor/HR undertakes additional screening, they must document the questions used and the employee's answers, and whether the employee was or was not cleared, and treat that documentation as a confidential medical record. All confidential medical records must be maintained in the HR office.**

A. If the employee is screened out because they answered yes to the **symptoms** question, they should be cleared to enter the workplace if they say **yes** to the following questions:

- 1) If you've received a **positive** COVID-19 PCR test or otherwise have a confirmed case of COVID-19, have at least **10 days** passed since you started having COVID-19 symptoms?
 - a. If yes, have you been fever-free for at least **24 hours** without fever-reducing medicine? AND

- b. Are your other COVID-19 symptoms improving? [Note: Loss of taste and smell may persist for weeks or months after recovery and need not delay the end of isolation.]

OR

- 2) Have you had a **negative** COVID-19 PCR test?

- a. If yes, have you been fever-free for at least **24 hours** without fever-reducing medicine? AND
- b. Have your other symptoms resolved?

- B. If the employee is screened out because they answered yes to the **exposure** question regarding people they **live with**, they should be cleared to enter the workplace if they say **yes** to the following questions:

- 1) Have you been fully **vaccinated** for COVID-19?

- a. If yes, did your last exposure to COVID-19 occur at least 14 days after your vaccination series was fully completed? AND
- b. Did your last COVID-19 exposure occur within 90 days of your final dose of your vaccination series? AND
- c. Are you currently **symptom-free** for COVID-19 symptoms?

OR

- 1) Are you **symptom-free** for COVID-19 symptoms? AND

- 2) Have you had a positive COVID-19 PCR test within the past **90 days** and have fully recovered? [Note: Loss of taste and smell may persist for weeks or months after recovery and need not delay the end of isolation.]

OR

- 1) Are you **symptom-free** for COVID-19 symptoms? AND

- 2) Have you had a **negative COVID-19 PCR test** that you took on **day 5-7** after your last exposure and no positive tests? AND

- 3) Have you been able to **completely separate** yourself from all persons in your home with a confirmed case of COVID-19? AND

- 4) Have at least **14 days** passed since your last exposure to anyone in your home with a confirmed case of COVID-19?

OR

- 1) Are you **symptom-free** for COVID-19 symptoms? AND
 - 2) Have you had a **negative COVID-19 PCR test** that you took on **day 5-7** after your last exposure and no positive tests? AND
 - 3) Although you have not been able to completely separate yourself from all persons in your home with COVID-19, have at least **24 days** passed since the last person in your home with a confirmed case of COVID-19 began symptoms or, if the person did not have any COVID-19 symptoms, since the person was tested with a positive result?
- C. If the employee is screened out because they answered yes to the **exposure** question regarding people they **don't live with**, they should be cleared to enter the workplace if they say **yes** to the following questions:
- 1) Have you been fully **vaccinated** for COVID-19?
 - a. If yes, did your last exposure to COVID-19 occur at least 14 days after your vaccination series was fully completed? AND
 - b. Did your last COVID-19 exposure occur within 90 days of your final dose of your vaccination series? AND
 - c. Are you currently **symptom-free** for COVID-19 symptoms?

OR

- 1) Are you **symptom-free** for COVID-19 symptoms? AND
- 2) Have you had a positive COVID-19 PCR test within the past **90 days** and have fully recovered? [Note: Loss of taste and smell may persist for weeks or months after recovery and need not delay the end of isolation.]

OR

Employees screened out because they answered yes to the **exposure** question regarding people they **don't live with** MAY also be cleared to enter the workplace earlier if their absence will create a staffing shortage in a Priority 1/2 service, if they meet these criteria:

- 1) The employee had **no COVID-19** symptoms.
- 2) They had a negative COVID-19 PCR test that they took on **day 5-7** after their last exposure.
- 3) They have not had a positive test for COVID-19.
- 4) No one in their home has COVID-19.
- 5) Their contact with someone with COVID-19 had a beginning and an end. For example, their close contact happened at:
 - a. School
 - b. Sports event
 - c. Work

- d. Social gathering
 - e. They traveled outside of Minnesota for reasons other than crossing the border for work, study, medical care, or personal safety or security, and all of the above are true. Note: The “exposure” period ends upon arrival back home.
- 6) At least **7 days** have passed since their last exposure.
 - 7) The employee must continue to watch for symptoms through day 14.