

Many employers are implementing screening and/or COVID-19 testing of employees and visitors as part of their plans to reduce workplace risks associated with COVID-19. In addition, a growing number of jurisdictions are now recommending (and some are requiring) that businesses actively screen employees entering the facility by measuring body temperature. Employers with critical infrastructure employees also are implementing supervised employee screening to comply with current CDC guidance.

Ogletree Deakins has developed an extensive *Testing and Screening Guide* to help employers navigate the many legal and practical issues that should be considered when crafting a workplace testing and screening program. The *Testing and Screening Guide* consists of 31 pages of analysis and recommendations, plus 11 separate template and compliance tools to help companies design a thorough and legally compliant testing and/or screening process.

Topics:

- Legal bases and obligations for screening
- Steps to implement testing and/or screening
- How to determine testing and screening procedures tailored to your worksite
- Whether testing and screening time is compensable under state or federal law
- How to address different testing and screening outcomes
- Recordkeeping, HIPAA, ADA, and data privacy considerations
- How and when to return employees to work after a positive test or screen

Templates and Compliance Tools Included:

- Job Hazard Analysis/Job Safety Analysis
- Written PPE Assessment Certification
- Sample Table of Respirator, Mask, and Cloth Face Covering Illustrations
- Employee/Visitor Screening Log
- Rollout Employee Communication
- COVID-19 Testing and Screening Policy
- Employee Testing and Screening Results Notice
- HIPAA Authorization for Release of Information
- Federal and 50-State Survey on Compensability of Testing and Screening Time
- Flowchart for Addressing Symptomatic Employees and Close Contact Scenarios
- ADA (Federal) Accommodations Process Flowchart

For more information or to purchase a copy of the *Testing and Screening Guide*, please contact the Ogletree Deakins attorney with whom you work.

bioIQ Ogletree Deakins collaborated with BioIQ, a national leader in on-site health screens, in the development of this *Testing and Screening Guide*. BioIQ provides testing resources to employers' worksites across the United States. For more information about BioIQ's services, please see www.bioiq.com/covid-19-solution/ or call (844) 280-9260.