



## Policy and Protocols for Temperature Testing and Screening for Symptoms Associated with COVID-19

### I. PREAMBLE

The purpose of the California Occupational Safety and Health Act of 1973 is to assure safe and healthy working conditions for all workers. (Labor Code § 6300, et seq.)

The Centers for Disease Control and Prevention (“CDC”) currently identifies the following symptoms as being associated with COVID-19:

- Fever, defined as 100.4 degrees Fahrenheit or higher
- Cough
- Shortness of breath or difficulty breathing
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- New loss of taste or smell

Further, the CDC has identified the following gastrointestinal symptoms, which are less common, but still associated with COVID-19:

- Nausea
- Vomiting
- Diarrhea

Each of these symptoms is hereinafter referred to as a “symptom associated with COVID-19.”

The CDC and the California Department of Public Health recommends that employers, including public entities, implement measures designed to prevent or reduce the transmission of the virus that causes COVID-19 between and among employees and at the workplace. One method for doing so is to require that employees submit to temperature testing and certify the absence of symptoms associated with COVID-19 prior to being allowed to enter any City of Oakley facility or worksite.

## **II. STATEMENT OF POLICY**

The purpose of this policy is to prevent any individual who presents a fever or certifies that they have presented a symptom associated with COVID-19 from entering a City of Oakley facility or worksite in order to ensure the safety and health of City of Oakley workplaces.

## **III. AUTHORITY**

Pursuant to Labor Code section 6300, et seq., and consistent with guidance provided by the Equal Employment and Opportunity Commission (“EEOC”) and the Department of Fair Employment and Housing (“DFEH”), the City of Oakley is authorized to adopt this temperature testing and COVID-19 screening policy in order to ensure that individuals who present symptoms associated with COVID-19 do not enter City of Oakley facilities or worksites and to provide a healthy and safe workplace for City of Oakley employees who use such facilities and worksites.

## **IV. COMPLIANCE**

The City of Oakley intends to fully and faithfully comply with any and all applicable laws, including, but not limited to, the Americans with Disabilities Act (“ADA”) and the Rehabilitation Act of 1973, and the Fair Employment and Housing Act (“FEHA”) in the administration of this policy and associated protocol.

## **V. POLICY**

### **Scope of Coverage:**

This policy and its requirements apply with equal force and effect to all City of Oakley employees in order to enter a City of Oakley facility or worksite. No employee will be exempted from the requirements set forth in this policy.

Unless otherwise stated, this policy and its protocols will also apply to members of the public and visitors to City of Oakley facility or worksite.

### **Effective Dates:**

This Policy shall be effective immediately upon adoption and shall remain in effect until employees are notified that the Policy is no longer operative due to the end of the present public health emergency.

### **Notice to Employees:**

The City of Oakley will provide notice of this mandatory policy and its protocols to all City of Oakley employees. The City of Oakley will provide employees a copy of this policy for employees to read and review. Employees who do not receive or review such notice and the attached policy will not be excused from the policy’s requirements.

## Expectations of City of Oakley Employees with Respect to the Presentation of Symptoms Associated with COVID-19:

The City of Oakley expects and requires that all employees who present a symptom associated with COVID-19 to immediately inform either their immediate supervisor or the City of Oakley's Human Resources Division.

No employee who presents a symptom associated with COVID-19 prior to the start of the workday may report to work. Employees who develop symptoms after beginning their workday and after informing their immediate supervisor or the City of Oakley's Human Resources Division will be directed to leave work.

Any employee who fails to inform their supervisor or the Human Resources Division that they present a symptom associated with COVID-19 or who attempts to or does report to work despite the presentation of such a symptom or symptoms may face disciplinary action by the City of Oakley, up to and including termination.

### **Posting of Signage Notifying Employees and Members of the Public:**

At each City of Oakley facility and worksite, the City of Oakley will post signage informing employees and members of the public of the City's policy requiring temperature testing and symptom screening prior to being allowed to enter City facilities and worksites.

The signage will direct employees and members of public to the designated location where the City of Oakley will test individual's temperatures and administer the screening questionnaire concerning the presentation of symptoms associated with COVID-19.

The signage will provide that, at the designated location, there is a copy of the City of Oakley's policy for review.

### **Procedure for Temperature Testing and Symptom Screening:**

In accordance with the above referenced federal and state public health guidance, and in order to help prevent or reduce the transmission of the virus that causes COVID-19 between and among employees, City of Oakley will implement the following protocols.

### **Social Distancing Required While Waiting for Temperature Testing and Symptom Screening:**

Consistent with the City of Oakley's social distancing policy, employees and members of the public who are waiting for temperature testing and symptom screening must adhere to the social distancing requirements set forth under that policy, including, but not limited to remaining at least six feet apart from any other individual.

**Submission to Temperature Testing and Symptom Screening as a Precondition to Entrance to any City of Oakley Facility or Worksite:**

Prior to being allowed to enter and as a precondition to such entrance to any City of Oakley facility or worksite, City of Oakley employees and members of the public shall be required to submit to a temperature test and attest to the absence of any presentation of symptoms associated with COVID-19. Where City Staff is not available to perform the test and screening, the employee or member of the public will self-administer the test and screening consistent with the protocol described in this policy.

The City of Oakley will treat an employee refusing to submit to either temperature testing or symptom screening prior to or during their scheduled work day as an unexcused absence.

**Protocol for Temperature Testing:**

The City of Oakley will conduct a temperature test on each employee and member of the public who wishes to access the City of Oakley facility or worksite.

The City of Oakley will take individual's temperatures by a non-invasive contactless infrared thermometer. Temperature readings will be taken at least once.

Where City Staff is not available to perform the test and screening, the employee or member of the public will self-administer the test and screening consistent with the protocol described in this policy.

If necessary, the City of Oakley may take an individual's temperature a second time to confirm the results of the first test or if the first results suggest an erroneous result.

In the event that an employee or member of the public has a temperature that is 100.4 degrees Fahrenheit or higher, the City of Oakley will deny that individual access to the City of Oakley facility or worksite.

If an employee has a temperature that is 100.4 degrees Fahrenheit or higher, the City of Oakley will take the individual's temperature a second time and upon confirmation of fever, record such results on the Temperature Test and Symptom Screen Form. The City of Oakley will inform the individual of such tests results in a manner designed to preserve the confidentiality of the test results and instruct the individual to contact the City of Oakley's Human Resources Division for further instruction. The Human Resources Division will be promptly notified by the City Staff performing the test or the employee self-administering of the temperature test results and provided with the name of the employee whose test results suggested a fever.

The Temperature Test and Symptom Screen Form will be will store in the employee's confidential medical information file.

## **Protocol for Symptom Screening:**

At the designated location, the City of Oakley will require each employee and member of the public who wishes to access the City facility or worksite to certify to the fact that they do not currently present any symptom associated with COVID-19.

The City of Oakley will post a list of the symptoms associated with COVID-19 and require that each individual certify orally to the fact that they do not currently present any symptom associated with COVID-19. For minor children entering a City of Oakley facility or worksite, the City of Oakley will deem the oral certification of a parent, guardian or child care provider that the child does not present any such symptom as sufficient to permit entrance to the City of Oakley facility or worksite.

In the event that an employee or member of the public indicates that they currently present any symptom associated with COVID-19 or cannot certify that they do not present any such symptom, the City of Oakley will deny that individual access to the City facility or worksite until the individual is able to certify that they do not currently present any symptom associated with COVID-19.

If an employee indicates that they currently present any symptom associated with COVID-19 or cannot certify that they do not present any such symptom, the City of Oakley will record this response on the Temperature Test and Symptom Screen Form. If the employee indicates which symptom they present, the City of Oakley or employee self-administering the screening, will record this information on the Temperature Test and Symptom Screen Form. The City of Oakley will instruct the individual to contact the City of Oakley's Human Resources Division for further instruction. The Human Resources Division will be promptly notified of the temperature test results by the City Staff performing the test or the employee self-administering to provide the name of the employee whose test results suggested a fever.

This policy shall supplement any of the other policies, protocols or guidelines that the City of Oakley has adopted in order to prevent or reduce the likelihood of transmission of the virus that causes COVID-19 among and between employees.

# TEMPERATURE TEST AND SYMPTOM SCREENING FORM

[Note to Employee Administering Test and Screening: Return this form promptly to the City of Oakley's Human Resources Division no later than the conclusion of the shift during which the test and screen was administered.]

Pursuant to the City of Oakley's Administrative Policy and Protocol for Temperature Testing and Screening for Symptoms Associated with COVID-19, the City of Oakley will use this form to record the results of temperature tests and symptom screenings of employees. This form need only be used where such tests and screenings suggests the possibility that the employee has COVID-19.

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Name of Employee Tested and Screened

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Date

### Symptom Screening:

Employee was asked or self- responded, whether they presented any of the following symptoms, which the CDC associates with COVID-19. Employee indicated that they presented the following symptom(s):

- Cough
- Shortness of breath or difficulty breathing
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- New loss of taste or smell
- Nausea
- Vomiting
- Diarrhea

### Temperature Test:

Employee was tested with a non-invasive contactless infrared thermometer that indicated that the employee has a fever, which is defined as a temperature of 100.4 degrees Fahrenheit or higher.

First reading: \_\_\_\_\_ degrees Fahrenheit

Second reading, if necessary: \_\_\_\_\_ degrees Fahrenheit

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Facility or Worksite

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Entrance

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Time

[Type here]