



What To Do If an Employee or Someone Else Who Visited a Restaurant Is Later Diagnosed with COVID-19

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Background

Even if a business follows all of the state and federal COVID-19 protocols, it is very likely that someone who comes into that business will later be diagnosed with COVID-19. Restaurants are no exception, which is why restaurants continue to follow strict sanitation, social distancing, and health screening protocols.

Texas has not issued requirements or recommendations to businesses who learn that someone came into the business before being diagnosed with COVID-19, except to say that an employee with signs or symptoms of COVID-19 cannot work until the quarantine period has passed. However, the CDC has issued guidance on this question, and so the Texas Restaurant Association (TRA) recommends that all restaurants follow these CDC guidelines at least until the State issues additional guidance.

Guidance from the CDC and State of Texas

1. Ensure the ill person does not return to the restaurant until all quarantine requirements have been met. If the ill person is an employee or contractor, he/she may not return to work until all three of the following criteria are met:
 - a. At least 3 days (72 hours) have passed since recovery (resolution of fever without the use of fever-reducing medications); and
 - b. The individual has improvement in symptoms (e.g., cough, shortness of breath); and
 - c. At least 10 days have passed since symptoms first appeared.
2. Close off areas used by the ill person and increase air circulation to those areas (for example by opening outside doors and windows and bringing in fans).
3. Contact your local public health department to report the case. Provide any information the public health department needs for contact tracing purposes and follow the public health department's guidance about identifying anyone who had close contact with the ill person and may have been exposed to COVID-19.
4. Notify employees who may have been exposed without disclosing the name and identifying information of the ill person. Keep this information confidential per ADA and EEOC guidance. Employees who had close contact with the ill person may not return to work until the end of the 14 day self-quarantine period from the last date of possible exposure.
5. The CDC specifically says that, in most cases, businesses do not need to shut down because an employee contracts COVID-19. Instead, the CDC directs businesses to wait 24 hours or as long as practical, and then clean and disinfect the ill person's work area. Also, a restaurant should clean and disinfect all frequently touched surfaces. If possible, TRA recommends completing this step while the restaurant is closed at night to ensure a thorough cleaning and disinfection.

Thanks to Monty & Ramirez LLP, a TRA Law Center partner, for releasing similar guidance.



CDC & EPA Recommendations – Cleaning and Disinfecting to Address COVID-19

General Guidance

- Ensure cleaning and disinfection products are not past their expiration date.
- Follow the manufacturer's instructions for application, proper ventilation, and safety measures. Many products require keeping the surface wet for several minutes to ensure germs are killed.
- Never mix household bleach with ammonia or any other cleanser.
- Wear disposable gloves and gowns for all tasks in the cleaning process, including handling trash. Remove gloves and gowns carefully to avoid contamination of the wearer and the surrounding area.
- Always wash your hands immediately after removing gloves. Wash your hands often with soap and water for 20 seconds.

Hard (Non-porous) Surfaces

- If surfaces are dirty, they should be cleaned using a detergent or soap and water prior to disinfection.
- For disinfection, use an EPA-approved product for use against COVID-19¹ or a diluted household bleach solution if appropriate for the surface (5 tablespoons of bleach per gallon of room temperature water OR 4 teaspoons of bleach per quart of room temperature water).

Soft (Porous) Surfaces

- Remove visible contamination if present and clean with appropriate cleaners indicated for use on these surfaces.
- After cleaning:
 - If the items can be laundered, launder items in accordance with the manufacturer's instructions using the warmest appropriate water setting for the items and then dry items completely.
 - Otherwise, use an EPA-approved product for use against COVID-19 that is suitable for porous surfaces.

Electronics

- Remove visible contamination if present. Follow the manufacturer's instructions for all cleaning and disinfection products.
- Consider use of wipeable covers for electronics.
- If no manufacturer guidance is available, consider the use of alcohol-based wipes or sprays containing at least 70% alcohol to disinfect touch screens. Dry surfaces thoroughly to avoid pooling of liquids.

Linens, Clothing, and Other Items That Go in the Laundry

- To minimize the possibility of dispersing the virus through the air, do not shake dirty laundry.
- Wash items in accordance with the manufacturer's instructions. If possible, launder items using the warmest appropriate water setting for the items and dry items completely. Dirty laundry that has been in contact with an ill person can be washed with other people's items.
- Clean and disinfect hampers or other carts for transporting laundry according to guidance above for hard or soft surfaces.

¹ <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2-covid-19>