

CDC Publishes New Interim Guidance for Critical Infrastructure Workers

Hinckley Allen Labor & Employment

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On Thursday, April 9, 2020, the Center for Disease Control (“CDC”) published **interim guidance** on safety practices for critical infrastructure workers who may have been exposed to a person with suspected or confirmed COVID-19. The CDC advised that critical infrastructure workers *may be permitted to continue working* following potential exposure to COVID-19, provided that they remain asymptomatic and that additional precautions are implemented to protect the worker and community. The CDC issued the guidance to ensure continuity of operations of essential functions.

Potential exposure is defined as a household contact or contact within 6 feet of an individual with confirmed or suspected COVID-19. The timeframe includes the period beginning 48 hours before the individual became symptomatic. Critical infrastructure workers who have had potential exposure but remain asymptomatic can continue working if they, and their employers, adhere to the following practices prior to and during work shifts:

1. **Pre-screenings:** Employers should measure an employee’s temperature and assess symptoms prior to an employee’s shift. Ideally temperature checks should happen before employees enter the facility.
2. **Regular monitoring:** Employees should self-monitor under the supervision of their employer’s occupational health program. They can continue doing so as long as they do not have a temperature or symptoms.
3. **Masks:** The exposed employee should wear a mask at all times while in the workplace for 14 days after last exposure. Employers can issue face masks or can approve employees’ supplied cloth face coverings in the event of a shortage.
4. **Social distancing:** The employee should practice social distancing as work duties permit in the workplace, maintaining a six foot distance from others.
5. **Disinfect and clean work spaces:** Employers should routinely clean and disinfect all areas such as offices, bathrooms, common areas, and shared electronic equipment.

If an employee becomes sick during the day, the employee should be sent home immediately. All surfaces in their workspace should be cleaned and disinfected and persons who had contact with the ill employee during the time period the employee had symptoms, and two days prior, should be compiled. Employees in the facility with close contact to the ill employee, within six feet, should be considered exposed.

The interim guidance pertains to critical infrastructure workers in 16 different sectors including: federal, state, and local law enforcement; 911 call center employers; fusion center employees; private sector and government hazardous material responders; janitorial and other custodial staff; and workers in food and agriculture, critical manufacturing, information technology, transportation, energy, and government facilities. For more guidance employers and employees should review State specific essential industry lists and the Cybersecurity and Infrastructure Security Agency’s (CISA) **Essential Critical Infrastructure Workforce advisory list**.

For more information on maintaining a safe and healthy workplace, employers should review the CDC’s **Interim Guidance for Businesses and Employer to Plan, Prepare and Respond to Coronavirus Disease 2019**.

This guidance impacts a number of policies and procedures, be sure to seek counsel as you develop and update these documents.

We are here to help answer specific questions and prepare updated policies and procedures. Feel free to contact any member of our [Labor & Employment Group](#).

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