

CLIENT ALERT

CDC Updates its COVID-19 Interim Guidance, Including Sector-Specific Best Practices

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The Centers for Disease Control and Prevention (CDC) has updated its [guidance](#) for implementing the President's Plan for Opening America Up Again. The 60 page guidance outlines the initiatives, activities, and tools that the CDC has developed to support the Government's response to the spread of COVID-19, and incorporates the six [decision tools](#) (flowcharts to guide re-opening that were released on May 14, 2020). The guidance covers medical surveillance by CDC and other public health authorities (Appendix A and B), infection control and contact tracing initiatives (Appendix C), test usage (Appendix D), and a summary of surveillance and hospital gating indicators public health and government officials should use "to aid their decisions when to reopen communities" (Appendix E). Within these appendices are numerous links to related CDC guidance for various public health initiatives.

Employers will be particularly interested in CDC's catalogue of best practices for businesses as they prepare to gradually re-open their establishments. These best practices, located in Appendix F, provide sector-specific guidance for five categories of employers, including employers with workers at high risk (applicable to workplaces generally), restaurants and bars, mass transit administrators, child care programs, and schools and day camps. This guidance is meant to complement the previously released [decision tools](#), such as the [Workplace Decision Tool](#), as well as other COVID-19-related [Occupational Safety and Health Administration \(OSHA\)](#) and [CDC guidance](#). CDC will continue to update this guidance as it develops further best practices.

The suggested best practices can vary depending on the stage of re-opening (labeled as "steps"). As the guidance notes, "[t]he scope and nature of community mitigation suggested decreases from Step 1 to Step 3" but ultimately, "[s]ome amount of community mitigation is necessary across all steps until a vaccine or therapeutic drug becomes widely available." The best practices cover:

- **Scaling Up Operations/Resuming Full Service**
- **Safety Action**, including promoting healthy hygiene practices; intensifying cleaning, disinfection, and ventilation; promoting social distancing; limiting sharing; and training all staff
- **Monitoring and Preparing**, including checking for signs and symptoms; planning for when individuals become sick; and maintaining healthy operations
- **Closing/Adjusting Service**

The guidance expands on prior suggestions for best practices for employers with workers at "high risk," a category defined to include workers over age 65 and workers with any of nine underlying medical conditions that increase the risk of becoming infected with COVID-19. The guidance suggests that higher risk employees should be encouraged to self-identify as such, and cautions employers to avoid making unnecessary medical inquiries. The key premise of the guidance is that "Employers should take particular care to reduce workers' risk of exposure to COVID-19, while making sure to be compliant with relevant Americans with Disabilities Act (ADA) and Age Discrimination in Employment Act (ADEA) regulations." To protect higher risk employees, CDC suggests that, throughout all three of the reopening steps, employers should consider various solutions, including: i)

supporting and encouraging options to telework, ii) offering workers at higher risk duties that minimize their contact with customers and other employees (e.g., restocking shelves rather than working as a cashier), if agreed to by the worker; iii) encouraging contractors and other entities sharing the same work space to follow CDC guidance; and iv) attempting to reduce potential community spread by adopting steps to eliminate travel by employees to workplaces in lower transmission areas and vice versa. The guidance contains more specific recommendations, for each of the three reopening steps, regarding healthy hygiene practices, robust cleaning, disinfection, and ventilation, promoting social distancing, and limiting travel and modifying commuting practices.

Although businesses should consult the sector-specific guidance, associated decision tools, and other COVID-19-related CDC and OSHA guidance to ensure compliance, key takeaways for all sectors include:

- Always consult state and local authorities and guidelines to ensure you are in compliance with the mandatory practices and adopt the appropriate recommended practices.
- Enforce preventative measures, such as frequent hand washing and using a cloth face covering, as well as post signs on how to properly wash hands, promote everyday protective measures, and wear a face covering.
- Clean, sanitize, and disinfect frequently touched surfaces at least daily, implement measures to avoid unnecessary contact (e.g., touchless payment or no-touch trash cans), and avoid sharing items that are difficult to clean or disinfect.

Businesses operating “typical” workplaces (e.g., not child care, schools, restaurants/bars, or mass transit) should also consider the following key takeaways:

- Continue to implement social distancing through all three reopening steps. Businesses operating in-person services should stagger or rotate shifts whenever possible and consider video- or tele-conference calls over in-person meetings.
- Limit group gatherings to no more than 10 people during Step 1 and no more than 50 people during Step 2. Throughout all of the steps, gatherings should not take place if a distance of six feet cannot be maintained between participants.
- Consider conducting routine, daily health checks or temperature and symptom screening of all employees and encourage all sick employees to stay home.
- Send employees with symptoms home immediately and have procedures in place to disinfect, notify local authorities, and inform employees who may have been in close contact with the sick employee. Additionally, businesses should have a system in place to self-report and notify about exposure.
- Remember the effect the pandemic may be having on employees and implement flexible practices, including flexible sick leave and telework policies. Additionally, businesses should appoint an individual as a point of contact to respond to COVID-19 concerns and monitor absenteeism.

In addition to the above sector-specific guidance, businesses can consult Appendix C for links to guidance on infection prevention control in focus areas/congregate settings, cleaning and disinfecting certain facilities or vehicles, preparing workplaces under OSHA, and implementing safety practices for workers exposed to COVID-19.

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