



HR Heads-up

The Latest CDC Guidance on Managing COVID-19

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On December 27, 2021, the Centers for Disease Control and Prevention (CDC) issued updated recommendations regarding masking, isolating, quarantining, and testing.

Individuals Who Test Positive for COVID-19

Under the updated guidance, all individuals who test positive for COVID-19 should isolate and remain home for 5 days regardless of vaccination status. According to the CDC, individuals who have tested positive can leave isolation if they have no symptoms, or if existing symptoms are resolving after the five days. The CDC does not specifically define “symptoms are resolving,” but based on previous guidance, one reasonable interpretation of that term might be that an individual should be fever-free for at least 24 hours without fever-reducing medication and all other symptoms (except for loss of taste and smell, which can last much longer) are improving. The CDC emphasizes the importance of these individuals wearing a mask around others for an additional 5 days after ending their isolation period for COVID-19.

Individuals Who Were Exposed to Someone Who is Positive for COVID-19

The CDC has also issued updated guidance on who should quarantine after being a close contact to someone who tested positive for or was diagnosed with COVID-19. The guidelines an individual should follow depend on the individual’s vaccination status and when the individual received the vaccination. The CDC also emphasized the importance of complying with the masking aspects of these new protocols. The shortened quarantine and isolation periods are tied to a strict period of masking.

Ending the quarantine or isolation period but not wearing the mask upon return could jeopardize the public health effectiveness of these protocols.

Individuals Who Don't Need to Quarantine:

For individuals who have received a booster vaccination dose OR who have completed the primary series of Pfizer or Moderna vaccine within the last 6 months OR have completed the primary series of J&J vaccine within the last 2 months, and have been identified as a close contact, the CDC now recommends:

- Wearing a mask around others for 10 days; and
- Getting tested on day 5, if possible.

However, these individuals do not need to quarantine, provided they do not develop symptoms or test positive for COVID-19.

Individuals Who Need to Quarantine:

For individuals who completed the primary series of Pfizer or Moderna vaccine over 6 months ago and are not boosted OR who have completed the primary series of J&J over 2 months ago and are not boosted OR who are only partially vaccinated or completely unvaccinated, and have been identified as a close contact, the CDC now recommends:

- Quarantining for 5 days by staying home and wearing a mask around others for 10 days from the start of their quarantine period.
- For individuals who can't quarantine, wearing a mask for 10 days.
- Getting tested on day 5, if possible.

Impact on the Workplace

Employers that have adopted workplace COVID-19 protocols based on CDC guidance should adopt those protocols to reflect this new guidance. However, Wisconsin Department of Health Services (DHS), Public Health Madison & Dane County (PHMDC), and other local public health agencies have yet to address this revised CDC guidance. Employers should watch for local guidance that might be different from CDC guidance. For example, PHMDC still has a mask mandate in place for all public gatherings, with limited exceptions, such as for public gatherings where everyone is vaccinated.

Employers are not obligated to provide paid leave to employees who are unable to work or telework due to COVID-19 isolation or quarantine protocols or who face childcare challenges due to a child's need to isolate or quarantine due to COVID-19.

However, employers may wish to provide some amount of paid leave for employees who are isolating or quarantining due to COVID-19 related circumstances, or to allow employees to use already accrued sick, vacation, or PTO leave for such reasons. Determining the appropriate amount of paid leave to provide to employees should be decided based on all the circumstances surrounding a given employer, including human resources factors such as retention and recruitment. However, the Omicron variant of COVID-19 is a reminder to employers that they need to constantly evaluate their leave policies in light of the ever-evolving pandemic. There is no one-size-fits-all answer to COVID-19 workplace policies.

If you have questions about how this updated CDC guidance may impact your workplace policies, we encourage you to reach out to a member of Boardman Clark's Labor & Employment Practice Group.

Disclaimer: This information is not intended to be legal advice. Rather, it seeks to make recipients aware of certain legal developments that affect human resource issues. Recipients who want legal advice concerning a particular matter should consult with an attorney who is given a full understanding of the relevant facts pertaining to the particular matter.

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