

The EEOC has issued [new guidance about coronavirus in the workplace](#) — and has clarified that some practices that wouldn't normally be allowed are permissible during the outbreak. Here's what you need to know.

- Your employer *can* ask if you've had symptoms associated with coronavirus (fever, chills, cough, shortness of breath, sore throat), if you've been tested and what the results were, and if you've had contact with anyone with symptoms or who has tested positive. However, if they're asking this, they need to ask it of everyone or only of people who seem to have symptoms; they can't single someone out without a legitimate reason.

Also, note that they should not ask for other medical information (which could violate the Americans with Disabilities Act) or for medical information about your family members (which could violate the Genetic Information Nondiscrimination Act).

- Employers *can* take your temperature as you arrive at work. Normally medical exams are restricted under the ADA — but the law does allow exams that are “job-related and consistent with business necessity.” The EEOC says public safety during a pandemic qualifies, and this is allowed. (But they also say that failing to take other sensible measures to limit virus exposure — like limitations on non-essential travel, encouragement to work from home, and social distancing — may undermine an employer's good-faith basis for using a temperature screen.)

- Your employer *can* require you to provide a doctor's note certifying your fitness to return to work if they've asked you to stay home based upon reasonable, objective evidence that you may have been infectious or if you have been quarantined by a health care provider or public health official. That said, the CDC is encouraging employers to accept less formal confirmation because of the current burden on health care providers.

- If your employer learns you have coronavirus or its symptoms, they can inform fellow employees of their possible exposure to the virus, but should not identify you without your permission.

- If you become infected and have only mild symptoms, coronavirus will not be considered a disability under the Americans with Disabilities Act (ADA). However, if your reaction is severe or complicates another health condition, you're likely protected under the ADA and entitled to its [job accommodations](#). (Individual states may also have more expansive disability laws.)

- If you're using the [new paid sick leave](#) related to the outbreak, your employer can require documentation of your reason. In fact, in order to receive the tax credits that fund this new sick leave, your employer is *required* to have the following documented:

- * the qualifying reason for requesting leave
- * a statement that you are unable to work, including telework, for that reason
- * the source of any quarantine or isolation order
- * the name of the health care provider who has advised you to self-quarantine or written documentation from a health care provider advising you to self-quarantine, if applicable