



Metropolitan Marine Maintenance
Contractor's Association, Inc.

NOTICE ON HOW WORKPLACES MUST STOP THE SPREAD OF CORONAVIRUS

April 3, 2020

TO: All ILA Locals, Members, and Employers in New York

FROM: New York Shipping Association, Inc.; Metropolitan Marine Maintenance Contractor's Association, Inc.; and the International Longshoremen's Association, AFL-CIO

Re: How ILA Workplaces in New York Must Respond To Coronavirus

Symptoms of Coronavirus

The most common symptoms of Coronavirus are fever, body aches, cough, and shortness of breath. Other symptoms may include a runny nose, sore throat, and symptoms of an upset stomach. A fever is considered to be a body temperature greater than 100.3 degrees.

Employees must immediately notify their employer if they have symptoms of Coronavirus.

All employees who have symptoms of Coronavirus before they go to work must stay home from work and call their employer. Employees who start to feel sick at work must immediately notify their employer. Employers can ask employees about their symptoms to determine if they could have Coronavirus. Employers are also allowed to take employees'

temperatures. Employers must immediately send home employees who appear to have symptoms of Coronavirus while at work.

The sick employees must immediately notify the employer if they test positive for Coronavirus. Until the sick employee tests positive for Coronavirus, the employer has no obligation to notify the sick employee's coworkers.

Sick employees must stay home for at least seven days, and must be symptom-free for three days before they can go back to work.

Sick employees must stay home a minimum of seven days, even if the symptoms go away. After the symptoms go away, the employees must stay home an additional 72 hours (3 days) without a fever and cough, and without taking any medicine that reduces fever (like Tylenol). The decision to stop home isolation must be made in consultation with the employee's doctor.

Before employees are allowed to return to work, the employer can question them about when they last had a fever and cough, and when they last took fever-reducing medication. The employer is permitted to take the employee's temperature.

If the sick employee tests positive for Coronavirus, the employer must inform all coworkers that were in close proximity.

When employees test positive for Coronavirus, they should immediately telephone their employer. The employer must ask the sick employees to identify all people who were in close proximity to them during the 24-hour period before they first felt sick. Each sick employee must provide this information. "Close proximity" means less than six feet or more than six feet away, but in an enclosed space with the sick person. The employer must then personally notify each exposed coworker either in person or by telephone to explain that they may have been exposed and they will have to self-isolate for fourteen days. The employer should also notify the shop

stewards of all exposed employees. When notifying exposed coworkers, the confidentiality provision of the ADA prohibits employers from telling coworkers the name of the sick employee. However, sick employees may waive their right to confidentiality by telling their Master Foreman or Shop Steward that they consent to having their names disclosed to their coworkers.

This obligation to inform coworkers exists whether the sick employee reported being sick while at work, or whether an employee calls in sick on a subsequent day. However, the obligation to notify other employees is not triggered until Coronavirus is confirmed by a laboratory test. Coworkers do **not** have to be notified if the employee reports that the employee is staying home because a family member is sick.

Exposed employees must self-isolate for fourteen days.

After being warned of a possible exposure to Coronavirus, an employee must self-isolate at home for 14 days from the last day that they had contact with the sick person. If the employee does not have any symptoms over the 14 days, they may then return to work.

Any questions? Please call your Local or your Direct Employer.