

## 6 FAQs on Measles in the Workplace: What Employers Need to Know

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On May 17, 2019, the Centers for Disease Control and Prevention (CDC) reported that 880 individual cases of measles had been confirmed in 23 states across the country in 2019. According to the CDC, the current outbreak of measles represents the greatest number of cases reported in the United States since 1994 and since the disease was declared eliminated in 2000.

Here are answers to six frequently asked questions (FAQs) about how employers can appropriately prepare for and respond to the spread of measles and the risk presented to workplaces.

**Q:** What should an employer do upon learning that someone in the workplace has measles?

**A:** Contact the state and/or local health department. The public health professionals in these departments can give guidance and support and walk employers through a lot of the health and safety issues. Plus, health departments need to be informed of situations in order to protect the community and state. State and local health rules

and regulations are most likely to be applicable to situations with contagious diseases.

Also consider reviewing the need for international travel for employees. Many of the measles cases have been brought into the United States by people traveling internationally. Limiting your employees' exposure will limit the likelihood of the measles being brought into the workplace. If travel is required, be sure that your employee has been fully vaccinated and is less likely to be infected. Also, have your employee watch for signs of the measles for three weeks after returning from international travel.

**Q:** What information about measles might an employer communicate to its employees if a worker has measles—or if the employer is in an area where the outbreak is widespread?

**A:** Do not name the individual. Even if not a disability, the Americans with Disabilities Act's (ADA) confidentiality provisions may cover these medical situations or there may be situations that would be covered by the Health Insurance Portability and Accountability Act (HIPAA). An employer may be able to indicate that it has come to management's attention that an employee has been infected with the measles and that everyone should take appropriate precautions (and then provide employees with education and resources). If there is an employee with a compromised immune system, it may be necessary to have an interactive discussion with him or her because there may need to be additional precautions taken to accommodate the person and avoid harm. The [CDC's website](#) has excellent resources that can be used to educate and inform your employees.

**Q:** Regardless of the ADA's applicability, are there other privacy concerns?

**A:** Employees should always treat any employee medical situation with sensitivity and most likely confidentiality. It is the better practice to be conservative. The ADA's confidentiality requirements extend beyond actual disabilities, and as a result, employers are best advised to deal with actual cases of measles on a confidential basis with their workforces but may have to disclose information to local and/or state health departments depending on local and state requirements. Employers should be aware that there are often state and local laws or regulations that address how contagious diseases must be addressed and any reporting requirements.

**Q:** What if employees insist on coming to work with measles even after they've been sent home previously because they have it?

**A:** If an employee with measles is instructed to stay home until his or her physician releases him or her, that is perfectly permissible. His or her presence in the workplace can put a large number of employees at risk, endanger employees who have complicating medical situations, and affect business operations. Make it very clear to all employees that if they show symptoms of the measles they are not to come into work but should call in and report this. In addition, many healthcare entities are asking people who have symptoms of the measles to call first and not expose other patients by going into a practice. Any employee who knowingly ignores this admonition may need to be addressed through disciplinary procedures.

**Q:** Are there any other information and communication issues to be aware of?

**A:** The measles are highly contagious. It is sensible for employers to tell employees that if any questions exist regarding the employees' exposure to measles, they (the employees) should check with their healthcare providers—and if their healthcare providers have concerns, stay home and call in. The CDC website instructs individuals to *call* their healthcare providers so that the providers can find the safest way to assess the cases. It also makes good sense for employers to encourage employees to check on and be aware of their own measles immunization statuses. Some employees may have been ineffectively immunized because health standards have evolved. In addition, it may make sense to encourage those who have not been effectively vaccinated against the measles to address those gaps. Some employers have offered to pay for the cost or made it more convenient by having someone come on site to give vaccinations, much the way employers have done with the [flu vaccine](#) over the past several years.

**Q:** What are some takeaways for human resources departments dealing with the spread of measles into the workplace?

**A:** Go to the CDC's website and familiarize yourself with the CDC's materials, including [the Q&A sheet](#) that can be given as a link, posted, or handed out. There is no harm in some education prior to any exposure so that employees will know how to handle things outside the workplace as well. Educate, educate. It is important for employees to know the signs of the early stages of the measles. Consider making company rules and expectations known early and often, such as the instruction to employees not to come into work if they have been exposed or have the measles. Instruct them on who to call and the procedure that is in place. As usual, keep medical information as to individuals confidential. Have a plan in place before anything happens. It will be good if it goes unused. Plan for education, for communication, and for reporting. Finally, immediately contact state and local health departments if there has been an exposure.

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