PHASED BUSINESS GUIDELINES FAQs

The [Phased Guidelines](#) addendum to the Utah Leads Together 2.0 plan, were developed in a coordinated effort to support reactivation of the Utah economy while protecting the public's health. These guidelines are part of a statewide plan to address the COVID-19 health and economic crisis and provide businesses with specific actions they can take as Utah works to "turn up the dial" to reactivate the economy.

How does following the Phased Guidelines help my business and the State of Utah?

Every Utah business plays a vital role in reactivating the Utah economy. Recovery from the effects of COVID-19 will require a multifaceted approach, which includes following public health guidelines, staying engaged in the economy, and assisting those in need. By supporting this effort, businesses are helping the state reactivate the economy and return to a "new normal."

The COVID-19 pandemic is not only a public health and economic crisis, but a crisis of public confidence, too. Following the phased guidelines enables businesses to demonstrate that they care about the public's health and safety.

Do I have to follow the guidelines?

Throughout the COVID-19 response, Utah businesses have continuously found creative ways to protect the public's health while meeting employee, customer, and stakeholder needs. The Phased Guidelines are not intended to replace or thwart this creativity and innovation, but rather to provide a minimum framework of specific actions businesses can take to ensure the health of those they serve. On April 29, 2020, Governor Herbert issued an Executive Order stating that individuals and businesses shall comply with the Orange (Medium Risk) provisions of the Phased Guidelines beginning May 1. In accordance with this order, the guidelines should be followed at a minimum. However, every Utah business is invited to exceed the guidance set forth in the document and to continue fostering Utah's innovative spirit.

What is in it for me?

The Phased Guidelines provide specific actions

businesses can take to prevent widespread employee illness and to restore consumer confidence to increase patronage. A "seal of approval" system is currently in development that will enable businesses to prominently display compliance to the phased guidelines for public review.

If I have questions, where can I go to interpret these guidelines?

There will be many opportunities for businesses to learn more about the Phased Guidelines in every risk category as the State of Utah continues to turn up the dial to economic reactivation and recovery.

- The Utah Economic Response Taskforce is offering a series of roundtables and webinar events. Additional information about these events can be found on the Salt Lake Chamber website at [https://slchamber.com/utah-leads-together-webinar/.](https://slchamber.com/utah-leads-together-webinar/)

- Visit the coronavirus [Moderate Risk Phase](#) webpage.

- The COVID-19 hotline is available to answer questions 24 hours a day, 7 days a week at (800) 456-7707.

- The https://coronavirus.utah.gov/ webchat has operators available to answer questions.

- The Utah Department of Health Worksite Team can help businesses navigate the Phased Guidelines and can be reached at covid-19work@utah.gov.

What if my industry is not listed in the guidelines?

All businesses should follow the general employer guidelines on pages 7 and 15. For specific industries not listed in the document, businesses are encouraged to find the industry they are most closely aligned to and apply those guidelines to their operations.

Can I get my employees to follow the guidelines?

For the health and safety of all staff and patrons,

employees should be encouraged to follow the Phased Guidelines. Businesses may want to train managers about the Phased Guidelines and incentivize employees for prioritizing the health and safety of those around them by complying.

What is the enforcement mechanism? Will I be inspected for these guidelines?

Local health departments will be the enforcing entities. Many local health departments are using an education and outreach approach at this time for the businesses that they normally regulate and inspect.

Does implementing the phased guidelines protect my business from liability?

The Utah legislature recently passed a statute that shields companies from COVID-19-related claims, unless the company engages in willful misconduct, reckless infliction of harm, or intentional infliction of harm. While this statute provides a degree of protection for businesses and employers, prudent business leaders will take all necessary steps to eliminate risks to employees and customers.

If an employee gets sick from COVID-19, do I have to keep them on payroll? What is the requirement? Will I get reimbursed?

The Families First Coronavirus Response Act (FFCRA) requires employers to provide employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. FFCRA helps the United States combat the workplace effects of COVID-19 by reimbursing American private employers that have fewer than 500 employees with tax credits for the cost of providing employees with paid leave taken for specified reasons related to COVID-19. The Department of Labor's Wage and Hour Division (WHD) administers and enforces the new law's paid leave requirements. These provisions will apply from the effective date through December 31, 2020. Employers should consider developing procedures for prompt identification and isolation of sick employees, flexible work schedules and supportive policies and practices.

What are the reporting requirements if my employees test positive?

If an employee tests positive, those results will

automatically be reported to the Utah Department of Health. Contact tracing will be initiated by public health and the Utah Department of Health's Worksite Team will follow up with your businesses to offer resources and help identify other employees who may have come in contact with the person who tested positive. Please plan to provide the Worksite Team with a list of employees and their contact information so this process can be done as quickly as possible to mitigate spread.

What is contact tracing? Can my business be named as part of contact tracing if there are positive cases?

Contact tracing is a routine, but critical, part of the public health response to disease outbreaks. People who have been in close contact with someone who tests positive for COVID-19 are at a higher risk of getting infected themselves and infecting others. Contact tracing is the process of finding these close contacts. Public health workers will interview people who test positive for COVID-19 to determine who their close contacts are. Once they identify those contacts, public health workers can actively monitor the contacts for symptoms and provide them with information on how they can get the care and testing they need if they become sick. The public health worker will also provide the close contacts with information on what they can do to prevent spreading the illness to others in the event they become sick.

Local health departments may want to investigate a workplace if there is significant spread happening at that location in order to protect employees and the business. All information is kept confidential by state and local health department personnel and is not shared.

Do I have to maintain a log to prove that I followed the guidelines?

Businesses are encouraged to maintain records evidencing compliance. A simple checklist including manager or employee initials is sufficient. The Americans with Disabilities Act requires that if a symptom log is kept, the employer must maintain the confidentiality of this information. Additionally, all medical information about a particular employee must be stored separately from the employee›s personnel file, thus limiting access to this confidential information.

How will I keep track of changes in guidelines? What color/phase we are in?

Please visit the [coronavirus website](#) for updates and the latest version of the Phased Health Guidelines. The [Healthy Together App](#) provides notifications to its users informing them of changes the color/phase.

Is there a requirement to publish these guidelines in my business premises?

You are not required to publish guidelines on the premise of your business. However, gaining and publicly displaying the workplace seal of approval or making a public commitment to implement these guidelines may help instill consumer confidence.

As an employer, can I terminate or layoff an employee who has to be quarantined?

As an employer, you cannot terminate or layoff an employee who tests positive for COVID-19 and needs to be quarantined. For additional information, visit the [U.S. Equal Employment Opportunity Commission](#). In order to avoid overwhelming the healthcare system with requests, the CDC advises that employees are not required to supply a note from their doctor to return to work from an upper respiratory illness during the COVID-19 pandemic.

Should all employees wear face masks? Is there a requirement for a particular type of face mask to be worn (for example N95)?

As with all Utahns, employees should wear a cloth face covering (e.g. mask, scarf, gaiter, bandana) in settings where other social distancing measures are difficult to maintain. N95s are not recommended in order to preserve low inventory personal protective equipment (PPE) for medical professionals. Simple cloth face coverings help to slow the spread of the virus by protecting people from those who are asymptomatic or currently carrying COVID-19 and do not know it.

What symptoms should businesses watch for?

Fever of 100.4 degrees fahrenheit or above (38 degrees Celsius), cough, sore throat, trouble breathing, muscle aches or pains, sudden change in smell or taste.

Employers may want to promote the [Healthy Together App](#) to their employees. The Healthy Together app prompts and encourages users to monitor and track COVID-19 symptoms daily. If a user reports symptoms, the user is prompted by the app to be tested for COVID-19. In the app, the user can view test locations and will receive helpful information about self-isolation and next steps. When location services are enabled, the app can assist with contact tracing if a close contact tests positive for COVID-19.

How can my business help high-risk employees stay healthy?

As we continue efforts to understand the characteristics of the coronavirus and move through a phased approach to reactivate the economy, special emphasis must be placed on behaviors that help protect high-risk individuals. This will enable the public health strategy to transition from guidelines that affect entire populations to targeted interventions that protect high-risk individuals. Employers should work to protect high-risk individuals by allowing them to telework, minimizing face-to-face contact required of these employees, or assigning work tasks that allow them to maintain a distance of six feet from other workers, customers and visitors.

Who are high-risk individuals?

- People aged 65 years and older.

- People who live in a nursing home or long-term care facility.

- People with chronic lung disease or moderate to severe asthma.

- People who have serious heart conditions.

- People who are immunocompromised including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications.

- People of any age with severe obesity (body mass index [BMI] >40) or certain underlying medical conditions, particularly if not well controlled, such as those with diabetes, renal failure, or liver disease.

- People who are pregnant should be monitored since they are known to be at risk with severe viral illness, however, to date data on COVID-19 has not shown increased risk.