



## COVID-19 Guidance: If an Employee Tests Positive

### **If an employee tests positive for COVID-19, do I need to report it to the state?**

No. The testing site will report the positive test to DHHS. A DHHS Response Team (or the local health department depending on your municipality) will directly contact individuals that have tested positive for COVID-19. The Response Team will describe to that person the need to isolate or quarantine.

### **Do I need to notify other staff who have worked with an infected individual?**

No. The Disease Investigator will ask all individuals who have tested positive a set of contact tracing questions including who they may have been in close contact with and who may have been potentially exposed. This begins the process that includes identifying, assessing, and managing people who have been exposed to COVID-19 to prevent further community transmission.

### **Do I need to ask staff who have worked with the infected individual to self-quarantine?**

No. After a Disease Investigator obtains information from a contact tracing interview, a Public Health representative will contact the potentially affected people and provide the appropriate recommendations for testing and/or quarantine. The identity of the person with COVID-19 is NEVER disclosed.

### **If only one employee tests positive at my establishment, is that considered an “outbreak”?**

No. A workplace is not typically considered to have an “outbreak” until there are approximately 3 related cases. In the case of a cluster of cases, public health will work with the employer to provide additional guidance including assessing if there is a risk to the public.

### **If there is an “outbreak” at my establishment, will the public be notified?**

Not usually. Public Health typically does not publicly disclose workplace clusters unless there is a risk to the public. Recently DHHS has made public the names of Long Term Care facilities in outbreak status but those outbreaks were significant. Individual businesses make their own decision about disclosing this information.



### **Do I need to file a Workers' Compensation claim if an employee tests positive?**

If you are a member of the New Hampshire Hospitality Compensation Trust, we are requesting that you file a First Report of Injury Form to have it on record. The Attorney General recently issued an [official opinion](#) that employers who comply with CDC, State, or industry guidelines are protected from employee personal injury claims for contracting COVID-19 at the workplace. Contraction of the virus is considered a neutral risk and therefore precluded from New Hampshire's workers' compensation law. This opinion only applies to employees, not customers. (An opinion by the attorney general is considered the law unless otherwise overturned.)

### **Should I notify the rest of my staff if another employee tests positive?**

No. Although you may feel a responsibility to inform your staff to have them tested, it's also important to remember that employers must maintain the confidentiality of employees with suspected or confirmed COVID-19 infection when communicating with other employees. If any members of your staff are at an elevated risk of infection then health officials will contact them directly.

### **What are my responsibilities if an employee tests positive?**

As the employer your responsibilities are as follows:

- Share knowledge of building layout with DHHS to assess risk.
- Provide team members contact information to DHHS
- Issue community or public messaging, if warranted.
- Support remote work or paid medical leave. Be aware of the Families First Coronavirus Response Act and how it affects your business.
- If you are providing housing for an employee who tests positive, you need to provide a safe location for them to live separately from others, including access to essential supports such as food, laundry, and medication, as appropriate.

### **If I have specific questions surrounding a possible outbreak at my establishment, is there a number to call?**

Yes, if you have specific questions please call 211 for more information.

*Disclosure: These guidelines are based on best practices, state resources, and current guidance, and should be used in conjunction with any state or federally issued guidelines. This is meant for the purpose of assisting in the creation of an establishment's own COVID-19 response plan and is not a legal or state-issued document.*

