

Can We Notify Close Contacts that a Worker Tested Positive for COVID? – Ask The Expert



Notification of recent exposures is a legal and crucial part of contact tracing.

QUESTION

We just learned that one of our workers tested positive for COVID. Two questions: 1. Are we allowed to require him to disclose the names and contact information of the persons with whom he had recent close contact? 2. If so, are we allowed to tell those contacts that the worker has COVID?

ANSWER

Yes and Yes

EXPLANATION

Question 1: Under current public health guidelines, employers may collect information from workers about their recent contacts in the workplace in case they need to notify them that the worker has COVID. This is called contact tracing and it's best done proactively before a worker tests positive, whether manually or via electronic apps. But since that ship has sailed in your case, you may collect that information from the worker after the fact.

Question 2: You can and must notify the people in the workplace that had prolonged close contact, i.e., within 6 feet/2 meters, in the past 48 hours about the positive test and advise them to self-isolate and get tested. A couple of quick pointers:

- Don't say the worker 'has COVID' because there's always the risk of a false positive; and
- If possible, don't disclose the worker's name or other information that the contact can use to figure out his identity. All the contact needs to know is that a person to whom they were recently exposed tested positive. They don't need to know the person's name.