1. Introduction

East Carolina University is committed to promoting the health and safety of all students, staff and faculty, as well as guests and visitors to our campus. Our ability to successfully provide a residential, in-person educational experience depends upon each member of the University community adhering to guidelines adopted for our collective health and safety. This Standard Operating Procedure (SOP) sets forth specific procedures for compliance with the Interim University Regulation on Employee Mitigation of COVID-19 (“Regulation”).

2. Mandatory Symptom Screening Plans

2.1 University Departments/Units that believe mandatory temperature screening, or other medical symptom screening for employees, prior to workplace entry to be consistent with business necessity, must develop a screening plan that includes the requirements of Section 4 of the Regulation (“Mandatory Symptom Screening Prior to Workplace Entry”) and obtain approval from the Vice Chancellor or Athletic Director of the respective department/unit.

2.1.1 Screening questions must be narrowly tailored to determine whether the employee may be experiencing symptoms of COVID-19.

2.1.2 Screening questions must be based upon CDC guidance, public health authorities or other reputable medical guidance on the emerging symptoms of COVID-19.
2.1.3 Disability-related inquiries are not permitted.

2.2 Once the plan is drafted and approved by the appropriate Vice Chancellor or Athletic Director, the department/unit must consult with Employee Relations and the Office of University Counsel to ensure compliance with applicable guidance, policies and law.

2.3 After incorporating any necessary changes, the plan will be presented to the Chancellor for review and approval.

2.4 If approved by the Chancellor, the department/unit will communicate the plan in writing to all employees impacted by the plan, prior to its implementation.

2.5 Departments/units are discouraged from maintaining personally identifiable logs or records regarding employee responses to screening plans.

2.5.1 In the event a department/unit plans to collect and maintain employee screening information, the department/unit must designate a person on site to ensure the information is protected and remains confidential.

2.5.2 Any information collected, including an employee’s statement that he/she has COVID-19 or suspects he/she has COVID-19 must be kept confidential and stored separately from personnel files. The information collected, related to COVID, may be stored in existing medical files for the employee.

2.6 Individuals within the department/unit tasked and trained for screening employees within the respective department/unit (“screeners”) must screen all individuals impacted by the plan, and must not screen based upon any protected class identified in the University’s Notice of Nondiscrimination. (https://www.ecu.edu/prr/05/25/02).

2.7 Screeners must use social distancing, physical barriers and/or personal protective equipment to eliminate or minimize the screener’s exposures due to close contact with the employees he/she is screening. See CDC Guidance for safe communicable disease screening procedures (https://www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html).

2.8 Employees with a fever or other COVID-19 symptoms will be instructed in a confidential manner to leave the workplace, follow CDC guidance regarding self-isolation and contact their healthcare provider or the Office of Prospective Health for instructions on when to return to work.

3. University Required Employee COVID-19 Testing

The ADA allows employers to require its employees to undergo mandatory medical testing in the event the employer believes an employee will pose a direct threat to the workplace due to a medical condition. The University may require an employee to be tested for COVID-19 (a test to detect the
presence of the COVID-19 virus) in the event the University has a reasonable belief that the individual has symptoms of COVID-19, or has had close contact with an individual who has tested positive. The University will not require employees to undergo an “antibody” test in order to re-enter the worksite.

3.1 If a supervisor believes an employee may be a direct threat to the workplace due to symptoms of COVID-19, or exposure to COVID-19, the supervisor must contact Employee Relations and consult with the Office of University Counsel before referring the employee to the Office of Prospective Health for COVID-19 testing or medical examination.

3.1.1 In the event the University has obtained objective evidence to support a reasonable belief that an employee will pose a direct threat to the workplace due to a medical condition (COVID-19) the employee may be required to leave the worksite until a healthcare provider has conducted a medical evaluation of the employee and determined he/she is fit for duty.

3.1.2 The employee will receive written correspondence regarding the referral to the Office of Prospective Health for the medical examination, explaining expectations.

3.1.3 If the employee tests positive for COVID-19, he/she may return to work after:

- At least 10 days since symptoms first appeared or receipt of the positive test; and
- At least 24 hours with no fever without fever reducing medication; and
- Symptoms have improved

3.1.4 In accordance with the Interim University Regulation on Contact Tracing, the Director of Student Health (“Designee”) will share and provide Pitt County with requested information on employees testing positive for COVID-19.

3.1.5 If the employee tests negative for COVID-19 and the Office of Prospective Health deems the employee fit for duty, the employee may return to work and continue to self-monitor for symptoms.

3.1.6 The department/unit is responsible for the cost of any COVID-19 test or medical examination.

3.1.7 Any records regarding the medical evaluation must be maintained separate from personnel files and kept confidential in accordance with applicable law. All medical information related to COVID-19 may be stored in existing medical files for the employee.
3.1.8 Employees who refuse to submit to a COVID-19 test or medical examination may be subject to disciplinary action or may be prevented from returning to work until submitting to the COVID-19 test or medical examination.

3.1.8.1 Supervisors must consult with the Office of University Counsel for advice regarding any employee who refuses medical testing.

4. Employee Leave

4.1 FLSA non-exempt employees must be compensated for time spent in pre-shift mandatory symptom screening.

4.2 Employees absent from the workplace due to COVID-19, including employer required COVID-19 test or medical examination, may be eligible for Emergency Paid Sick Leave under the Families First Coronavirus Response Act or other paid administrative leave provided by the UNC System. Supervisors should refer employees to their benefits counselor for questions regarding leave options.

5. Compliance and Enforcement

This SOP is effective immediately and compliance with this SOP and the corresponding Interim Regulation on Employee Mitigation of COVID-19 is mandatory and a condition of continued employment. The University encourages employees to recognize the demonstrated public health benefits of health monitoring, testing, isolation and quarantine to mitigate the spread of COVID-19. Noncompliance with the Regulation and/or this SOP may result in disciplinary action in accordance with applicable personnel policies.