



May restaurants require employees to provide notes from healthcare providers confirming they can return to work?

Generally, even if employers do not require disclosure of medical information, they can require notes confirming employees can return to work without violating the ADA because the request would not be disability related. As a practical matter, however, public health authorities have warned that doctors and other health care professionals may be too busy during and immediately after a pandemic outbreak to provide “fitness-for-duty” documentation. In addition, please note that some jurisdictions, like New York, have laws forbidding employers from requesting notes from asymptomatic employees.