



May restaurants require employees to have their temperatures checked every time they show up to work?

Generally, measuring an employee's body temperature is a medical examination. However, the EEOC stated on March 18, 2020, that because the CDC and state/local health authorities have acknowledged community spread of COVID-19 and issued attendant precautions, employers may — during this emergency — legally require the measuring of employees' body temperature. Still, employers need to be aware that some people with COVID-19 do not have a fever. If you decide to establish such a policy, consider contacting your insurance carrier for suggestions and retain a contract nurse for the task. Alternatively, perform the task with an employee in a supervisory capacity who will maintain confidentiality of the results to the maximum extent possible. Also, employees waiting to be screened should still be at least six feet apart in line.