

DOC Facility Entrance Screening - COVID-19 Public Health Emergency
FAQs for Adult and Juvenile Facilities

Note: For the purpose of these FAQs, the term “employee” refers to any permanent, project, LTE or contracted/agency staff person entering an adult or juvenile correctional facility. The FAQs were first published for the 3/30/2020 implementation of passive and temperature check screening. The FAQs were updated in May to incorporate COVID-19 testing information (red font).

1. Are all adult and juvenile correctional facilities screening employees prior to being allowed entrance?

By Monday, March 30th, all adult and juvenile correctional facilities will require employee screening prior to being admitted into the institution, which will include a passive screening (a series of questions), and wherever possible, an active screening (a temperature check). Each facility will communicate procedures to employees on their process.

NEW: Additionally, at certain facilities screening may also include requiring employees to submit to COVID-19 testing. Determination on whether testing is necessary will depend on location, number of positive cases and recommendation from the Department of Health Services, Division of Public Health. Each facility required to test for COVID-19 will communicate procedures to employees about their process.

2. Why are we required to get screened prior to coming into work?

Per the Center for Disease Control and Prevention (CDC), correctional and detention facilities can include custody, housing, education, recreation, healthcare, food service, and workplace components in a single physical setting. The integration of these components presents unique challenges for control of COVID-19 transmission among persons in our care, and staff. Screening employees will assist the Department in reducing the risk of exposure of COVID-19 into the facilities. A screening process for persons in our care newly entering our facilities has already been established.

3. NEW: Does the Department have the authority to subject employees to COVID-19 testing?

The Equal Employment Opportunity Commission (EEOC) issued updated guidance on April 23rd related to employer required COVID-19 testing. The EEOC explained that due to the COVID-19 pandemic “employers may take steps to determine if employees entering the workplace have COVID-19 because the individual with the virus will pose a direct threat to the health of others.” Consequently, employers who can meet this standard may administer COVID-19 testing to employees before they enter the work place.

4. What if the Department does not have the necessary equipment to do temperature checks for employees at adult or juvenile correctional facilities?

A passive screening (questionnaire) has been developed and will be used to assess the risk of exposure to employees as well as to assess symptoms.

5. Who will be subject to a screening?

Any employee who enters an adult or juvenile correctional facility must submit to a screening to enter the facility. This includes staff normally assigned to the facility as well as any employee from anywhere else in the agency who is visiting or temporarily assigned to the location.

6. When and how often will employees have to submit to a screening?

NEW/UPDATED: Employees will be subjected to passive screening (questionnaire) and temperature checks every day. Employees will be screened upon arrival for their shift at any adult or juvenile correctional facility.

DOC Facility Entrance Screening - COVID-19 Public Health Emergency
FAQs for Adult and Juvenile Facilities

At locations also requiring COVID-19 testing, each employee will have an initial test. Subsequent testing will be as needed (i.e. elevated facility or geographical infection rate, etc.).

7. What if an employee refuses to submit to a screening?

Employees who refuse to submit to the screening will be deemed unfit for duty, sent home and may be subject to discipline for insubordination. Employees will be in unpaid status. Supervisors should work closely with their HR representatives if this should occur.

8. What happens if an employee has a temperature of 100° or higher?

Employees who have a temperature of 100° or higher will be deemed “unfit for duty” and must be immediately sent home.

If the employee is not able to immediately leave the workplace due to transportation issues, the employee should be separated in a non-public area. Alternative transportation should be encouraged if the employee uses public transportation to get to work.

Human resources staff should be available for consultation to supervisors unsure about whether to send an employee home.

9. NEW: What happens if an employee tests positive for COVID-19?

The employee will be deemed “unfit for duty” and will be sent home immediately. They will be asked to contact their health care provider for additional direction.

10. Are employees in pay status during the screening?

Yes, employees are in pay status during the screening, regardless of normal work unit policies or practices. This direction covers daily screening procedures as well as when the COVID-19 testing occurs. Depending on the size of the institution, this may mean additional hours of work. Facilities may require employees to report prior to the assigned shift to accomplish the screening.

11. How will the check be conducted and who will know the results?

Each facility will establish procedures for the screenings which will be conducted based on available resources. While in most situations, DOC healthcare staff will administer the passive and temperature check screenings, supervisors or HR staff will also be trained in locations where no healthcare staff are present or available.

NEW: Trained members of the Wisconsin National Guard will administer the COVID-19 testing at DOC locations where testing is required.

Regardless of who administers the passive screening, temperature checks or COVID-19 testing, the screening/testing will be done privately, and the results will be considered confidential medical records to be maintained separately for each employee screened/tested as required under the ADA.

DOC’s process will ensure that this information is kept confidential and that any results recorded will be kept confidential. The information will be treated as DOC treats other medical information collected for disability-related purposes. Documentation will be required releasing the employee to full duty prior to returning to work.

DOC Facility Entrance Screening - COVID-19 Public Health Emergency
FAQs for Adult and Juvenile Facilities

12. NEW: What will the COVID-19 test entail?

The National Guard uses the Exact Sciences version of the COVID-19 test. This type of test involves a nasal swab. The basic nasal swab will be used rather than the nasal-pharyngeal swab to be as unobtrusive as possible while conducting the test.

13. NEW: If an employee is not at work on the day the National Guard is testing at that location, what will happen?

Insofar as possible, the DOC will coordinate testing days with the National Guard to ensure employees at the location can be tested. While every effort will be made to test employees on their incoming shifts, employees may be asked to report on an off-shift, regular day off or approved leave day in order to ensure as many employees as possible are tested by the National Guard.

In the event an employee is missed, the DOC will work with that employee on an alternate plan which could include being directed to another testing site or being tested by a trained health professional.

14. NEW: Will an employee be paid if called in for testing on a day off?

The Department will utilize the language in the State Compensation Plan related to Call-Back/Call-In Pay. Specifically, employees will be guaranteed a minimum of two hours of pay if called back for duty or called in on the employee's day off.

15. NEW: How long does it take for test results to be available?

Results typically take approximately 48 hours but variations to this timeline may occur. Notifications to staff may take up to 5 days.

16. NEW: Will the employee be allowed to work while a mass-screening or asymptomatic test result is pending?

Yes, provided the employee passes the other workplace screenings and is not presenting symptoms consistent with COVID.

17. If an employee is sent home because of a temperature of 100° or higher or is sent home as a result of a positive COVID-19 test, when can the employee return to work?

In accordance with DHS procedures for correctional facilities, if an employee has not tested for COVID-19, but has a fever of 100° or higher **AND** respiratory symptoms (e.g. cough, shortness of breath) the employee may not return to work until at least 3 days (72 hours) after they no longer have a fever or signs of a fever (chills, feeling very warm, flushed appearance, or sweating) without the use of fever-reducing medicine AND 10 days have passed since symptoms first appeared.

NEW: If the employee tests positive for COVID-19, the employee will not be permitted to return to the workplace until:

- they are free of fever (>100.0) AND respiratory symptoms (for example, cough, shortness of breath) for at least three days (72 hours) without the use of fever-reducing medicine; AND
- 10 days have passed since symptoms first appeared, or the date the positive test was obtained

These return to work thresholds apply unless the employee's health provider determines a return to work date greater than referenced above based on further clinical treatment. The DOC will rely on the medical guidance and verification.

DOC Facility Entrance Screening - COVID-19 Public Health Emergency
FAQs for Adult and Juvenile Facilities

18. NEW: If an employee was previously tested for COVID-19, can the employee be exempted from the DOC's screening procedures?

No. All employees need to be tested to assess current health status and potential risk to the workforce.

19. If an employee has to wait for a ride to leave work, how will the Department make sure social distancing practices are met?

Space will be provided so employees can continue to be at least 6 feet away from others.

20. What if an employee takes his or her temperature at home and doesn't have a fever?

We will rely on the results of the reading conducted at the time of the check under the Department of Corrections authorized procedures.

21. Will employees be required to use their own leave time if sent home due to a failed screening or a positive COVID-19 test?

NEW/UPDATED: Employees who meet the following requirements may be able to use remaining federal emergency paid sick leave:

- The employee is under a provider's direction to quarantine/self-isolate due to COVID-19 concerns
- The employee has symptoms similar to COVID-19 and is seeking medical diagnosis

Employees who have exhausted federal emergency paid sick leave will have to use leave time as do all employees who are being sent home for flu-like symptoms. Employees should work with their local Human Resources Offices if they have questions.

22. What if an employee has been in close contact with someone that tested positive for COVID-19?

Close contact is defined as being within approximately 6 feet (2 meters) of a COVID-19 case for a prolonged period of time. Close contact can occur while caring for, living with, visiting, or sharing a healthcare waiting area or room with a COVID-19 case or having direct contact with infectious secretions of a COVID-19 case (e.g., being coughed on).

If an employee belongs to a classification with significant staffing shortages i.e. security, healthcare, etc., the DOC will issue the individual a mask and the employee may proceed to work. The employee must wear a mask for 14 days from the date of exposure.

If the employee is not in a classification with significant staffing shortages, the employee will be declared unfit for duty and must be directed to quarantine for 14 days from the date of exposure

23. If an employee is issued a mask, how long is the employee expected to wear it?

When possible, the employee required to work after direct exposure will be issued a new mask for the 14 days from the date of exposure. If there is a shortage of masks, the employee may be required to use the same mask up to 4 days.