

DOC Facility Entrance Screening/Testing - 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 to incorporate information about COVID-19 testing which first began in May 2020. The FAQs were also updated to include reference to mandatory masks and to include updated guidance from DOA based on CDC and DHS Public Health direction related to how to manage and guide staff who are exposed or test positive.

Questions that have been added or revised since the original version are dated according to the date published.

General Screening/Testing & Return to Work Questions:

1. UPDATED (11/12/2020) Are all adult and juvenile correctional facilities screening employees prior to being allowed entrance?

All adult and juvenile correctional facilities began requiring employee screening prior to being admitted into the institution on March 30, 2020. The screening includes a passive screening (a series of questions), and an active screening (a temperature check). Each facility was responsible for communicating procedures to employees on their process.

Beginning in mid-May, 2020, facilities also began requiring employees to submit to COVID-19 testing. All facilities conducted initial testing. Follow-up testing was conducted as necessary and was dependent upon resources, location, number of positive cases and recommendation from the Department of Health Services, Division of Public Health.

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 assists the Department in reducing the risk of exposure of COVID-19 into the facilities.

3. NEW (05/15/2020): 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. Who will be subject to passive screening and temperature checks?

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.

5. UPDATED (11/12/2020) When and how often will employees have to submit to a screening/testing?

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

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

Facilities also required initial COVID-19 testing beginning in mid-May and running through the summer months. Subsequent testing was conducted as needed (i.e. elevated facility or geographical infection rate, etc.). Beginning the week of November 16, 2020, employees will be tested every two weeks according to a set schedule.

6. NEW (11/12/2020): What does the COVID-19 test entail?

The current testing method involves a basic nasal swab.

7. What if an employee refuses to submit to screening/testing?

Employees who refuse to submit to the screening/testing 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 does not pass the passive screening or temperature check?

Employees who do not pass the passive screening or temperature check 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 (11/12/2020): 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. The DOC continues to follow federal CDC and state DHS guidance and is in communication with local health departments to ensure appropriate handling of staff with positive test results. The below scenarios align with that guidance.

Isolate when positive for COVID-19 with or without symptoms. See scenarios below for return-to-work timelines:

- Positive Employee – With Symptoms
 - A positive employee with symptoms will stay home until all the following apply:
 - They have been fever-free for 24 hours (without the use of fever reducing medications)
 - Their other symptoms have improved
 - It has been at least 10 days since their first symptom onset
- Positive Employee – No Symptoms
 - A positive employee with no symptoms shall stay home and monitor for symptoms. If the employee continues to have no symptoms, they can return 10 days after they were tested.

If during the 10 days the employee becomes symptomatic, then they must continue to stay home for at least 10 more days from the date of the symptom onset and meet all the following before returning to work:

- They have been fever-free for 24 hours (without the use of fever reducing medications)
- Their other symptoms have improved
- It has been at least 10 days since their first symptom onset

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

10. Are employees in pay status during the screening/testing?

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/testing.

11. UPDATED (11/12/2020) How will the screening/testing be conducted and who will know the results?

Each facility will establish procedures for the screenings/testing which will be conducted based on available resources.

Appropriately trained and designated staff (health professionals, supervisors or HR employees) will administer the passive and temperature check screenings.

The DOC will utilize trained individuals from the Wisconsin National Guard or trained individuals from a contracted service to administer the COVID-19 testing.

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

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

12. UPDATED (11/12/2020) When can an employee with symptoms, but who has not been tested, return to work?

It is recommend that employees with symptoms be tested, however any employee with symptoms shall stay home until all the following apply:

- They have been fever-free for 24 hours (without the use of fever reducing medications)
- Their other symptoms have improved
- It has been at least 10 days since their first symptom onset

If the employee is tested, they shall stay home until test results return. Return to work dates will depend on whether the test was positive or negative.

These return to work thresholds apply unless the employee's health provider (or the local public health department) determines a return to work date that is different than referenced above based on their medical assessment. The DOC will rely on the medical guidance and verification.

13. If an employee was previously tested for COVID-19, can the employee be exempted from the DOC's temperature check and passive screening procedures?

No. All employees will be screened to assess current health status and potential risk to the workforce.

14. 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.

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

15. 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.

16. UPDATED (11/12/2020) Will employees be required to use their own leave time if sent home due to a failed screening or a positive COVID-19 test?

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

After the federal emergency paid sick leave expires (12/31/2020) or if an employee has already exhausted their balance, employees will be required to use personal paid leave time just as they would if they are sent home or call-in sick due to other illnesses. Employees should work with their local Human Resources Offices if they have questions.

17. UPDATED (11/12/2020) What if an employee has been in close contact with someone that tested positive for COVID-19?

- According to the revised CDC guidance, close contact means:
 - Employee was within 6 feet of a person who tests positive for a cumulative total of 15 minutes or more over a 24-hour period* starting from 2 days before illness onset (or, for asymptomatic patients, 2 days prior to test specimen collection) until the time the patient is isolated.
 - Employee provided care at home to someone who is sick with COVID-19
 - Employee had direct physical contact with the person (touched or hugged them)
 - Employee shared eating or drinking utensils
 - COVID positive person sneezed, coughed, or somehow got respiratory droplets on employee

Procedures for Employees in Classifications with Staffing Shortages:

CDC's critical infrastructure guidance provides exceptions to current home quarantine practices after an exposure to COVID-19 for some workers. The guidance advises that employers may permit workers who have had an exposure to COVID-19, but who do not have symptoms, to continue to work, provided they adhere to additional safety precautions, such as measuring the employee's temperature and assessing for symptoms of COVID-19 before each work shift ("pre-screening"), asking the employee to self-monitor for symptoms during their work shift, and requiring appropriate PPE (e.g. approved face coverings).

Additionally, per the DHS guidance and March 18, 2020 memo to the Department of Corrections, this exception should only be used for healthcare workers or where quarantine would present a public safety threat such as with in the case of DOC facility positions where staffing shortages are a safety concern and mandating quarantine due to exposure would exacerbate the staffing concerns. DHS also issued Health Alert #16, on September 10th to further clarify that quarantine requirements may be modified in circumstances where excluding a person from work could result in an imminent threat to patient care, public health or public safety. These circumstances should be approved on a case-by-case basis as opposed to a blanket approach. Units are encouraged to work closely with the local public health department.

Procedures for Employees in Classifications without Staffing Shortages:

Employees in classifications without staffing shortages who have had close contact with someone positive for COVID-19 will quarantine at home for a full 14 days after the last contact with a positive person and no symptoms arise.

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

If symptoms appear, the employee must stay home until all of the following apply:

1. They have been fever-free for 24 hours (without the use of fever reducing medications)
2. Their other symptoms have improved
3. It has been at least 10 days since their first symptom onset

18. NEW (07/28/2020): What if an employee has been exposed but was not in close contact with someone?

If employee was in contact, but **not close contact** (see definition of close contact in Q17) with someone who is positive (e.g. low risk), they do not need to take preventive measures, e.g. quarantine for 14 days; however, employees should closely monitor for symptoms for 14 days and immediately isolate and get a test if any symptoms develop.

19. NEW (07/28/2020) If an employee is issued a mask, how long is the employee expected to wear it?

Effective 07/13/2020 all state employees are required to wear masks while in state office buildings. Please see the FAQs related to masks in the COVID-19 resource area on myDOC.

If the mask requirement is changed and masks become discretionary, an exposed employee will be required to wear a mask for 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.

Guidance Related to Scheduling/Conducting COVID-19 Testing:

The Department of Corrections has been testing facility staff since the beginning of May. The Department conducted mandatory initial testing for all employees between May 12 and July 9, 2020. After the initial testing was complete, routine or outbreak testing was scheduled as needed.

Beginning the week of November 16, 2020, the Department will phase in a plan to test employees every two weeks. This is in accordance with the recommendation of DHS to test all staff of congregate care facilities every other week. This testing will be mandatory and will remain in effect until concerns about the pandemic subside.

20. UPDATED (06/25/2020): If an employee is not at work when testing is scheduled, what will happen?

Insofar as possible, the DOC will coordinate testing days 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.

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.

21. NEW (06/25/2020): If an employee isn't able to get in to an alternate site right away, will the employee be deemed unfit?

No. Scheduling of alternate sites may be outside of an employee's control. The employee will be allowed to return to work while the employer continues to work through scheduling at an alternate testing site.

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

22. NEW (05/15/2020): 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.

23. NEW (05/15/2020): 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.

24. NEW (05/15/2020): 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.

25. UPDATED (11/12/2020): What if I already tested positive for COVID 19?

At this time, the Wisconsin Department of Health Services (DHS) has recommended NOT requiring retesting of recovered individuals who are within 3 months (~12 weeks) of a positive test because the virus can continue to result in positive test outcomes when the person has fully recovered and is no longer contagious.

Individuals beyond 3 months of a positive test will be included again in future testing schedules and if positive again, the positive result will be treated as a new infection requiring isolation per protocols.

The DOC will continue to follow DHS guidance on when to test individuals. Positive test results include results from DOC testing, community testing or testing with a medical provider.