



# Testing and Screening Guide

Strategies for COVID-19



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Many employers implementing screening and/or COVID-19 testing as part of their plans to reduce workplace risks associated with COVID-19 have questions about legal issues, such as jurisdiction-specific requirements, OSHA mandates, ADA accommodations, and employee privacy.

BioIQ has partnered with Ogletree Deakins, one of the largest labor and employment law firms representing management, to develop an extensive *Testing and Screening Guide* to help employers navigate the many legal and practical issues that should be considered when crafting a workplace testing and screening program. The *Testing and Screening Guide* consists of 31 pages of legal analysis and recommendations, plus 11 separate template and compliance tools to help companies design a thorough and legally compliant testing and/or screening process.

#### Topics:

- Legal bases and obligations for screening
- Steps to implement testing and/or screening
- How to determine testing and screening procedures tailored to your worksite
- Whether testing and screening time is compensable under state or federal law
- How to address different testing and screening outcomes
- Recordkeeping, HIPAA, ADA, and data privacy considerations
- How and when to return employees to work after a positive test or screen

#### Templates and Compliance Tools Included:

- Job Hazard Analysis/Job Safety Analysis
- Written PPE Assessment Certification
- Sample Table of Respirator, Mask, and Cloth Face Covering Illustrations
- Employee/Visitor Screening Log
- Rollout Employee Communication
- COVID-19 Testing and Screening Policy
- Employee Testing and Screening Results Notice
- HIPAA Authorization for Release of Information
- Federal and 50-State Survey on Compensability of Testing and Screening Time
- Flowchart for Addressing Symptomatic Employees and Close Contact Scenarios
- ADA (Federal) Accommodations Process Flowchart

#### 30 minutes of attorney consultation time regarding the Guide

BioIQ has arranged for the *Testing and Screening Guide* and the included 30-minute attorney consultation to be available to BioIQ customers. For more information about the Testing and Screening Guide and related legal issues or to purchase a copy of the Guide, please contact [BioIQ@ogletree.com](mailto:BioIQ@ogletree.com).