

# Employee Health and Foodborne Disease

**Subject:** Employee health and foodborne disease

**Implementation date:** \_\_\_\_\_

**Revision date:** \_\_\_\_\_

## **Dietary Department (reviewed by):**

Owner: \_\_\_\_\_

Administrator: \_\_\_\_\_

Director of nursing: \_\_\_\_\_

Registered dietitian: \_\_\_\_\_

Food Service director: \_\_\_\_\_

## **Policy**

(Name of facility) requires Food Service employees and potential Food Service applicants to report to the Food Service director/supervisor (FSD/FSS) and/or the infection control nurse (ICN) information about their health and activities related to diseases that are transmissible through food.

## **Procedures**

FSD/FSS is designated as the person in charge (PIC) of the Food Service operation by certification as the professional food manager/food protection manager, as indicated in the *Regulatory Food Code*.

Note: Replace the Connecticut Public Health Code with your state's if you are not from Connecticut.

*State of Connecticut Public Health Code 19-13-B42* mandates the following.

No person:

- a) while affected with **any** disease in a communicable form, or
- b) suspected of being affected with **any** such disease or
- c) while a carrier of such disease and/or suspected of being a carrier of such disease or
- d) while afflicted with boils, infected wounds, sores or
- e) an acute respiratory infection,

shall work in any area of a food service establishment in any capacity in which there is a likelihood of such person contaminating food, drink, or food contact surfaces with pathogenic organisms, or transmitting disease to other individuals.

## **Employee responsibilities**

Employees and potential Food Service employees shall report the information in a manner that allows the FSS and/or ICN to reduce the risk of foodborne disease transmission, including providing necessary additional information, such as:

- The date of onset of symptoms and/or an illness
- Diagnosis of a communicable disease without symptoms
- Any of the following reportable symptoms:

- Vomiting
- Diarrhea
- Jaundice
- Sore throat with fever
- A lesion containing pus, such as a boil or infected wound that is open or draining and is on the hands or wrists, on exposed portions of the arms, or on other parts of the body (*FDA Food Code 2001* and *FDA Food Code 2005*)
- An illness diagnosed by a health practitioner because of a communicable disease, including but not limited to:
  - Norovirus
  - Hepatitis A virus
  - *Shigella* spp.
  - Enterohemorrhagic or Shiga toxin-producing *Escherichia coli*
  - Salmonella
- A previous illness, diagnosed by a health practitioner, within the past 3 months because of salmonella, without having received antibiotic therapy, as determined by a health practitioner
- History of exposure
  - Exposed to a confirmed disease outbreak
  - Is the suspected source of a confirmed disease outbreak because the employee consumed or prepared food implicated in the outbreak, or consumed food at an event prepared by a person who was infected or ill with:
    - Norovirus within the past 48 hours of the last exposure
    - Enterohemorrhagic or Shiga toxin-producing *E coli* or *Shigella* spp. within the past 3 days of the last exposure
    - Salmonella within the past 14 days of the last exposure
    - Hepatitis A virus within the past 30 days of the last exposure (*FDA Food Code 2001* and *FDA Food Code 2005*)
- Exposed by attending or working in a setting that has a confirmed disease outbreak; living in the same household as, and having knowledge about, an individual who works or attends a setting that has a confirmed disease outbreak; or living in the same household as, and having knowledge about, an individual diagnosed with an illness caused by:
  - Norovirus within the past 48 hours of the last exposure
  - Enterohemorrhagic or Shiga toxin-producing *E coli* or *Shigella* spp. within the past 3 days of the last exposure
  - Salmonella within the past 14 days of the last exposure
  - Hepatitis A virus within the past 30 days of the last exposure (*FDA Food Code 2001* and *FDA Food Code 2005*)

### **Responsibility of the PIC to report to the local Health Department**

- The FSS as the PIC and/or the ICN shall immediately notify the local Health Department when he/she has reason to suspect that any employee has contracted any disease in a communicable form or has become a carrier of such disease (State of Connecticut Public Health Code 19-13-B42 [replace with your state's public health code, if not from Connecticut])
- The FSS and/or ICN also will report if a Food Service employee is:

- Jaundiced
- Diagnosed with an illness because of a pathogen as specified in this section (replace with your state’s information)
- The PIC shall prohibit employment of any potential Food Service employee:
  - Who exhibits or reports a symptom
  - Who reports a diagnosed illness:
    - Jaundice
    - Sore throat with fever
    - A lesion containing pus, such as a boil or infected wound that is open or draining and is on the hands or wrists, on exposed portions of the arms, or on other parts of the body (*FDA Food Code 2001* and *FDA Food Code 2005*)
    - An illness diagnosed by a health practitioner because of a communicable disease, including but not limited to:
      - Norovirus
      - Hepatitis A virus
      - *Shigella* spp.
      - Enterohemorrhagic or Shiga toxin-producing *E coli*
      - Salmonella
    - A previous illness, diagnosed by a health practitioner, within the past 3 months because of salmonella, without having received antibiotic therapy, as determined by a health practitioner
- The PIC shall ensure and prohibit any individual from becoming a Food Service employee until the potential Food Service applicant meets the criteria for the specific symptoms or diagnosed illness, as specified under the *Removal, adjustment, or retention of Exclusions and Retentions Procedures* section of this document

## Exclusions and restrictions

The FSS and/or the ICN shall exclude or restrict a Food Service employee from the Food Service Department who is afflicted with any disease in a communicable form, who exhibits symptoms, reports symptoms, or reports illnesses as specified above (*FDA Food Code*), with guidance and/or approval from the local Health Department (State of Connecticut Public Health Code 19-13-B42 [insert your state’s information here])

- **Exclude:** To prevent a person from working as an employee in a food establishment or entering a food establishment as an employee
- **Restrict:** To limit the activities of a food employee so that there is no risk of transmitting a disease that is transmissible through food, and the food employee does not work with exposed food, clean equipment, utensils, linens, or unwrapped single-service or single-use articles

The following guidelines are based on *FDA Food Code 2001* and *FDA Food Code 2005*:

- Exclude a Food Service employee if the employee is:
  - Symptomatic with vomiting or diarrhea
  - Symptomatic with vomiting or diarrhea and diagnosed with an infection from norovirus, *Shigella* spp., enterohemorrhagic or Shiga toxin-producing *E coli*
  - Jaundiced and the onset of jaundice occurred within the last 7 calendar days

**Exception:** Unless the Food Service employee provides to the PIC written medical documentation from a health practitioner, specifying that the jaundice is not caused by hepatitis A virus or other fecal-orally transmitted infection

– Hepatitis:

□ Diagnosed with an infection from hepatitis A virus within 14 calendar days from the onset of any illness symptoms, or within 7 calendar days of the onset of jaundice

□ Diagnosed with an infection from hepatitis A virus without developing symptoms

– Diagnosed with an infection from salmonella, or reports a previous infection with salmonella within the past 3 months

– Diagnosed with an infection from norovirus and is asymptomatic

**Exception:** The Food Service employee who works in a food establishment serving a highly susceptible population

– Diagnosed with an infection from *Shigella* spp. and is asymptomatic

**Exception:** The Food Service employee who works in a food establishment serving a highly susceptible population

– Ill with symptoms of acute onset respiratory infection and/or acute onset of sore throat with fever

**Exception:** The Food Service employee who works in food establishment serving a highly susceptible population

▪ Restrict a Food Service employee if the employee is:

– Infected with a skin lesion containing pus, such as a boil or infected wound that is open or draining and not properly covered:

□ On the hands or wrists, unless an impermeable cover, such as a finger cot or stall, protects the lesion and a single-use glove is worn over the impermeable cover

□ On exposed portions of the arms, unless the lesion is protected by an impermeable cover

□ On other parts of the body, unless the lesion is covered by a dry, durable, tight-fitting bandage

– Exposed to a foodborne pathogen as specified under the *Employee responsibility* section and working in a food establishment serving a highly susceptible population

▪ **Exception:** Exception to this rule may apply when the symptom is from a noninfectious condition diagnosed by a health practitioner and approval is obtained from the local Health Department

## **Removal, adjustment, or retention of Exclusion or Restriction Procedures**

The FSS and/or the ICN may remove, adjust, or retain the exclusion or restriction of a Food Service employee after receiving approval and guidance from the local Health Department.

The following guideline for removal, adjustment, and retention is based on the *FDA Food Code 2001* and *FDA Food Code 2005*, and is related to the exclusion and restriction previously specified, according to the following conditions:

▪ Reinstatement of an employee who was excluded (see *Exclusions and restrictions* section), as symptomatic with vomiting or diarrhea if the employee:

– Is asymptomatic for at least 24 hours and/or

– Provides to the ICN written medical documentation from a health practitioner stating that the symptom is from a noninfectious condition

▪ If an employee was diagnosed with an infection from norovirus and excluded as symptomatic with vomiting or diarrhea (see *Exclusions and restrictions* section), retain the exclusion for the

employee who is asymptomatic for at least 24 hours and works in a food establishment that serves a highly susceptible population until the following conditions for reinstatement are met:

- Reinstatement of an employee if FSS or ICN obtains approval from the local Health Department and one of the following conditions are met:
  - The excluded employee provides to the ICN written medical documentation from a health practitioner stating that the employee is free of a norovirus infection
  - The employee was excluded after symptoms of vomiting or diarrhea resolved, and more than 48 hours have passed since the employee became asymptomatic
  - The Food Service employee was excluded and did not develop symptoms, and more than 48 hours have passed since the Food Service employee was diagnosed
- If an employee was diagnosed with an infection from *Shigella* spp. and excluded as specified (see *Exclusions and restrictions* section), retain the exclusion for the employee who is asymptomatic for at least 24 hours and works in a food establishment that serves a highly susceptible population until the following conditions for reinstatement are met:
  - Reinstatement of an employee if the FSS or the ICN obtains approval from the local Health Department and one of the following conditions are met:
    - The excluded employee provides to the ICN written medical documentation from a health practitioner stating that the employee is free of a *Shigella* spp. infection, based on test results showing two consecutive negative stool specimen cultures that are taken not earlier than 48 hours after discontinuance of antibiotics and at least 24 hours apart
    - The employee was excluded after symptoms of vomiting or diarrhea resolved, and more than 7 calendar days have passed since the employee became asymptomatic
    - The employee was excluded and did not develop symptoms, and more than 7 calendar days have passed since the Food Service employee was diagnosed
- If an employee who was diagnosed with an infection from enterohemorrhagic or Shiga toxin-producing *E coli* and excluded (see *Exclusions and restrictions* section), retain the exclusion for the employee who is asymptomatic for at least 24 hours and works in a food establishment that serves a highly susceptible population until the following conditions for reinstatement are met:
  - Reinstatement of an employee if the PIC obtains approval from the local Health Department and one of the following conditions are met:
    - The excluded employee provides to the ICN written medical documentation from a health practitioner stating that the employee is free of an infection from enterohemorrhagic or Shiga toxin-producing *E coli* based on test results that show two consecutive negative stool specimen cultures that are taken not earlier than 48 hours after discontinuance of antibiotics and at least 24 hours apart
    - The employee was excluded after symptoms of vomiting or diarrhea resolved and more than 7 calendar days have passed since the Food Service employee became asymptomatic
    - The Food Service employee was excluded or restricted and did not develop symptoms, and more than 7 days have passed since the employee was diagnosed
- Reinstatement of an employee who was excluded for hepatitis A (see *Exclusions and restrictions* section), if both of the following conditions are met:
  - The PIC obtains approval from the local Health Department
  - The employee provides to the PIC written medical documentation from a health practitioner stating that the Food Service employee is free of a hepatitis A virus infection

- Reinstatement of an employee who was excluded for jaundice (see *Exclusions and restrictions* section), if:
  - The PIC obtains approval from the local Health Department and one of the following conditions is met:
    - More than 7 days have passed since the employee was showing signs of jaundice
    - More than 14 days have passed since nonjaundice or jaundice-free symptoms were identified (anicteric employee)
- Reinstatement of an employee who was excluded for salmonella (see *Exclusions and restrictions* section), if both of the following conditions are met:
  - The FSS and/or ICN obtains approval from the local health department
  - The employee provides to the ICN written medical documentation from a health practitioner stating that the employee is free from salmonella infection
- Reinstatement of an employee who was excluded as specified under for acute onset of respiratory infection and/or acute onset of sore throat with fever (see *Exclusions and restrictions* section), if:
  - The employee provides to the PIC written medical documentation from a health practitioner stating that the employee meets one of the following conditions:
    - Has received antibiotic therapy for *Streptococcus pyogenes* infection for more than 24 hours
    - Has at least one negative throat specimen culture for *S pyogenes* infection
    - Is otherwise determined by a health practitioner to be free of a *S pyogenes* infection
- Reinstatement of an employee who was restricted for having infected skin, an infected wound, cut, or pustular boil (see *Exclusions and restrictions* section) if properly covered with one of the following:
  - An impermeable cover, such as a finger cot or stall, and a single-use glove over the impermeable cover if the infected wound or pustular boil is on the hand, finger, or wrist
  - An impermeable cover on the arm, if the infected wound or pustular boil is on the arm
  - A dry, durable, tight-fitting bandage, if the infected wound or pustular boil is on another part of the body.
- Reinstatement of an employee who was restricted because of exposure to a foodborne pathogen (see *Exclusions and restrictions* section) and exposed to one of the following pathogens (see *Employee responsibility* section) as follows:
  - For norovirus, one of the following conditions is met:
    - More than 48 hours have passed since the last day the employee was potentially exposed
    - More than 48 hours have passed since the employee’s household contact became asymptomatic
  - For *Shigella* spp. or enterohemorrhagic or Shiga toxin-producing *E coli*, one of the following conditions is met:
    - More than 3 calendar days have passed since the last day the employee was potentially exposed
    - More than 3 calendar days have passed since the employee’s household contact became asymptomatic
  - For salmonella, one of the following conditions is met:
    - More than 14 calendar days have passed since the last day the employee was potentially exposed
    - More than 14 calendar days have passed since the employee’s household contact became asymptomatic

- For hepatitis A virus, one of the following conditions is met:
  - The employee is immune to hepatitis A virus infection, because of a prior illness from hepatitis A
  - The employee is immune to hepatitis A virus infection, because of vaccination against hepatitis A
  - The employee is immune to hepatitis A virus infection, because of IgG administration
  - More than 30 calendar days have passed since the last day the employee was potentially exposed
  - More than 30 calendar days have passed since the food employee's household contact became jaundiced
  - The employee does not use an alternative procedure that allows bare-hand contact with ready-to-eat food until at least 30 days after the potential exposure, as specified in this section, and the employee receives additional training about all of the following:
    - Hepatitis A symptoms and preventing the transmission of infection
    - Proper hand-washing procedures
    - Protecting ready-to-eat food from contamination introduced by bare-hand contact

### **Payment for time taken off during period of foodborne illness**

- Employees can take paid time off, based on the number of hours they have accumulated in their paid time off (PTO) account
- If insufficient PTO hours are available to cover the required absentee period, the employee must take time off without pay
- Time off with or without pay during these times of illness is recorded on the employee attendance record as used sick time

### **Confidentiality**

(Name of facility) complies with federal and state laws governing privacy and confidentiality of residents' protected health information (PHI) for treatment, payment, and operations (TPO). The facility shall make reasonable efforts to limit the use and disclosure of protected health information (PHI), providing the minimum necessary to accomplish the intended purpose of the use, disclosure, or request.

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