

## PR Department of Health Amends COVID-19 Workplace Case Management Protocol

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### PRACTICE AREAS

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### An McV Labor & Employment Alert

January 13, 2022

On January 4, 2021, the Puerto Rico Department of Health amended the *COVID-19 Protocol for Case Management in the Workplace* (“Protocol”) previously issued on October 25, 2021.

The amended Protocol provides new guidance regarding quarantine periods. It clarifies that all employees having close contact with COVID-19 positive individual(s) (within 6 feet for total of 15 minutes or more over a 24 hour period) should quarantine. Fully vaccinated employees should quarantine for a total of 7 days and take an antigen or molecular COVID-19 test on the 5<sup>th</sup> day after the last contact with the person who had COVID-19. If on the 7<sup>th</sup> day the employee has a negative COVID-19 test result, he or she should be allowed to return to work on the 8<sup>th</sup> day after contact with COVID-19 positive individuals. Unvaccinated employees should quarantine for 14 days after the last close contact with a COVID-19 positive individual.

The Protocol provides some exemptions to the quarantine requirement. It exempts employees working in the health and hospitality sectors, manufacturing, security, and those who have received the booster shot and 2 weeks have elapsed since the administration, among others. The Protocol also provides guidance for situations where the quarantine period could be shortened.

Since medical centers are busy due to the public health emergency, the Protocol provides that employers should not request employees to provide COVID-19 test results or medical certificates under the following circumstances: (i) for proof of illness, (ii) to be eligible for a leave (e.g., sick leave), and (iii) to return to work.

The Protocol reiterates the Governor’s orders on mandatory use of face masks in enclosed spaces and outdoors (if staying 6 feet away from others is not possible) and the vaccination mandate for certain industries and employers with 50 or more employees. It also provides sanitary guidance on how to prevent the spread of COVID- 19 at the workplace.

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Although the Protocol is only a guidance issued by the Puerto Rico Health Department, employers are encouraged to comply with it.

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