

# Can we require sick employees to stay home?

**“Last winter we went through a six-week stretch when it seemed like everyone in the office was just passing around the same cold and flu bugs. I think I had the same cold three times! Is it OK to have a policy that says if you’re sick you *must* stay home? Does anyone have experience enforcing such a “quarantine” order?” — NT, Rhode Island**

## Comments

If people are contagious, they should stay home. The prior city I worked for would send people home if they were contagious. For example, one girl came to work with pink eye; yes, she felt fine, and it didn't influence her work. But it was a police communications center, and employees rotated through the work stations. You can't risk infecting the rest of your staff when they all touch the same keyboards. She was sent home; she was angry about it, and wanted to use vacation or comp time rather than sick, since she was made to leave, and didn't call out sick. She was not allowed to do so, and had to use the sick leave.

I think if someone has a note from their doctor saying they are not contagious, they should be allowed to work if they want to. However, your policy should include such things. I don't know if you can require an employee to bring in a doctor's note just because they have a cold. Every where I've worked, they've required a doctor's release to go back to work if you were out on doctor's orders; and they required a doctor's note if you were going to be out 3 or more days.

Posted by: Jenn | September 30, 2008 at 01:11 PM

If the employee is contagious, yes I would also agree that the business has the right to send the employee home. However, in this case the employee should have the right to choose to use sick leave or vacation time.

Posted by: Sandy | September 30, 2008 at 01:32 PM

Regarding exempt ee's: if the absence is "occassioned by the employer", the company must pay the ee's salary unless they are out of work for a full week.

Posted by: Robin | September 30, 2008 at 02:08 PM

As a health care clinic, we cannot risk our patients' health by exposing them to sick employees. We specify in our policy that employees who are sick are expected to stay home, and list detailed symptoms that make staying home a requirement:

- >Fever of 100° F. or more
- >Severe cold symptoms
- >Significant vomiting or diarrhea
- >Conjunctivitis
- >Impetigo
- >etc.

We also state that they should call their supervisor if they are uncertain, and that management may decide to send them home if they become sick (or worsen) at the office. Because it is policy (and perhaps because we encourage our employees to work towards their own good health), we have had no problems. We also disinfect our office equipment regularly during the winter (we use alcohol wipes on phones, keyboards, doorknobs, etc.).

Posted by: Janet | October 01, 2008 at 10:41 AM

In regards to Robin's comment - if the employer sends a salaried exempt employee home, then the employee is paid for that day since they worked part of it. However, they do NOT have to be out the full week, only full days. That's the current updated regulation. The old rule was for a full week.

Posted by: S in Atlanta | October 08, 2008 at 03:26 PM