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EEOC Issues Guidance on Pandemic Flu and the ADA

The U.S. Equal Employment Opportunity Commission (EEOC) has issued important new guidance on how the Americans with Disabilities Act (ADA) impacts pandemic flu planning. The guidance answers frequently asked questions on topics such as:

- The information an employer may request from an employee who calls in sick, in order to protect the rest of its workforce when an influenza pandemic appears imminent.
- Whether an employer may take the body temperature of employees during a pandemic or require mandatory flu vaccinations for all employees.
- Whether the ADA allows employers to require employees to stay home if they have symptoms of the pandemic influenza virus.
- When employees return to work, whether the ADA allow employers to require doctors' notes certifying their fitness for duty.

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The guidance is available online at http://www.eeoc.gov/facts/pandemic_flu.html.

For over a decade, Miller Law Group has devoted its practice exclusively to representing business in all aspects of California employment law and related litigation. If you have questions about these new developments or your workplace obligations, please contact Michele Ballard Miller (mbm@millerlawgroup.com) or Carolyn Rashby (cr@millerlawgroup.com), or call 415-464-4300.

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