

FORM 1-B	Conditional Employee or Food Employee Reporting Agreement Preventing Transmission of Diseases through Food by Infected Conditional Employees or Food Employees with Emphasis on Illness due to Norovirus, <i>Salmonella</i> Typhi, <i>Shigella</i> spp., or Shiga toxin-producing <i>Escherichia coli</i> (STEC), nontyphoidal <i>Salmonella</i> or Hepatitis A Virus
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The purpose of this agreement is to inform conditional employees or food employees of their responsibility to notify the person in charge when they experience any of the conditions listed so that the person in charge can take appropriate steps to preclude the transmission of foodborne illness.

I AGREE TO REPORT TO THE PERSON IN CHARGE:

Any Onset of the Following Symptoms, Either While at Work or Outside of Work, Including the Date of Onset:

1. Diarrhea
2. Vomiting
3. Jaundice
4. Sore throat with fever
5. Infected cuts or wounds, or lesions containing pus on the hand, wrist, an exposed body part, or other body part and the cuts, wounds, or lesions are not properly covered (*such as boils and infected wounds, however small*)

Future Medical Diagnosis:

Whenever diagnosed as being ill with Norovirus, typhoid fever (*Salmonella* Typhi), shigellosis (*Shigella* spp. infection), *Escherichia coli* O157:H7 or other STEC infection, nontyphoidal *Salmonella* or hepatitis A (hepatitis A virus infection)

Future Exposure to Foodborne Pathogens:

- 1. Exposure to or suspicion of causing any confirmed disease outbreak of Norovirus, typhoid fever, shigellosis, *E. coli* O157:H7 or other STEC infection, or hepatitis A.**
- 2. A household member diagnosed with Norovirus, typhoid fever, shigellosis, illness due to STEC, or hepatitis A.**
- 3. A household member attending or working in a setting experiencing a confirmed disease outbreak of Norovirus, typhoid fever, shigellosis, *E. coli* O157:H7 or other STEC infection, or hepatitis A.**

I have read (or had explained to me) and understand the requirements concerning my responsibilities under the **Food Code** and this agreement to comply with:

1. Reporting requirements specified above involving symptoms, diagnoses, and exposure specified;
2. Work restrictions or exclusions that are imposed upon me; and
3. Good hygienic practices.

I understand that failure to comply with the terms of this agreement could lead to action by the food establishment or the food regulatory authority that may jeopardize my employment and may involve legal action against me.

Conditional Employee Name (please print) _____

Signature of Conditional Employee _____ **Date** _____

Food Employee Name (please print) _____

Signature of Food Employee _____ **Date** _____

Signature of Permit Holder or Representative _____ **Date** _____

DISCLAIMER: This guide is not comprehensive and is based on an older version of the code. It still provides helpful basic information on exclusions and restrictions. Further information can be obtained in the FDA Food Code, or the FDA Employee Health and Personal Hygiene Handbook.

Massachusetts Department of Public Health Division of Food and Drugs Food Protection Program

Guide for Industry: Excluding and Restricting Food Employees for Establishments Serving the General Population

Health Status of Employee	Exclude or Restrict?	Notify Local Board of Health?	Employee Back to Work?
Employee has persistent sneezing, coughing, runny nose which causes discharges from the eyes, nose or mouth	Restrict	No	Employee can return to normal duties once the symptoms have stopped.
Experiencing one or more of the following symptoms: diarrhea, vomiting, fever, sore throat with fever, open sore *	Restrict	No, unless more than one employee is ill with similar symptoms or employee was source of illness in others	If ill employee did not cause an illness in someone else, the employee can work once symptoms have stopped. If the employee is suspected of being part of a foodborne illness outbreak, written medical documentation and regulatory authority approval must be obtained before resuming normal duties. If an open sore can be covered with a water tight covering, the employee can work as normal.
Diagnosed with one of these highly contagious diseases: <i>Salmonella</i> Typhi, <i>Shigella spp.</i> , <i>E. coli</i> O157:H7, or Hepatitis A	Exclude	Yes	If symptoms are present, the employee must wait until they resolve. The employee will also need written medical documentation and approval from the regulatory authority.
Diagnosed with any other disease which is transmissible through food such as Salmonellosis, Giardiasis and Campylobacteriosis (for complete list see 590.003(C)(5)-(14))	Restrict	Yes	If symptoms are present, the employee must wait until they resolve. The employee will also need written medical documentation and approval from the regulatory authority.
Employee was ill with <i>Salmonella</i> Typhi within the last three months.	Exclude	Yes	The employee will need to provide written medical documentation to the regulatory authority.
Employee was ill with <i>Shigella spp.</i> , <i>E. coli</i> O157:H7 within the past month	Exclude	Yes	The employee will need to provide written medical documentation to the regulatory authority.
Employee was ill with any other disease which is transmissible through food within the past month (see 590.003(C)(5)-(14) and consult Board of Health.)	Restrict	Yes	The employee will need to provide written medical documentation to the regulatory authority.
Employee has become jaundiced within the past 7 days.	Exclude	Yes	The employee must be excluded for at least 7 days from the onset of jaundice. After 7 days, the employee can work if free of all symptoms, has written medical documentation and approval from the regulatory authority.
Employee is jaundiced but it started more than 7 days ago.	Restrict	Yes	The employee must be free of all symptoms and must have written medical documentation and approval from the regulatory authority.
Employee lives with someone who was diagnosed with Hepatitis A or <i>Salmonella</i> Typhi	Exclude	Yes	For Hepatitis A, the employee will need to be excluded for 28 days unless he receives Immune Globulin within 2 weeks of exposure. For <i>Salmonella</i> Typhi, employee will need to provide medical documentation and approval from the regulatory authority

* If an employee has symptoms due to a chronic condition which is not contagious, such as Crohn's Disease, irritable bowel syndrome or ulcerative colitis, the person in charge should have the employee provide medical documentation which confirms this information. If an employee has diarrhea and lives with someone who was diagnosed with an illness which is transmissible through food, the regulatory authority must be notified and the employee will need to provide medical documentation that they are free of the illness of concern.

How do I know if I serve the “general population”?

Most food service establishments serve the general population. Those that do not serve the general population are food establishments which operate in facilities such as hospitals, nursing homes, daycare centers, and assisted living centers. Such establishments will have more stringent requirements for excluding and restricting ill employees because they are considered to serve a highly susceptible population. A highly susceptible population is a group of people who are more likely than others to experience foodborne disease because they are immunocompromised due to old age, very young age, or a medical condition. For the purposes of the new regulations, a highly susceptible population is considered to be one which is in a **facility** which provides health care or assisted living services, such as a hospital or nursing home, or in a **facility** which provides custodial care to preschool age children such as a day care center. All other food establishments serve the general population.

What is “written medical documentation”?

Written medical documentation, if required, means that the ill employees must have written proof that they are free of any disease which could be transmitted to others through food. In most cases, this will be satisfied by providing copies of lab tests showing negative stool cultures. However, in certain situations, it will require a written note from a licensed doctor, nurse practitioner or physician’s assistant. The written documentation must be provided to the local Board of Health. The local Board of Health can tell you what documentation will be needed in order to have an exclusion or restriction lifted.

Who is the “regulatory authority”?

The regulatory authority is usually the Board of Health in the town in which the establishment is licensed. In some cases, such as a large outbreak, it may be the Massachusetts Department of Public Health.

What does it mean to restrict a food employee?

A restriction means that the food employee may **not** work with exposed food, clean utensils and equipment, clean linens and unwrapped single-service and single-use articles.

What does it mean to exclude a food employee?

If a food employee needs to be excluded, they may not enter any part of the establishment where food and equipment is stored, prepared or served.

Who is responsible for reporting symptoms or illnesses?

The responsibility to report symptoms or illnesses lies with the food employee, and they must be made aware of this requirement when first hired. Symptoms or illnesses must be reported to the person in charge.

What is the role of the person in charge?

The person in charge has many roles. The person in charge must require that employees report any symptoms or illnesses to them and must do everything reasonably possible to insure that employees are complying with this requirement. In addition, when indicated (see chart), the person in charge must exclude the employee from the establishment or restrict the duties of the employee until the medical condition or symptoms resolve. In many instances, the person in charge will also need to notify the local Board of Health that they have an ill employee.

What can the person in charge do to encourage employee compliance with the reporting requirement?

If employees will lose time from work, they may be reluctant to report their illnesses to the management. One way to encourage reporting would be to allow a certain number of paid sick days for each employee. In addition, educating the employees about the importance of not working when sick may help motivate them to be responsible and not work when they might pose a risk to customers or other employees. When possible, the employee should be temporarily assigned to duties which do not involve working with exposed food, clean utensils and equipment, clean utensils, and unwrapped single-service and single-use articles.