

Food Code Fact Sheet #5

What you should know about the Code

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Employee Illness Policy

OAR 333-150-0000, CHAPTER 2-201.11-13

2-201.11 Responsibility of Permit Holder and Person in Charge

2-201.12 Exclusions and Restrictions

The person in charge shall exclude or restrict a food employee from a food establishment in accordance with the following:

(A) Except when the symptom is from a noninfectious condition, exclude a food employee that has any of the following signs or symptoms caused by illness, infection, or other source that is associated with an acute illness:

- (1) Vomiting; ^P
- (2) Diarrhea; ^P
- (3) Sore throat with fever; ^P or
- (4) Jaundice. ^P

(B) Exclude or restrict a food employee that has a lesion containing pus such as a boil or infected wound that is open or draining and is:

- (1) On the hands or wrists, unless an impermeable cover such as a finger cot protects the lesion, and a single use glove is worn over the impermeable cover; ^P
- (2) On exposed portions of the arms, unless the lesion is protected by an impermeable cover; ^P or
- (3) On other parts of the body, unless the lesion is covered by a dry, durable, tight-fitting bandage. ^P

(C) Exclude a food employee from a food establishment if the food employee is diagnosed by a health practitioner or presumptive with:

- (1) Norovirus; ^P
- (2) Hepatitis A virus; ^P
- (3) Shigella spp.; ^P
- (4) Shiga Toxin-Producing Escherichia coli; ^P
- (5) Typhoid fever (caused by Salmonella Typhi); ^P or
- (6) Salmonella (non-typhoidal). ^P

2-201.13 Removal of Exclusions and Restrictions

PUBLIC HEALTH REASONS:

Many illnesses that cause diarrhea or vomiting are transmitted from ill food workers to customers. Excluding or restricting ill employees from working with food is one of the critical factors to preventing foodborne illness from occurring in your facility. The other two critical factors are proper handwashing and no bare hand contact of ready-to-eat food.

Do you have a written or verbal Employee Illness Policy? If not, you need one to prevent food-borne illness associated with food contaminated by an ill or infected food employee. The person in charge and food employees should be familiar with the Employee Illness Policy and be able to provide information when interviewed by facility managers or regulatory officials.

A good Employee Illness Policy consists of three parts:

1. Management is responsible to inform employees of the Employee Illness Policy and to train employees on symptoms and illnesses.
2. The employee should recognize symptoms of foodborne illness and know that it is his responsibility to report to management if he has any of the symptoms listed below.
3. A management plan to restrict or exclude employees that have symptoms of, diagnosis of, or exposure to, food-borne illness.

Foodborne illness symptoms are any one of the following:

- Diarrhea
- Vomiting
- Sore throat with fever
- Jaundice (yellowing of eyes and skin)
- Infected cuts or burns on hands or arms

Employees may not return to work for at least **24 hours** after symptoms of vomiting, diarrhea or fever with sore throat have gone.



Many people use the term 'stomach flu' to describe their symptoms

Exclude or restrict employees from food service, if diagnosed with any of the following:

- Norovirus
- Hepatitis A virus
- Shigella spp.
- Shiga Toxin-Producing Escherichia coli
- Typhoid fever (caused by Salmonella Typhi)
- Salmonella (non-typhoidal)

More information is available at: <https://www.fda.gov/food/retail-food-protection/retail-food-industryregulatory-assistance-training#Employee> and by contacting your [Local Public Health Authority](#).