

Healthy food workers are one of the most important ingredients in foodborne illness prevention. Even with strong food safety practices, ill food employees may unintentionally spread illness if they work while sick.

To protect public health, ill food employees must either be restricted from certain food handling activities or excluded from working in food establishments.

Employee Illness

According to the food rule, ill employees have:

- **symptoms** of a gastrointestinal infection (such as diarrhea, vomiting or jaundice);
- **diagnosed** infections from one of the ‘Big 4’ (*Salmonella*, *Shigella*, Shiga toxin-producing *E. coli*, or hepatitis A);
- **infected**, uncovered wounds; or
- **discharges** from the eyes, nose or mouth (persistent sneezing, coughing or runny nose) even when caused by non-infectious sources such as allergies.

Under the new rule, an ill food worker must report these conditions to the Person in Charge (PIC) and be restricted from food handling.

Responsibilities of the PIC

The new food rule requires that PICs:

1. Inform employees of the need to report the above conditions to the PIC;
2. Recognize the diseases that are transmitted by foods;
3. Restrict ill employees from working with food; and
4. Notify the regulatory authority when a food employee has jaundice or an infection that can be transmitted through food.

Diseases transmitted through food

A list of diseases spread by infected food workers is published each year. Available on the Federal Register, the list includes Norovirus, Hepatitis A, *Salmonella*, *Shigella*, *Staph. aureus*, *Strep. pyogenes*, certain types of *E. coli*, and a few other, less common, infections.

Restriction and Exclusion

Restriction

When an ill employee is restricted, he or she may not work around unpackaged foods, food preparation areas, food distribution areas, or clean utensils.

Unless excluded by the regulatory authority, a restricted employee may work where there is wrapped food and wrapped single-use articles, or with soiled utensils and soiled food equipment. Examples of allowable activities include running the cash register, seating patrons, stocking dry goods, bussing tables, and performing building maintenance.

A restricted employee may return to regular food service activities when the symptoms of illness are gone.

Exclusion

Some illnesses (such as the Big 4) require that the regulatory authority exclude the ill employee from working in the establishment until medically cleared.

If a facility has different sections (such as in a department store) the employee that is excluded from food service may be permitted to work in an area that is away from the food preparation, service, or storage areas.

Restriction, Exclusion and the ADA

The food rule requires that ill food employees be restricted or excluded, but the Americans with Disabilities Act (ADA) requires that employers make reasonable efforts to accommodate the employees by finding alternative duties that do not threaten public health or cause an undue hardship on the business.

A guide to help food service employers comply with both the FDA restriction and exclusion requirements and the ADA’s requirements for accommodation is available from the US Equal Employment Opportunity Commission.

www.eeoc.gov/facts/restaurant_guide.html

Other medical conditions

Certain medical conditions, such as Crohn’s disease, hepatitis C and irritable bowel syndrome, can cause gastrointestinal symptoms that do not spread illness. If an employee with these conditions provides medical documentation to the regulatory authority, the employee may work in food service without special restriction.