



Ohio Administrative Code

Rule 3717-1-02.1 Management and personnel: employee health.

Effective: March 1, 2019

(A) The license holder shall require food employees and conditional employees to report to the person in charge information about their health as it relates to diseases that are transmissible through food. A food employee or conditional employee shall report the information in a manner that allows the person in charge to reduce the risk of foodborne disease transmission, including providing necessary additional information, such as the date of onset of symptoms and an illness, or of a diagnosis without symptoms, if the food employee or conditional employee:

(1) Has any of the following symptoms:

(a) Vomiting;

(b) Diarrhea;

(c) Jaundice;

(d) Sore throat with fever; or

(e) A lesion containing pus such as a boil or infected wound that is open or draining and is:

(i) On the hands or wrists, unless an impermeable cover such as a finger cot or stall protects the lesion and a single-use glove is worn over the impermeable cover;

(ii) On exposed portions of the arms, unless the lesion is protected by an impermeable cover; or

(iii) On other parts of the body, unless the lesion is covered by a dry, durable, tight-fitting bandage.

(2) Has an illness diagnosed by a health care provider due to:



- (a) Campylobacter;
 - (b) Cryptosporidium;
 - (c) Cyclospora;
 - (d) Entamoeba histolytica;
 - (e) Shiga toxin-producing Escherichia coli;
 - (f) Giardia;
 - (g) Hepatitis A;
 - (h) Norovirus;
 - (i) Salmonella spp.;
 - (j) Salmonella Typhi;
 - (k) Shigella spp.;
 - (l) Vibrio cholerae; or
 - (m) Yersinia.
- (3) Had a previous illness, diagnosed by a health care provider, within the past three months due to Salmonella Typhi, without having received antibiotic therapy, as determined by a health care provider;
- (4) Has been exposed to, or is the suspected source of, a confirmed disease outbreak, because the food employee or conditional employee consumed or prepared food implicated in the outbreak, or consumed food at an event prepared by a person who is infected or ill with:



- (a) Norovirus within the past forty-eight hours of the last exposure;
 - (b) Shiga toxin-producing *Escherichia coli* within the past ten days of the last exposure;
 - (c) *Shigella* spp. within the past four days of the last exposure;
 - (d) *Salmonella Typhi* within the past fourteen days of the last exposure;
 - (e) Hepatitis A virus within the past fifty days of the last exposure; or
- (5) Has been exposed by attending or working in a setting where there is a confirmed disease outbreak, or living in the same household as, and has knowledge about, an individual who works or attends a setting where there is a confirmed disease outbreak, or living in the same household as, and has knowledge about, an individual diagnosed with an illness caused by:
- (a) Norovirus within the past forty-eight hours of the last exposure;
 - (b) Shiga toxin-producing *Escherichia coli*, within the past ten days of the last exposure;
 - (c) *Shigella* spp. within the past four days of the last exposure;
 - (d) *Salmonella Typhi* within the past fourteen days of the last exposure; or
 - (e) Hepatitis A virus within the past fifty days of the last exposure.
- (B) The person in charge shall notify the licenser when a food employee is diagnosed with an illness due to a pathogen specified under paragraph (A)(2) of this rule.
- (C) The person in charge shall ensure that a conditional employee:
- (1) Who exhibits or reports a symptom as specified under paragraph (A)(1) of this rule, or who reports a diagnosed illness as specified under paragraph (A)(2) or (A)(3) of this rule, is prohibited



from becoming a food employee until the conditional employee meets the criteria as specified under paragraph (E) of this rule; and

(2) Who will work as a food employee in a food service operation or retail food establishment that serves a highly susceptible population and reports a history of exposure as specified under paragraphs (A)(4) and (A)(5) of this rule, is prohibited from becoming a food employee until the conditional employee meets the criteria as specified under paragraph (E) of this rule.

(D) Conditions of exclusion and restriction - exclusions and restrictions.

(1) The person in charge shall restrict the duties of a food employee of a food service operation or retail food establishment that has any of the symptoms listed in paragraph (A)(1) of this rule; and

(2) The person in charge shall restrict the duties of a food employee or exclude a food employee diagnosed with illnesses listed in paragraph (A)(2) of this rule from a food service operation or retail food establishment in accordance with rule 3701-3-13 of the Administrative Code.

(E) Removal of exclusions and restrictions.

The person in charge may remove an exclusion or restriction specified under paragraph (D) of this rule if the food employee is released by a health care provider or by approval of the licensor. This provision does not prohibit a person in charge from removing the restriction of a food employee if the restriction was due to symptoms listed in paragraph (A)(1) of this rule, the symptoms have ceased, and the illness was not from an infectious disease agent listed in paragraph (A)(2) of this rule.