

**Conference for Food Protection
2010 Issue Form**

**Internal Number: 001
Issue: 2010 I-011**

Council Recommendation:	Accepted as Submitted _____	Accepted as Amended _____	No Action _____
Delegate Action:	Accepted _____	Rejected _____	

All information above the line is for conference use only.

Title:

Signage Requirement on Reporting of Employee Health Conditions

Issue you would like the Conference to consider:

The *Food Code* requires the Permit Holder to inform employees of their responsibility to report health issues related to illnesses transmissible through food. It is insufficient to inform employees once of their responsibilities. After the initial information is provided, there must be continual reinforcement of their obligations to report. A requirement should be added to the *Food Code* for signage to be posted as a reminder and reinforcement of their obligation to report illnesses.

Public Health Significance:

According to the Centers for Disease Control and Prevention, approximately 25% of foodborne outbreaks caused by viruses or bacteria may be attributed to infected food workers. Eighty-five percent of front line workers have no paid sick leave prompting many employees to continue to work while ill (ACORN, 2007.)

In 2007, thousands of Harris County, Texas restaurant patrons were potentially exposed to food handled by an employee infected with hepatitis A. This food worker handled ready-to-eat foods without using gloves or utensils, and it could not be verified that the employee followed appropriate hand washing procedures. In order to prevent illness among those who were potentially exposed, health officials administered a preventive vaccine to over 2,000 restaurant customers. This effort cost taxpayers \$70,000 in medication costs and required hundreds of staff hours.

The following paragraphs of Annex 3 of the 2009 FDA Food Code emphasize the importance of educating employees regarding their personal responsibility in reporting certain health conditions that have the potential of transmitting foodborne disease.

2-201.11 Responsibility of the Person in Charge, Food Employees, and Conditional Employees.

Proper management of a food establishment operation begins with employing healthy people and instituting a system of identifying employees who present a risk of transmitting foodborne pathogens to food or to other employees. The person in charge is responsible for ensuring all food employees and conditional employees are knowledgeable and understand their responsibility to report listed symptoms, diagnosis with an illness from a listed pathogen, or exposure to a listed pathogen to the person in charge. The person in

charge is also responsible for reporting to the regulatory official if a food employee reports a diagnosis with a listed pathogen.

This reporting requirement is an important component of any food safety program. A food employee who suffers from any of the illnesses or medical symptoms or has a history of exposure to a listed pathogen in this Code may transmit disease through the food being prepared. The person in charge must first be aware that a food employee or conditional employee is suffering from a disease or symptom listed in the Code before steps can be taken to reduce the chance of foodborne illness.

The person in charge may observe some of the symptoms that must be reported. However, food employees and conditional employees share a responsibility for preventing foodborne illness and are obligated to inform the person in charge if they are suffering from any of the listed symptoms, have a history of exposure to one of the listed pathogens, or have been diagnosed with an illness caused by a listed pathogen. Food employees must comply with restrictions or exclusions imposed upon them.

Requiring persons in charge of food establishments to post a sign would remind and strongly emphasize to employees the importance of their responsibility in reporting these illnesses and symptoms. Such an employee health sign would help promote open communication and reporting of illness and would educate staff on the health conditions they are required to report.

Education of employers and employees regarding reporting of certain health conditions is the focus of a current Health Impact Study in Connecticut funded through the Environmental Health Specialist Network (EHSNet.) A pilot to this study noted a 20% increase in employer notification to employees of the obligation to report health symptoms after managers received educational brochures and signs notifying employees of their responsibility to report certain health conditions. Furthermore, the number of employers who asked employees who reported ill if their symptoms included diarrhea and vomiting increased 44% and 36 %, respectively.

Recommended Solution: The Conference recommends...:

that a letter be sent to the FDA recommending that a sign be posted to reinforce and remind employees to report health illnesses that are transmissible through food. (See attached sample sign from the Texas Department of State Health Services).

Amend Section 2-103.11 Person in Charge by adding Paragraph (N) to read:

(N) "A sign is posted in a place conspicuous to employees, in a form approved by the Regulatory authority describing a food service employee's responsibilities to report certain health conditions as described in Subparagraphs 2-201.11 (A)(1),(2) and (3) to the permit holder."

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Attachments:

- "Food Employee Reporting Sign"

It is the policy of the Conference for Food Protection to not accept Issues that would endorse a brand name or a commercial proprietary process.