

Dear Teaneck Resident:

All of our lives are impacted by the COVID-19 health crisis. This unprecedented situation has caused national, statewide and local disruption and, will continue to do so for the foreseeable future. That being said, the best way to deal with any situation like this is to maintain a sense of normalcy in as many ways as possible.

In this regard, the Township has received numerous inquiries from residents about their employment. **The most frequently asked question is whether their employers can restrict them from coming to work simply because they reside in Teaneck. The short answer is no.** I have reviewed this matter with Township Attorney John Shahdanian and Health Officer Ken Katter and am issuing this letter to serve as guidance to our residents and their employers.

First, as you are hopefully aware, the Township has encouraged all residents to voluntarily quarantine themselves. This means that any Teaneck resident who can work from home is asked to do so. However, the Township understands that such is not reality for every person. **Therefore, those persons who are required to work outside of their home, including outside of Teaneck, are not banned from doing so.** This is true unless you have visited specific locations cited by the CDC or local public health officials or have come into close contact with infected persons. In those situations, the guidance from the CDC and the Township Health Officer has been to have the potentially exposed person remain at home for several weeks until it is clear they do not have illness symptoms.

Employers should also remember that both the New Jersey Law Against Discrimination (NJLAD) and the Americans with Disabilities Act (ADA) place certain restrictions on the kinds of inquiries that can be made into an employee's medical status. Specifically, the NJLAD/ADA prohibit employers from **making disability-related inquiries** and **requiring medical examinations**, unless (1) the employer can show that the inquiry or exam is job-related and consistent with business necessity, or (2) where the employer has a reasonable belief that the employee poses a **direct threat** to the health or safety of the individual or others that cannot otherwise be eliminated or reduced by reasonable accommodation. Further, both the NJLAD/ADA prohibit discrimination based on the "perception of disability." Thus, generally, an employer cannot tell a resident of Teaneck that they cannot come to work simply because they are from Teaneck and they fear that they "might" be infected. An employer cannot use unsubstantiated beliefs of a potential disabling condition to keep otherwise healthy employees from work.

This is a reminder that pursuant to today's Executive Order from Governor Murphy, all residents are urged to stay off the roadways from 8 p.m. to 5 a.m.

Finally, Bergen County Executive James Tedesco issued Executive Order 2020-1B on March 16, 2020 which prohibits groups more than four people, excluding family members, from assembling in public at any time within the County until further notice.

A curfew is also imposed within the County between the hours of 8:00 PM and 7:00 AM for all public activities.

Dean B. Kazinci  
Township Manager