

# Hendricks County Health Department

## **Environmental Health**

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## **Public Health**

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March 1, 2007

Re: Indiana Retail Food Establishment Sanitation Requirements, Title 410 IAC 7-24  
Employee Health Policy

Dear Owner or Operator:

In response to recent outbreaks of foodborne illness occurring in various parts of the state, the Indiana State Department of Health (ISDH) has provided guidance to the Hendricks County Health Department regarding infection control, and we are forwarding this information to you. Sections 120-127 of the Indiana Retail Food Establishment Sanitation Requirements, Title 410 IAC 7-24 relate to ill food employees. These sections were incorporated into the FDA Model Food Code, and subsequently the Indiana food code, as being one of the premier public health interventions to prevent foodborne illness when correctly adhered to by the food industry.

These sections of code discuss the following topics:

- Section 120 requires an establishment to provide a means for employees to report whenever they have any of the listed diseases, symptoms, or health related conditions.
- Section 121 states under what conditions the employee will be excluded from the establishment or have their work activities restricted.
- Section 122 explains the conditions under which the employee will return from exclusion or restriction.
- Section 123 explains that the employee has an obligation to report the information to the establishment using the means provided by the establishment under Section 120.
- Sections 124-127 explain the authority and actions a jurisdiction may take if the retail food establishment fails to take action.

The overall purpose of these requirements is to reduce the likelihood that certain viral, protozoa and bacterial agents will be transmitted from infected food workers into food. **If there are ill food employees working in a retail food establishment, all of the other public health interventions provided in the food rule are rendered virtually useless.**

To comply with Section 120, it is highly recommended that your establishment have a written employee health policy. This written policy should:

- Explain who to contact and how to contact them if employees have any of the diseases, symptoms or listed conditions;
- Inform the employee of their responsibility to report these conditions as required in Section 123;
- Ideally, explain what will happen to the ill employee; and
- List what must happen prior to them returning to work.

Please remember that after employees are informed of these requirements, there must be continual reinforcement of the policy. In addition, management personnel and the owner may be subject to monetary penalties and fines if an ill employee is knowingly compelled or allowed to violate Sections 120 through 122 of the food rule. Management must also consider their liability for knowingly requiring or allowing an ill food employee to work when it may result in a large-scale foodborne illness outbreak. Litigation by victims of these outbreaks is becoming common. The better prepared and more proactive management is to prevent ill food employees from handling food and clean equipment, the less likely illness will occur.

*A Sample Written Food Employee Health Policy and Food Employee Health Policy Questionnaire* created by the Indiana State Department of Health may be used as a model for your policy. If you have any questions regarding food sanitation requirements, please contact Krista Click at [kclick@co.hendricks.in.us](mailto:kclick@co.hendricks.in.us) or (317) 745-9297.

Sincerely,

Catherine Grindstaff, Director  
Environmental Health