Press Release
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EEOC Issues Updated Covid-19 Technical Assistance Publication Addressing Antibody Testing

Contains Q&A Linking to CDC Interim Guidelines on Antibody Testing

WASHINGTON – The U.S. Equal Employment Opportunity Commission (EEOC) today posted an updated and expanded technical assistance publication addressing questions arising under the Federal Equal Employment Opportunity Laws related to the COVID-19 pandemic.

The new question added to the publication, "What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws" explains that in light of current CDC Interim Guidelines, the ADA at this time does not allow employers to require antibody testing before allowing employees to re-enter the workplace. This information is provided in Q&A A.7.

Please note that an antibody test is different from a test to determine if someone has an active case of COVID-19 (i.e., a viral test). The EEOC has already stated that COVID-19 viral tests may be permissible under the ADA.

In response to inquiries from the public, the EEOC has provided resources on its website related to the pandemic in an employment context. The agency will continue to monitor developments and provide assistance to the public as needed.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at www.eeoc.gov. Stay connected with the latest EEOC news by subscribing to our email updates.