

## Coronavirus and Workers' Compensation What Employers Need to Know

According to the U.S. Centers for Disease Control (CDC), the risk of infection from coronavirus is currently low. However, as an employer, you may have questions and concerns, for which we want you to be prepared to address.

We have collected the most frequently asked questions and answers from the top Workers Compensation carriers to assist you in identifying how to prepare for potential infection from the respiratory virus known as Coronavirus 2019 (COVID-19).

### **What do employers need to know about coronavirus?**

According to the U.S. Centers for Disease Control (CDC), the risk of infection from coronavirus is currently low. However, as an employer, you may have questions and concerns, for which we want you to be prepared to address. The following information is offered to assist employers, workers, and agents to identify how to prepare for potential infection from the respiratory virus known as Coronavirus 2019 (COVID-19).

### **How do I obtain current information regarding coronavirus?**

The CDC, in conjunction with state health officials, is helping communities to prepare for and deal with a potential outbreak of COVID-19 in the U.S.

The CDC has issued [Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 \(COVID-19\), February 2020](#) with recommended strategies and planning considerations for employers. Information for specific industries is also available from the CDC. For the most current national and international information regarding COVID-19, updates are available at [www.cdc.gov](http://www.cdc.gov).

The Occupational Safety & Health Administration (OSHA) also offers guidance for employers on ways to protect employees from exposure to COVID-19 at [www.osha.gov](http://www.osha.gov).

### **What are the symptoms of those infected with coronavirus and how is the disease transmitted?**

While knowledge of COVID-19 continues to evolve, current understanding of the disease includes the following:

- Signs and symptoms of infection with COVID-19 include fever, cough, and shortness of breath.
- Some people who get the COVID-19 may experience only mild illness. However, the virus can also cause pneumonia, which may be severe.
- The CDC believes at this time that symptoms of COVID-19 may appear in as few as 2 days or as long as 14 days after exposure to the virus.
- Infected people can spread COVID-19 through their respiratory secretions, especially when they cough or sneeze.
- While exposure risk may be elevated for some workers with greater interaction with potentially infected people, OSHA currently indicates that most American workers are not at significant risk of infection.

### **How can workers be protected from coronavirus?**

For all workers, regardless of specific exposure risks, it is always a good practice to:

- Frequently wash hands with soap and water for at least 20 seconds. When soap and running water are unavailable, use an alcohol-based hand rub with at least 60% alcohol. Always wash hands that are visibly soiled.
- Avoid touching eyes, nose, or mouth with unwashed hands.

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- Avoid close contact with people who are sick.

In all workplaces where exposure to the COVID-19 may occur, prompt identification and isolation of potentially infectious individuals is a critical first step in protecting workers, visitors, and others at the worksite. Facemasks may be warranted for potentially infectious people to limit spread of the person's infectious respiratory secretions. A surgical mask used on a patient or other sick person should not be confused with Personal Protective Equipment (PPE) for a worker. (See additional information below.)

### What are the OSHA requirements relating to coronavirus?

Although there is no specific OSHA standard covering COVID-19, employers do have an obligation to protect employees from "recognized hazards". In addition, certain OSHA requirements may apply to preventing occupational exposure to COVID-19, especially for health care workers, first responders and others with elevated potential exposure to individuals infected by COVID-19. For example, OSHA's Personal Protective Equipment (PPE) standards may be applicable, requiring the proper use of gloves, eye and face protection, and respiratory protection in order to protect against COVID-19 infection. Employers must also protect workers from exposure to hazardous chemicals used for cleaning and disinfection. In addition, certain OSHA reporting may apply. While OSHA exempts recording of the common cold and flu, COVID-19 is considered a recordable illness when a worker is infected on the job. Finally, OSHA prohibits employers from retaliating against workers for raising concerns about safety and health conditions.

### How can employers prepare for a coronavirus outbreak?

Employers are advised to:

- Develop plans to allow sick employees to stay home, especially those with acute respiratory illness symptoms (cough, shortness of breath, fever) until they are symptom free for at least twenty-four hours without the use of fever-reducing or symptom-altering medicines.
- Encourage employees to practice respiratory etiquette and hand hygiene (i.e. coughing/sneezing into tissues or one's elbow; frequent, proper hand washing; etc.).
  - Provide tissues and no touch disposal receptacles.
  - Perform routine cleaning.

- Advise employees to follow CDC travel recommendations and risk assessments for those with COVID-19 infected family members at home.
- Inform co-workers that they may have COVID-19 exposure if a fellow employee has a confirmed infection, while maintaining the confidentiality and protecting the identity of the infected employee.

### Are employees who contract coronavirus eligible for workers' compensation benefits?

In order to be eligible for workers' compensation benefits, claimants need to prove that the diagnosed illness arose out of and in the course of their employment, and not through other potential sources of exposure. Your Workers Compensation Carrier claim specialists will investigate the facts of each claim and evaluate whether an employee's COVID-19 diagnosis arose out of and in the course of employment. As with any claimed injury or occupational disease, the medical evidence will be important to the compensability determination.

### If COVID-19 becomes a pandemic, and an employee claims that he or she contracted it at work, how will those claims be handled?

As explained above, each carrier will evaluate each COVID-19 claim on a case-by-case basis and consider all factors to determine whether the exposure arose out of and in the course of employment.

### How should employers report a claim for suspected or diagnosed COVID-19?

Employers should report any claim that is suspected to be work related immediately.

### What happens if an employee is injured while working from home?

The carrier will investigate and evaluate any claimed injury that occurs while working from home just as we would for a claim that occurs in the workplace. Our team of claim specialists will determine whether the injury arose from and during the course of employment.

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