

## CORONAVIRUS RESOURCE CENTER

### A Discussion Guide: Coronavirus Precaution to Prevent Workers Compensation Claims

As the deadly coronavirus spreads its wings globally, many businesses have put a temporary pause on international travel. And yet the question remains: Can a business be liable if an employee tests positive for coronavirus, or causes it to spread?

The answer is yes.

Consider the following scenarios in which an employer would file a worker's compensation (WC) claim due to coronavirus:

- An employee is working overseas and contracts the coronavirus.
- An employee contracts the coronavirus and infects others at the office.

WC policies will typically cover lost time, permanent disability, medical expenses and a death benefit in these scenarios.

What if an employee unknowingly infects their spouse and children? Again, this is a covered peril. This time under WC coverage B, or the Employers Liability of WC coverage. When more than one employee or individual is involved, the WC claim will likely be considered a catastrophic loss or exposure claim, kicking in full policy limits.

#### **What employers can do right now**

As of February 17, coronavirus has infected more than 71,000 people around the world. While mostly in mainland China, this number includes at least 15 cases in the U.S., according to the CDC.<sup>1</sup>

Thanks to efficient and effective disease prevention in the U.S., there's a good chance the disease won't become a pandemic domestically. However, there's no way to tell for sure. Make sure your business is prepared with the following four coronavirus precaution best practices:

1. **Be precautionious.** Employees arriving home from overseas work who may have been exposed to the virus should be sent straight to a doctor to be tested, even before returning home or to the office. Require clearance for any exposed employees – even those exposed domestically – before returning to the office. Require employees waiting on coronavirus test results to remain at home until a negative result is official. Let the entire staff know they have been tested, and the result was negative.
2. **Be proactive.** If your business doesn't already have one, now is the time to create a business continuity, emergency preparedness and even pandemic reaction plan. First, establish a working group of employees from across your organization to author the plan. Consider business interruption issues specific to your industry, business and location and establish procedures that can be enacted on a moment's notice.
3. **Stress regular hygiene.** Sounds self-explanatory but employees need constant reminders. Hang signs around the office, especially in food service and common areas, reminding employees to wash their hands frequently and cover their faces while sneezing and coughing. Urge employees that aren't feeling well to stay home and seek immediate medical attention. If necessary, amend your company policies to allow employees to work from home as needed, and remove consequences for doing so.

[Contact your FNA representative](#) for more information and assistance on client communication on this matter. For more Coronavirus resources, please [click here](#).

**DISCLAIMER:** The information provided is not intended to constitute legal advice and should not be relied upon in lieu of your own legal assistance. In the event that you would like additional information regarding your insurance coverage and overall preparedness, please reach out to your local FNA Representative.