

Coronavirus and the Workplace

Compliance, Planning and Prevention Resources

Federal and state governments are actively publishing information on this development. Reliable resources include the materials listed below. Please visit your state's government website for local planning, prevention and compliance resources.

World Health Organization (WHO)

- [Coronavirus disease \(COVID-19\) advice for the public](#)

U.S. Centers for Disease Control and Prevention (CDC)

- [Get Your Workplace Ready for a Pandemic](#) (flu-specific but can be adapted to Coronavirus)
- [Pandemic Planning Checklists and Guidance](#) (can be adapted to Coronavirus)

U.S. Department of Labor, Occupational Safety and Health Administration (OSHA)

- [Safety and Health Topics: COVID-19](#)
- [How to Protect Yourself in the Workplace During a Pandemic](#)

U.S. Department of Labor, Wage and Hour Division (WHD)

- [COVID-19 and the American Workplace](#)

U.S. Equal Employment Opportunity Commission (EEOC)

- [Pandemic Preparedness in the Workplace and The Americans With Disabilities Act](#)

Department of Homeland Security (DHS)

- [Disasters and Emergencies – Pandemic](#)

Dealing with Epidemics and Communicable or Infectious Diseases

As the number of reported cases of the novel Coronavirus (COVID-19) continues to rise, employers are increasingly confronted with the possibility of an outbreak in the workplace.

Employers are obligated to maintain a safe and healthy work environment for their employees, but they are also subject to a number of legal requirements protecting workers. Compliance issues to consider include:

- The general duty to provide employees with safe workplace conditions imposed by the federal Occupational Safety and Health Act;
- Protection against disability discrimination (including disability-related inquiries and medical examinations) under the Americans with Disabilities Act;
- Requirements set by federal and state employee leave laws; and
- The compensation of individuals who miss work due to COVID-19.

Consult with a trusted legal professional and review the resources linked to above to understand responsibilities and liabilities during infectious outbreaks in the workplace.

What is the Coronavirus?

The 2019 novel Coronavirus (“COVID-19” or “Coronavirus”) is a virus that is closely related to the SARS and MERS viruses that have caused outbreaks in the past. Symptoms of COVID-19 include fever, runny nose, cough and trouble breathing. Most people develop only mild symptoms. But some, usually people with other medical complications, develop more severe symptoms, including pneumonia, which can be fatal. The incubation period for COVID-19 varies **between 2 and 14 days**.

Initially detected in Wuhan, China in late 2019, the first case of COVID-19 in the United States was reported on January 21, 2020. Since then, the disease has spread to more than 150 people within the United States, with CDC officials warning of further outbreaks.

How Is the Virus Spread?

[According to the CDC](#), the virus is thought to spread mainly from person to person, between people who are in close contact with one another (within about six feet) or through respiratory droplets produced when an infected person coughs or sneezes. These droplets can land in the mouths or noses of people who are nearby, or possibly be inhaled into the lungs.

It may also be possible for a person to contract COVID-19 by touching a surface or object that has been contaminated with the virus and then touching his or her own mouth, nose, or eyes, but this is not thought to be the main way the virus spreads.

People are thought to be most contagious when they are most symptomatic. Some spread might be possible before people show symptoms, and there have been reports of this occurring, but this is not thought to be the main way the virus spreads.

Disease Prevention in the Workplace

Whenever a communicable disease outbreak is possible, employers may need to take precautions to keep the disease from spreading through the workplace. It is recommended that employers establish a written policy and response plan that covers communicable diseases readily transmitted in the workplace.

Employers can require employees to stay home from work if they have signs or symptoms of a communicable disease that poses a credible threat of transmission in the workplace, or if they have traveled to high-risk geographic areas, such as those with widespread or sustained community transmission of the illness. When possible, employers can consider allowing employees to work remotely. Employers may require employees to provide medical documentation that they can return to work.

Employers can consider canceling business travel to affected geographic areas and may request that employees notify them if they are traveling to these areas for personal reasons. Employees who travel to China should be informed that they may be quarantined or otherwise required to stay away from work until they can provide medical documentation that they are free of symptoms.

There are several legal considerations that employers should keep in mind when implementing and administering a communicable illness policy. These considerations are addressed in many of the resources provided above.

Communicating with Employees

As part of their efforts to prevent the spread of COVID-19 in the workplace, employers should consider communicating information about the illness to employees. The CDC, WHO and OSHA have all created informational material on the virus and its symptoms, prevention and treatment that can be helpful for employees.