

# Coronavirus: Workplace Concerns

By Richard Lentini  
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The World Health Organization has declared the new Coronavirus, recently named COVID 19, a global health emergency. What does this mean for U.S. employers?

The federal Occupational Safety and Health Administration (OSHA) has issued interim guidance and resources regarding workplace exposure to COVID 19. In short, only employers with reason to believe that their employees are at risk of exposure to the virus have the duty to engage in preventive or abatement efforts. If employees or their relatives have been exposed or have visited the Hubei Province in China, or if employees work in an industry at high risk for exposure (such as health care, death care, airline, border protection, or waste management), employers should follow the recommendations for prevention adopted by the Centers for Disease Control and Prevention. These include protective clothing, face and eye protection, respirators, frequent washing with soap and water, avoiding touching of the face, and avoidance of close contact with people who may be exposed. OSHA also requires employers to report employee infections as a recordable injury. And employers should be aware that it is unlawful to retaliate against workers for raising concerns about workplace safety.

Employees who contract the virus from exposure at work will likely be entitled to workers' compensation benefits. They may also be entitled to protection and accommodation under the Americans with Disabilities Act and similar state laws, and may seek leave under the Family and Medical Leave Act. Employees who contract COVID 19 have all the same legal rights as employees with any other serious infectious condition. At the same time, employers have a duty to protect all workers from dangerous exposures. Be especially careful to protect workers from harassment or discrimination from co-workers who believe they may be contagious.

We are here to help employers that have questions or believe their employees may be at risk of exposure. The links below provide more information.

- [OSHA](#)
- [World Health Organization](#)
- [Centers for Disease Control and Prevention](#)

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*Disclaimer: This article is not legal advice. It is provided solely for informational and educational purposes and does not fully address the complexity of the issues or steps business must take under applicable laws.*



**Richard Lentini** focuses his practice on employment law litigation, specifically discrimination or harassment, employment policies and agreements, workplace injuries, and safety. The remainder of his litigation practice is commercial litigation, both trial and appellate, with considerable experience in auto-dealer law, product liability, and asbestos litigation. Rick also provides counsel to businesses and executives regarding contracts, compliance, and strategic decisions.

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