



Workers' Compensation Claims

Email questions for presenters to IMA@IMA-Net.org

BOLDLY MOVING MAKERS **FORWARD**

Disclaimer: The information and materials contained in this slide deck are for informational and educational purposes only and shall not be construed or considered as legal advice. Consult an experienced attorney for specific questions and answers. Information included is up-to-date as of April 28, 2020. ©SmithAmundsen LLC

COVID-19 in the Workplace: Reducing Work Comp Claims & Avoiding OSHA Violations

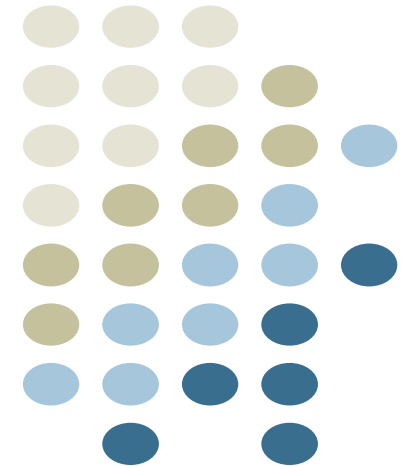
Presented By:

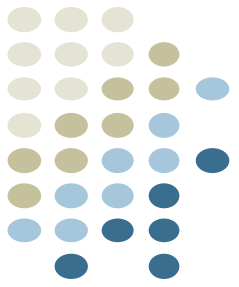
Jeffrey Risch, Matt Horn and Leslie Johnson

SmithAmundsen LLC

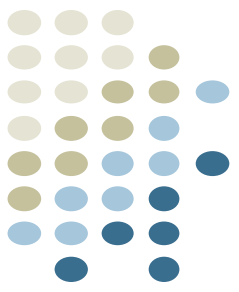
Visit Our COVID-19 Resource Center at

www.saLAWus.com





INTRODUCTION



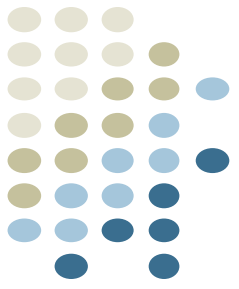
Bottom Line Theme for Today...

Any and every “essential business” must strictly adhere to all government health & safety mandates, guidelines and standards.

- a. Local/State
- b. CDC
- c. OSHA

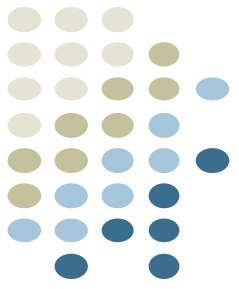
*****Going above and beyond is best practice where/when possible. Creating and preserving written documentation that demonstrates such action is KEY.**

Essential Employees Working for Essential Businesses (i.e. Manufacturing, Construction, Food Processing, related supply chain)



- Employees working for “essential businesses” are exempt from most shelter-in-place orders --- but, will likely have a stronger case that they contracted COVID-19 on the job, because they are at a greater risk than the general public, which has been ordered mostly to stay at home.

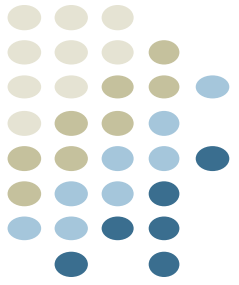
Illinois' Current Shelter-in-Place Order:



The original order mandates that any business operating must comply with the following, where possible:

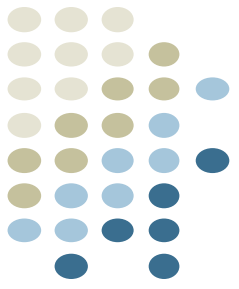
- **Designate six-foot distances:** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
- **Hand sanitizer and sanitizing products:** Having hand sanitizer and sanitizing products readily available for employees and customers;
- **Separate operating hours for vulnerable populations:** Implementing separate operating hours for elderly and vulnerable customers; and
- **Online and remote access:** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

New Executive Order – **DRAFT ONLY**



- The current **DRAFT** of the anticipated Executive Order in IL continues to include the same exemption for “essential manufacturing” that is defined as:
 - **Manufacturing companies, distributors, and supply chain companies** producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.
- However, the **NEW Executive Order** will include new safety requirements specifically for manufacturers who continue to operate.

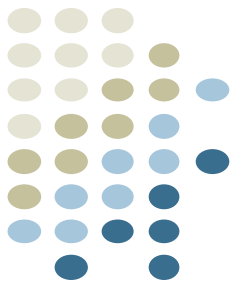
Draft EO – Effective May 1 – Key Mandates to Note:



Requirements for Manufacturers. Manufacturers that continue to operate pursuant to this Order must follow Social Distancing Requirements and take appropriate precautions, which may include:

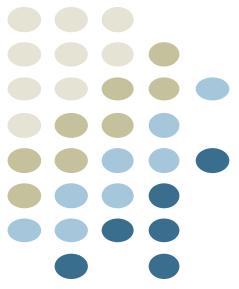
- providing face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times;
- staggering shifts;
- reducing line speeds;
- operating only essential lines, while shutting down non-essential lines;
- ensuring that all spaces where employees may gather, including locker rooms and lunchrooms, allow for social distancing; and
- downsizing operations to the extent necessary to allow for social distancing and to provide a safe workplace in response to the COVID-19 emergency.

Draft EO – Effective May 1 – Other Key Mandates to Note



Requirements for all businesses. All businesses must evaluate which employees are able to work from home, and are encouraged to facilitate remote work from home when possible. All businesses that have employees physically reporting to a work-site must post the attached guidance from the Illinois Department of Public Health (IDPH) regarding workplace safety during the COVID-19 emergency.

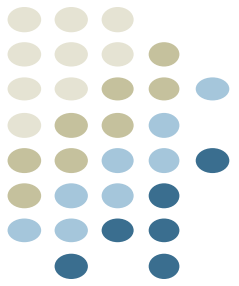
Draft EO – Effective May 1 – Other Key Mandates to Note



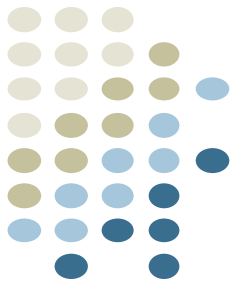
- **Social Distancing, Face Covering, and PPE Requirements**

Required measures. Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:

- a) Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
- b) Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
- c) Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers; and
- d) Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.
- e) Face Coverings and PPE.** Providing employees with appropriate face coverings and requiring that employees wear face coverings where maintaining a six-foot social distance is not possible at all times. When the work circumstances require, providing employees with other PPE in addition to face coverings.



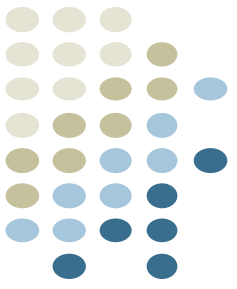
CDC, OSHA, & SAFETY ISSUES & GUIDANCE



CDC Guidelines

- Per CDC... All employers need to consider how best to decrease the spread of COVID-19 and lower the impact in their workplace.
- This may include activities in one or more of the following areas:
 - reduce transmission among employees,
 - maintain healthy business operations, and
 - maintain a healthy work environment.

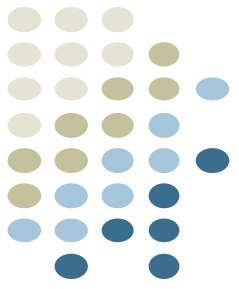
See: <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>



CDC Guidelines

- CDC has published potential mitigation activities according to the level of community transmission or impact of COVID-19 by setting.
- Guidelines set forth what workplaces can do to prepare for COVID-19, if the workplace has cases of COVID-19, or if the community is experiencing a spread of COVID-19.
- See <https://www.cdc.gov/coronavirus/2019-ncov/downloads/community-mitigation-strategy.pdf>

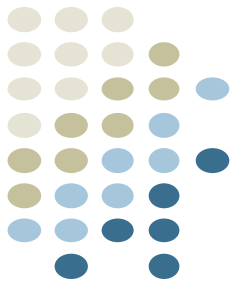
CDC Guidelines (what's in *that* pdf applicable to the manufacturing setting?)



- **None to Minimal:**
 - Know where to find local information on COVID-19 and local trends of COVID-19 cases.
 - Know the signs and symptoms of COVID-19 and what to do if staff become symptomatic at the worksite.
 - Review, update or develop workplace plans to include:
 - Liberal leave and telework policies
 - Consider 7-day leave policies for people with COVID-19 symptoms
 - Consider alternate team approaches for work schedules
 - Encourage employees to stay home and notify workplace administrators when sick (workplaces should provide non-punitive sick leave options to allow staff to stay home when ill).
 - Encourage personal protective measures among staff (e.g., stay home when sick, handwashing, respiratory etiquette).
 - Clean and disinfect frequently touched surfaces daily.
 - Ensure hand hygiene supplies are readily available in building.



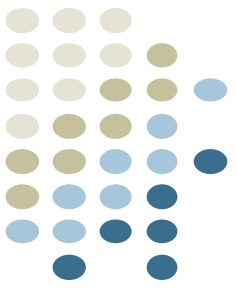
CDC Guidelines



- **Minimal to Moderate:**

- Encourage staff to telework (when feasible), particularly individuals at increased risk of severe illness.
- Implement social distancing measures:
 - Increasing physical space between workers at the worksite
 - Staggering work schedules
 - Decreasing social contacts in the workplace (e.g., limit in-person meetings, meeting or lunch in a break room, etc.)
- Limit large work-related gatherings (e.g., staff meetings, after-work functions).
- Limit non-essential work travel.
- Consider regular health checks (e.g., temperature and respiratory symptom screening) of staff and visitors entering buildings (if feasible).

CDC Guidelines

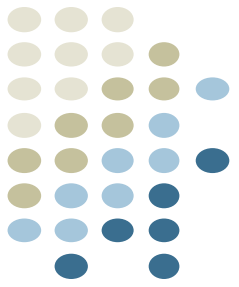


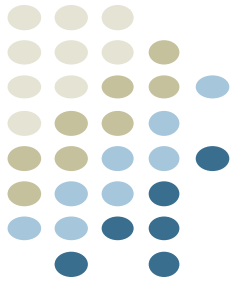
- **Substantial:**

- Implement extended telework arrangements (when feasible).
- Ensure flexible leave policies for staff who need to stay home due to school/childcare dismissals.
- Cancel non-essential work travel.
- Cancel work-sponsored conferences, tradeshow, etc.

CDC's Latest Guidance

- April 8, 2020 the CDC issued new guidelines — abandoning the former restrictions — for employers of critical infrastructure workers in essential sectors (aka “essential business”) such as health care, manufacturing, food and agriculture, information technology, and transportation.



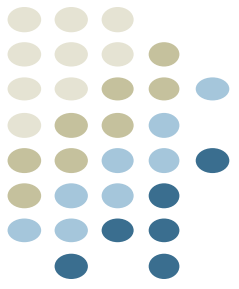


CDC Latest Guidance

Employers should adhere to the following practices when an critical employee has been potentially exposed to COVID-19

**potential exposure means a household contact or having close contact within six feet of an individual that has confirmed or suspected COVID-19, up to 48 hours before the individual became symptomatic:*

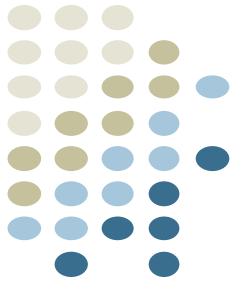
- **Pre-Screen:** Employers should measure the employee's temperature and assess symptoms prior to them starting work. Temperature checks should happen before the individual enters the facility.
- **Regular Monitoring:** As long as no temperature or symptoms, employee should self-monitor under the supervision of their employer's occupational health program.
- **Wear a Mask:** Employee should wear a face mask at all times while in the workplace for 14 days after last exposure. Employers can issue facemasks or can approve employees' supplied cloth face coverings in the event of shortages.
- **Social Distance:** Employee should maintain 6 feet and practice social distancing as work duties permit in the workplace.
- **Disinfect and Clean Work Spaces:** Clean and disinfect all areas such as offices, bathrooms, common areas, shared electronic equipment routinely.
- **Implement the [CDC's prior guidance](#) for employers to plan and respond to COVID-19:** Among other recommendations, increase air exchange in the workplace.



CDC Latest Guidance

- If employee becomes sick during the day, send home and surfaces in workspace should be cleaned and disinfected pursuant to [CDC guidelines](#).
- Information on persons who had contact with the ill employee during the time the employee had symptoms and 2 days prior to symptoms should be compiled.
- Others at the facility with close contact within 6 feet of the employee during this time would be considered exposed.

CDC's Latest Guidance



Persons with COVID-19 who have symptoms and were directed to care for themselves at home may discontinue isolation under the following conditions:



- At least 3 days (72 hours) have passed *since recovery* defined as resolution of fever without the use of fever-reducing medications **and**
- Improvement in respiratory symptoms (e.g., cough, shortness of breath); **and**,
- At least 7 days have passed *since symptoms first appeared*.

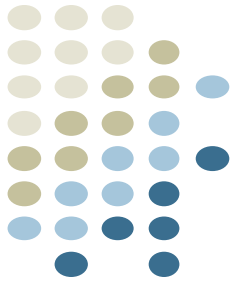
Test-based strategy (simplified from initial protocol) Previous recommendations for a test-based strategy remain applicable; however, a test-based strategy is contingent on the availability of ample testing supplies and laboratory capacity as well as convenient access to testing. For jurisdictions that choose to use a test-based strategy, the recommended protocol has been simplified so that *only one swab is needed at every sampling*.

Persons who have COVID-19 who have symptoms and were directed to care for themselves at home may discontinue isolation under the following conditions:

- Resolution of fever without the use of fever-reducing medications **and**
- Improvement in respiratory symptoms (e.g., cough, shortness of breath) **and**
- Negative results of an FDA Emergency Use Authorized molecular assay for COVID-19 from at least two consecutive nasopharyngeal swab specimens Apply: collected ≥24 hours apart*** (total of two negative specimens). See [Interim Guidelines for Collecting, Handling, and Testing Clinical Specimens from Persons Under Investigation \(PUIs\) for 2019 Novel Coronavirus \(2019-nCoV\)](#) for specimen collection guidance.

Persons with laboratory-confirmed COVID-19 who have not had any symptoms may discontinue isolation when at least 7 days have passed since the date of their first positive COVID-19 diagnostic test and have had no subsequent illness provided they remain asymptomatic. For 3 days following discontinuation of isolation, these persons should continue to limit contact (stay 6 feet away from others) and limit potential of dispersal of respiratory secretions by wearing a covering for their nose and mouth whenever they are in settings where other persons are present. In community settings, this covering may be a barrier mask, such as a bandana, scarf, or cloth mask. The covering does not refer to a medical mask or respirator.

OSHA



- Manufacturing considered “low risk” for COVID
- OSHA says no additional PPE required but...
- Illinois says mask required
- CDC says work with masks for “critical” employees exposed to COVID-19 (4/8/20)

COVID-19 Guidance for the Manufacturing Industry Workforce

OSHA is committed to protecting the health and safety of America's workers and workplaces during these unprecedented times. The agency will be issuing a series of industry-specific alerts designed to keep workers safe.


If you are in the manufacturing industry, the following tips can help reduce the risk of exposure to the coronavirus:

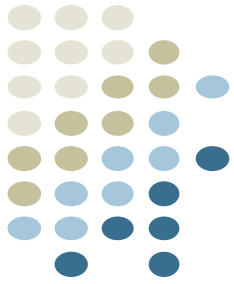
- Encourage workers to stay home if they are sick.
- Establish flexible work hours (e.g., staggered shifts), if feasible.
- Practice sensible social distancing and maintain six feet between co-workers, where possible.
- For work activities where social distancing is a challenge, consider limiting the duration of these activities and/or implementing innovative approaches, such as temporarily moving or repositioning workstations to create more distance or installing barriers (e.g., plexiglass shields) between workstations.
- Monitor public health communications about COVID-19 recommendations for the workplace and ensure that workers have access to and understand that information.
- Train workers on how to properly put on, use/wear, take-off, and maintain protective clothing and equipment.
- Allow workers to wear masks over their nose and mouth to prevent spread of the virus.
- Encourage respiratory etiquette, including covering coughs and sneezes.
- Discourage workers from using other workers' tools and equipment.
- Use Environmental Protection Agency-approved cleaning chemicals from [List N](#) or that have label claims against the coronavirus.
- Promote personal hygiene. If workers do not have access to soap and water for handwashing, provide alcohol-based hand rubs containing at least 60 percent alcohol. Provide disinfectants and disposable towels workers can use to clean work surfaces.
- Encourage workers to report any safety and health concerns.

For more information, visit www.osha.gov/coronavirus or call 1-800-321-OSHA (6742).

OSHA issues alerts to draw attention to worker safety and health issues and solutions.



• osha.gov/coronavirus • 1-800-321-OSHA (6742) • @OSHA_DOL 

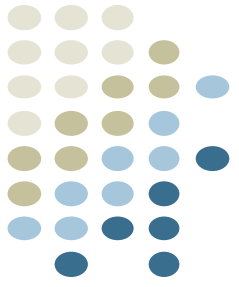


Smith Amundsen



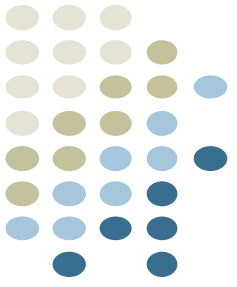
ILLINOIS
MANUFACTURERS'
ASSOCIATION

OSHA



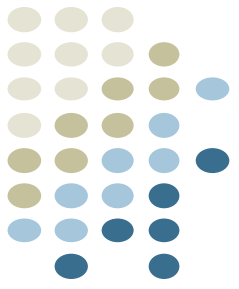
- OSHA has indicated that it will require employers to record and report employee COVID-19 cases in certain circumstances:
 - 1) an employee has a confirmed case of COVID-19;
 - 2) the case is work-related; and
 - 3) the case involves one or more of the general recording or reporting criteria (i.e. medical treatment beyond first aid, days away from work, hospitalization, death, etc.)
- In order for a case to be work-related, employee has to be infected at work—not enough that he/she contracts the disease outside of work and displays symptoms at work
- New OSHA guidance saying only recordable if OBJECTIVE EVIDENCE provided confirming case is work-related! (4/10)

OSHA



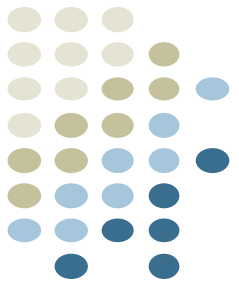
- OSHA is overwhelmed with calls and complaints regarding COVID
- OSHA offices closed and all OSHA employees “working from home”
- OSHA not conducting inspections of construction employers, and instead, is allowing employers to “self-report” (4/13)
- OSHA notifying manufacturing employers of employee COVID-19 complaints (4/13)

COVID PLAN



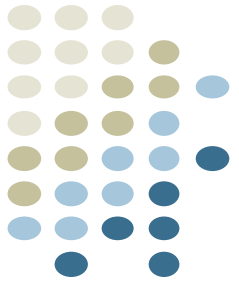
- Adopt a COVID-19 plan and train on it
- Elements of a Plan:
 - If COVID, no work until symptoms resolved
 - At least three days need to pass with no symptoms*
 - If COVID at work, send home and sanitize
 - Evaluate workers for COVID-19 -- if signs, must leave
 - Take temperature or inquire as to fever
 - Ask questions each day re. exposure, symptoms
 - Document and act on temperature and answers

COVID PLAN

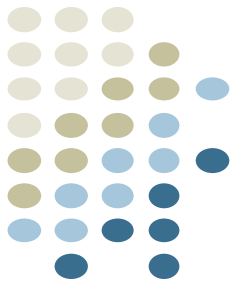


- Elements of a Plan (cont'd):
 - Give workers masks if not able to distance
 - Spread workers out
 - Stagger start times, designate traffic on stairs, etc.
 - Install barriers between employees
 - Make soap, sanitizer, and wipes readily available
 - Have bathrooms routinely cleaned and sanitized
 - Do not meet in large groups
 - Eliminate communal water jugs, coffee stations, and break areas

COVID PLAN



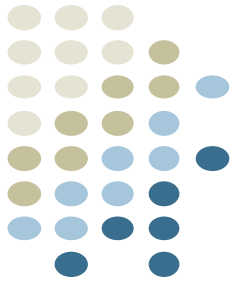
- Employers being contacted about not having COVID plans and/or not enforcing plans by:
 - Unions
 - Local Municipalities
 - State's Attorney General's Office
- Basically just tell them to get a plan or enforce their plan
- Can create exposure/liability for COVID claims



WORKERS COMPENSATION & CIVIL LIABILITY CONSIDERATIONS

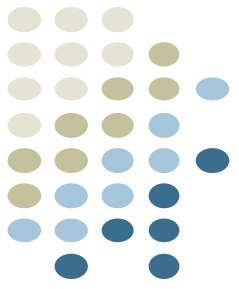
Employer Liability To Workers:

IL Workers' Compensation Act/Occupational Disease Act



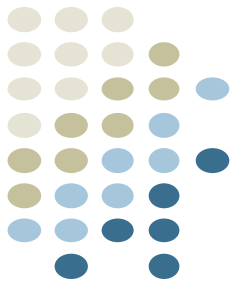
- Generally, if a worker is in the course and scope of his employment, and contracts a harmful illness while on the job, they may have a viable claim against their employer under the Occupational Disease Act, 820 ILCS 310/et seq.
 - “Occupational Disease” is defined as a disease arising out of and in the course of the employment or which has become aggravated and rendered disabling as a result of the exposure of the employment. In the case of an aggravation, it shall arise out of a risk peculiar to or increased by the employment and not common to the general public. 820 ILCS 310/1(d)
- Courts will also consider:
 - Whether their occupation presented an increased risk or greater likelihood of contracting the condition compared to the risk that the general public has;
 - Other methods of exposure outside of work;
 - Whether the employee can identify a specific source from which they contracted the condition.

Illinois Workers Compensation Commission: 4/16/20



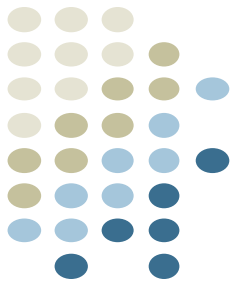
- Enacts Emergency Amendment to WC Section 9030.70
- Changes the burden of proof for an employee alleging COVID-19 due to work related exposure
- “Rebuttable presumption” that COVID-19 due to work related exposure

Illinois Workers Compensation Commission: 4/16/20



- Rebuttable Presumption shifts burden to employer
 - **IWCC repealed the Rule on April 27, 2020**
 - **BUT... Legislature will likely address the rebuttable presumption standard**
- Current standard of proof for causation remains
 - preponderance of the evidence

Work Comp – Litigation considerations

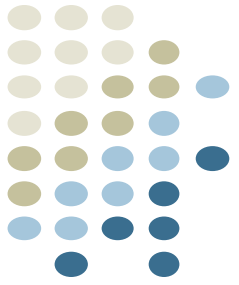


Need information from employer to rebut causation for each employee seeking WC benefits from virus

- To provide to medical expert (Records review/modified IME)
 - IME
 - Statutory right: Cannot be denied but arbitrator will give very little benefit of doubt about scheduling issues to employer if emergency
 - Don't really need physical exam if tests positive and leave ppd exam for later
 - *Records and history review on causation issue*

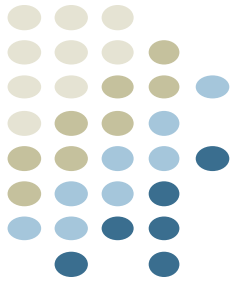
Work Comp

- Litigation considerations (cont'd)



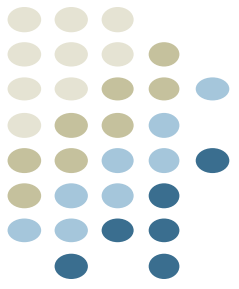
- To address in direct exam of defense trial witnesses and cross exam of claimant at trial
 - For pretrial as risk/cost limiting litigation approach
- Need interview with claimant asap but not possible if very sick or dies
- Need defense witnesses from employer (supervisor/co-workers) on compliance with CDC
 - Employee carelessness in following the procedures for safety rarely, if ever, a basis to defeat compensability

Fact Investigation by Employer



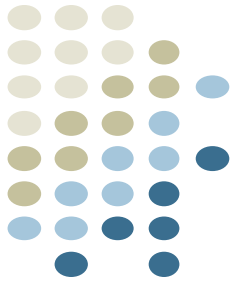
- Attended/participated in group or public activity such as religious service, shopping trips, exercise, travel, etc, ?
- Spouse, children extended family contact and/or living arrangements. Any friends, family members diagnosed with, exposed to COVID-19?
- What are their daily activities re commute, home, travel, shopping, food (carry-out, delivery, groceries).
- Is the employee congregating with other employees *after* work (e.g., in parking lot)

CASE-LAW PRECEDENT REBUTTABLE PRESUMPTION



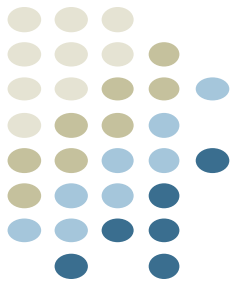
- *Johnston v. Illinois Workers' Comp. Comm'n*, 2017 IL App (2d) 160010WC
- *Simpson v Illinois Workers' Comp. Comm'n*, 2017 IL App (3d) 160024WC
- IWCC Cases applying rebuttable presumption
 - *Cwirla*
 - *Lovelace*
 - *Clark*
 - *Folsom*

IWCC procedure



- Will take at least 30-90 days for pretrial, trial, or decision
- 19B emergency hearing might not be available to claimant due to RTW/MMI with the virus
 - Available if unpaid medical bills, need for treatment, or at least 12 weeks of unpaid compensation (TTD)
 - By time hearing comes around, either mmi or death
- 19B only proceed by order of IWCC chairman for (emergency)
 - That is typically decided by each arbitrator
 - Some 19B hearings are proceeding due to TTD issues

Illinois' First COVID-19 Injury Case: *Evans v. Walmart* and J2M, 2020-L-003938

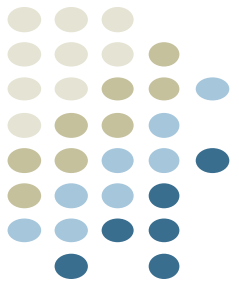


April 6, 2020, Estate of Wando Evans (deceased) brought suit against Walmart and J2M, the landlord for the property in Evergreen Park, Illinois for the death of a Walmart employee.

Estate alleges another employee at the store, also passed away from COVID-19, and that several other store employees exhibited signs and symptoms of the disease.

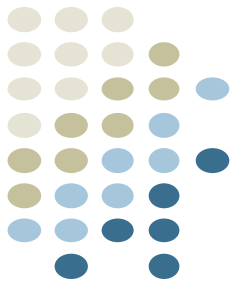
Plaintiff alleges Walmart management and landlord knew employees were exhibiting symptoms, and employees were at high risk for infection due to the volume of individuals present at and circulating throughout the store on a daily basis.

Illinois' First COVID-19 Injury Case: *Evans v. Walmart* and J2M, 2020-L-003938



- Plaintiff alleges that Walmart was negligent by failing to:
 - Sterilize the premises
 - Failing to promote and enforce social distancing
 - Failing to provide masks and gloves to employees and
 - Failing to adhere to the Dept. of Labor, CDC, and OSHA guidelines recently published, and failing to isolate sick employees from other ones, among other things

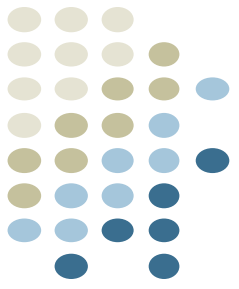
Potential Liability For COVID-19 Claims of Non-Employee



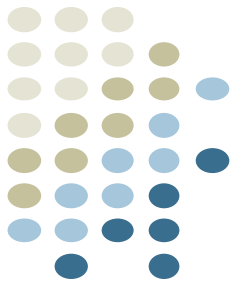
Scenario:

- While working, employee gets COVID-19.
- Employee then goes home and gets wife or kids gets really sick.
- Can wife and/or kids sue employer via civil suit?

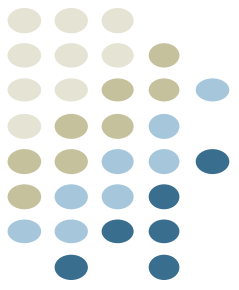
Third Party Claims



- In the current COVID-19 environment, if employer was actively disregarding federal, state or local guidelines, or its own safety policy, adopted in light of COVID-19, it is possible that a plaintiff may prevail on its claim, but.....
 - Causation - would still have to prove causal connection.



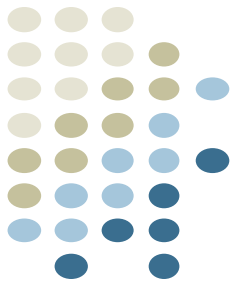
KEY STEPS TO TAKE TO HELP ENSURE A SAFE WORKPLACE



The Three (3) Absolutes

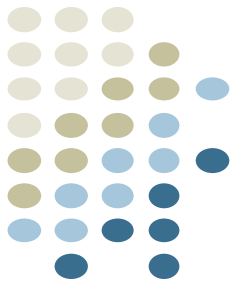
- 1) Comply with all local, state and/or federal “shelter-in-place” orders. Read the FINE PRINT.
- 2) Recognize and Implement CDC & OSHA guidelines/standards re: COVID-19.
- 3) Prepare and Use Written Documents to help demonstrate your compliance and implementation of “Safety First.”

Modifying Attendance Policies?



- Misc. Considerations:
 - a) Establishing new precedent?
 - b) Collective bargaining issues?
 - c) Too generous = no workers?
 - d) FFCRA considerations?
 - e) Local/State paid sick leave mandates?

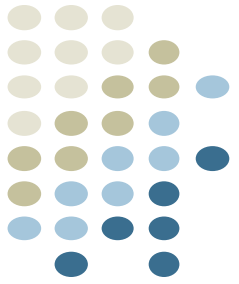
***Ordering those who are ill to stay-home?



Documents/Tools to Consider

- “ Screener ” Forms/Procedures/Checklist
- Letter to Employees Afraid to Come to Work
- Employee Questionnaire for a diagnosis or presumption of COVID-19 (and HR Checklist)
- Letter to Employees with NO “close contact” to COVID-19
- Letter to Employees with “close contact” to COVID-19

Let's Freeze Actual Facts in REAL TIME...

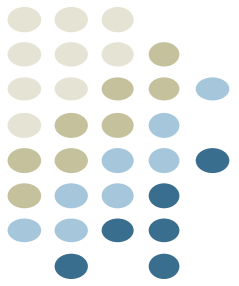


EMPLOYEE NAME: _____ DATE: _____

INSTRUCTIONS: The following questions should be asked of any Employee who has informed you that she or he has either tested positive for COVID-19 or has been told by a medical treater or provider they presumptively have COVID-19. This questionnaire is to be kept **confidential** and in Employee's medical file with access by only select individuals designated by the Company.

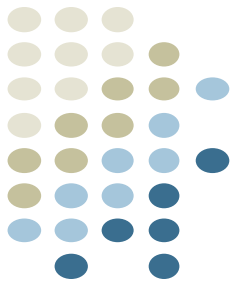
- What is the date that you first exhibited symptoms, if any, of COVID-19?
 - Date: _____
- What were the symptoms?
 - Fever: Yes No
 - Cough: Yes No
 - Shortness of breath: Yes No
 - Sore throat: Yes No
 - Muscle aches: Yes No
 - Other: _____ (describe)
- When were you diagnosed with COVID-19 or presumed to have COVID-19?
 - Date: _____
 - Tested positive: Yes No
 - Presumed to be positive: Yes No

Freezing Facts...



- Name of medical professional or health care provider giving you the result or telling you that you are presumed to be positive:
 - _____
- What are your current symptoms?
 - Fever (100.4°F or higher) Yes No
 - Cough: Yes No
 - Shortness of breath that you cannot attribute to another health condition: Yes No
 - Sore throat that you cannot attribute to another health condition: Yes No
 - Muscle aches that you cannot attribute to another health condition, or that may have been caused by a specific activity (such as physical exercise): Yes No
 - Other: _____ (describe)
- Have you been told by a medical professional to self-quarantine? Yes No
 - If yes, for how long (in days)? _____
 - If yes, have you been self-quarantined? If yes, since what date? _____
- In the previous 30 days, have you had close contact with an individual confirmed or presumed to have COVID-19 (i.e. spent longer than 15 minutes within 6 feet of the individual)? Yes No
 - If yes, give the date of last contact: _____
 - If yes, explain your relationship to individual(s) with COVID-19: _____
 - If yes, identify the location of last contact: _____
 - If yes, identify whether any such contact is or was in your household: _____

Freezing Facts...

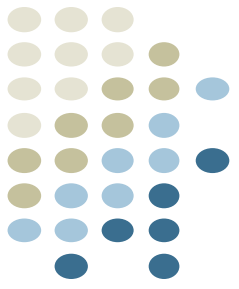


- In the previous 30 days, have you traveled to, or stopped over in, a country for which the CDC has issued a travel health notice (including but not limited to China, Iran, or Europe)? Yes No
 - If yes, give country name and dates of travel: _____
- In the previous 30 days, have you traveled domestically by airplane, bus or train? Yes No
 - Details: _____
 - Date(s) of Travel: _____
- In the previous 30 days have you used mass transit or public transportation? Yes No
 - Details: _____
 - Date(s) of Travel: _____
- Outside of work, have you attended any event or visited any public place in the previous 30 days where more than 10 individuals were in attendance and you were, at any time, within 6 feet from any one individual for more than 15 minutes? Yes No
 - Location: _____
 - Date(s): _____

BY DESIGNATED MEMBER OF MANAGEMENT:

I certify that the above information was provided to me by telephone discussion with the above-named individual on the ____ day of _____, 20____, and is accurately recorded herein.

HR Checklist – to accompany/attach to the “EE Questionnaire”

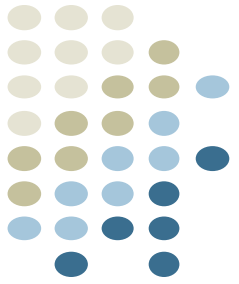


Confidential Checklist for Employer:

- Did you receive any paperwork from Employee regarding their diagnosis of COVID-19? Yes No
 - If yes, include in file with the Employee Response to COVID-19 Questionnaire.
- Did you review any and all publicly available social media accounts of the employee to document recent travel or social interaction? Yes No
 - If any, print and include in file with the Employee Response to COVID-19 Questionnaire.
- Did you inform all of Employee’s co-workers who were in close contact with the individual in the past 14 days of the Employee’s positive test/presumptive positive (without disclosing the Employee’s name)? Yes No
- Did you disinfect, pursuant to latest CDC guidelines, any and all workspaces and surfaces that the Employee had been in contact with over the past 14 days?
Yes No
- Have you implemented the latest CDC and OSHA guidelines concerning maintaining a safe and healthy workplace? Yes No



Thank You!



Jeff Risch

Partner

Labor & Employment Practice Group

OSHA Practice Group

[630.569.0079](tel:630.569.0079)

jrisch@salawus.com



Matt Horn

Partner

Construction Practice Group

OSHA Practice Group

312.894.3322

mhorn@salawus.com



Leslie Johnson

Partner

Workers' Compensation

Practice Group

312.894.3276

ljohnson@salawus.com

Disclaimer: The information and materials contained in this slide deck are for informational and educational purposes only and shall not be construed or considered as legal advice. Consult an experienced attorney for specific questions and answers. **Information included is up-to-date as of April 28, 2020.** ©SmithAmundsen LLC



SmithAmundsen



ILLINOIS
MANUFACTURERS'
ASSOCIATION



**IMA Recommended
COVID-19
Online Resources at:**

<https://ima-net.org/covid-19/>

BOLDLY MOVING MAKERS **FORWARD**