

COVID-19 (Coronavirus) Lawsuits Are Coming

COVID-19 is affecting all aspects of our lives. Numerous businesses have been hit with a barrage of accusations that they are not doing enough to prevent employees from potentially being exposed COVID-19. Some facilities have even temporarily shut down as the result of symptomatic employees while others may need to do so in the future. The lawsuits are just beginning, and no industry is immune.

Walmart has recently been sued after an employee died after contracting COVID-19 (they claim that he got it at work). Since then Walmart has changed its procedures to take employee temperatures, provide gloves and masks for employees, and more closely follow recommendations from the CDC. There will be more lawsuits like this one.

There are a number of steps that all companies should consider to reduce the risk of employee exposure as well as potential lawsuits:

- Call your worker's compensation insurance provider to ensure that they are prepared to address any COVID-19 related claims in your workplace.
- Make efforts to obtain masks and other protective equipment. If you are able to obtain masks, then you should require employees to wear them. If you cannot obtain sufficient masks, then you should suggest employees wear masks or other cloth coverings that they bring from home if possible.
- Any reusable face masks should be laundered before each use.
- Follow all CDC recommendations to the extent that it is possible at your operation.
- Continuously speak with your employees about the steps that you are taking to reduce the risk of spreading COVID-19 in the workplace.
- Post the OSHA poster on COVID-19 in your workplace and follow the recommendations within (it is available here <https://www.osha.gov/Publications/OSHA3994.pdf>).
- Practice distancing to the extent operationally possible.
- Provide tissues and no touch trash cans.
- Place additional hand sanitizing stations in the facility and encourage employees to thoroughly wash their hands.
- Advise employees to check for the symptoms of the coronavirus at home.
- Try to space out or limit the number of employees in lunchroom or other places where employees may gather, such as in hallways or entryways.
- When there is a positive in the workplace, you should.
 - Try to identify the employees that may have been exposed
 - Alert these employees that they may have been exposed to COVID-19
 - Continue to monitor employees and send them home if they are exhibiting symptoms of COVID-19
- Train employees to recognize areas or practices that could spread the virus and develop responses when an employee fails to follow best practices to prevent the spread of the virus.