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LAW FIRM LLC

Reply to Wichita Office
Eric W. Barth
ebarth@hinklaw.com

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HOW EMPLOYERS SHOULD RESPOND TO THE
CORONAVIRUS DISEASE 2019 (COVID-19) OUTBREAK

On March 11, 2020, the World Health Organization (WHO) declared the COVID-19 virus a pandemic. This is the first time that the WHO has labeled an outbreak a pandemic since the H1N1 swine flu in 2009. In an effort to contain the virus, major sporting events like the NCAA basketball tournament will play games without fans and the NBA has suspended the season due to the coronavirus.

According to the Centers for Disease Control and Prevention (CDC), COVID-19 is a respiratory illness with the following symptoms appearing 2 – 14 days after exposure: fever, cough, and shortness of breath. Reported illnesses have ranged from mild symptoms to severe illness and death for confirmed COVID-19 cases. The virus is thought to spread mainly from person-to-person, including between people who are in close contact with one another (within about 6 feet) and through respiratory droplets produced when an infected person coughs or sneezes. It may also be possible that a person can contract the disease by touching a surface or object that has the virus on it and then touching their mouth, nose, or possibly their eyes, but this is not thought to be the main way the virus spreads.

Employers should take immediate steps to maintain a safe workplace. The CDC has issued an Interim Guidance for Businesses and Employers aimed at preventing workplace exposures to acute respiratory illnesses, including COVID-19, in non-healthcare settings. The guidance can be found at: https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html.

The CDC recommends:

- Actively encouraging sick employees to stay home if you are sick with a fever (*i.e.* 100 degrees or more) until it is gone for 24 hours without the use of fever-reducing medicines;
- Separating sick employees;
- Emphasizing respiratory etiquette and hand hygiene by all employees;
- Performing routine environmental cleaning; and
- Advising employees before traveling to take certain steps

Wichita Office
1617 North Waterfront Parkway, Suite 400 ▪ Wichita, Kansas 67206-6639 ▪ 316.267.2000 ▪ Fax 316.630.8466

Overland Park Office
6800 College Boulevard, Suite 600 ▪ Overland Park, Kansas 66211-1533 ▪ 913.345.9205 ▪ Fax 913.345.4832

Additionally, employers should:

- Use conference calls or videoconferencing rather than holding in-person meetings;
- Postpone or cancel large meetings or gatherings;
- Temporarily suspend nonessential work travel;
- Advise employees who do travel to follow the CDC's latest guidance and recommendations and monitor the CDC's Travel Health Notices;
- Review any telecommuting policies and encourage working from home when possible
- Inform employees of their possible exposure to COVID-19 while maintaining confidentiality of an employee's health status;
- Review company leave policies and properly address any requests for leave under the Family and Medical Leave Act (FMLA) and requests for accommodations under the Americans with Disabilities Act (ADA) and state or local law;
- Consider creating an Infectious Disease Outbreak Plan; and
- Consult legal counsel to address any employment law issues raised by the outbreak.

For additional information concerning the COVID-19 virus and how to decrease its spread, please see:

- The CDC COVID-19 webpage for the latest information about COVID-19 and the global outbreak: https://www.cdc.gov/coronavirus/2019-ncov/index.html

- The CDC Environmental Cleaning and Disinfection Recommendations: https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html

- The Occupational Safety and Health Administration (OHSA) Guidance on Preparing Workplaces for COVID-19: https://www.osha.gov/Publications/OSHA3990.pdf