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Employer Reference Guide

Infectious and Communicable Disease:

Epidemic, Pandemic Workplace Preparedness

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SYLVIA GROUP

INSURANCE | EMPLOYEE BENEFITS | FINANCIAL PLANNING
AN **ALERA GROUP** COMPANY



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Did You Know?

With the spread of the Coronavirus (COVID-19) across the globe and hundreds of confirmed cases with an unfortunate number deaths in the United States, employers who haven't already developed an Infectious and Communicable Disease policy in response to diseases such as the flu should be developing a policy and responsiveness plan.

An effective preparedness plan would include how to keep their employees informed and safeguarded (to the extent possible), while managing continuous business operations as well as interactions with the public and supply chain. Employers may want to look at their disaster preparedness plan which would provide considerations for maintaining staffing and business relationships with limited or no access to facilities. Like any policy development, employers should bring together a team with members from each level of the organization to ensure that all group considerations are being taken into effect.

Also, employers need to be strategic and recognize that COVID-19 is a communicable disease and that their policy should be written to ensure a comprehensive approach. For example, do you know that the flu is as rampant and deadly as COVID-19?

Across the globe and since late 2019, COVID-19 [statistics](#) show that there are a reported 92, 700+ cases with 3,100 deaths and recovery of 48,400 people.

In the U.S., the Center for Disease Control estimates that during the [2019-2020](#) flu season there have been at least 32 million flu illnesses, 310,000 hospitalizations and 18,000 deaths.

Many employees come to work sick with coughing, sneezing, sore throat, runny nose, and watery eyes when PTO is exhausted, or workloads demand responsiveness. The cold or flu (which are both contagious) quickly spread around the office, yet many employers do not have a policy in response to employees coming to work sick.

The CDC has shared that the health risk in the U.S. is a "low risk of exposure" at this time for the general public. Employers with employees who travel to international locations that are



affected are at an elevated risk. Also, those who work in health care and anyone who has had close contact with persons affected with COVID-19 have higher risk. Employer policies should take into consideration the chance for risk and exposure of the employees, considering potential exposure from family members.

There are published [guidelines](#) from the CDC for considerations when developing a policy to respond to COVID-19. In conjunction with the CDC, employers may also look to the Occupational Safety and Health Administration ([OSHA](#)) for additional resources on policy considerations when developing their policy.

Please also contact your Benefit Advisor for services that are available to assist you in developing a responsive Infectious and Communicable Disease policy.





MAKING A PLAN

for Infectious Disease
in the Workplace

From epidemics to pandemics, employers should know both the magnitude of what can happen during a contagious disease outbreak and what actions can be taken to help lessen the impact on employees and the operations of business.



Definitions

An [infectious or communicable disease](#) is a disorder that is caused by bacteria, viruses or other organisms that impairs a person health and can be spread from person to person either directly or indirectly.

According to the [Center for Disease Control](#):

- An **epidemic** is “the increase, often sudden, in the number of cases of an infectious disease above what is normally expected in that population in that area”.
- A **pandemic** is the “spread of an epidemic over several countries or continents, usually affecting a large number of people.”

Getting Help with your Plan

This guide is prepared to aid employers in gathering the information and resources to prepare and communicate the business responsiveness plan to its employees. The following national and state resources are available to aid you in developing plans to help get you started.



[Center for Disease Control \(CDC\)](#) - The CDC, an arm of the Department of Health and Human Services (DHHS) operates to save and protect the U.S. from health threats. The CDC’s website provides information and resources to guide employers on infectious diseases which have risen to epidemics and pandemic level.



[National Association of County and City Health Offices](#) - This website is available to locate your state health department for your area. Partner with your local health department is a key element in developing a preparedness plan.



[Occupational Safety & Health Administration \(OSHA\)](#) - Part of the Department of Labor, OSHA was created to ensure safe and healthy working conditions for employees. OSHA has published standards and guidelines to assist employers in developing a plan to protect against exposure on the [worksite for infectious diseases](#).

Insurance Concerns

A major concern for all business owners is whether a wide-spread epidemic will cause businesses, government agencies and schools to close. This will interrupt business. An important question to ask is whether the company's insurance policies provide coverage for the loss of income and extra expense incurred during the crisis.

The short answer is that traditional property and casualty insurance policies have limited coverage for outbreaks and epidemics like the COVID-19. The longer answer to this question varies by the type of coverage, policy and situation, so it is a good idea to talk with your insurance broker or consultant as part of your planning process.

Property Insurance

Within a Property Insurance Policy, "Business Income" and "Extra Expense" are the two coverages that potentially cover loss of income or extra expense claims. That extra expense may have allowed you to keep your business running at another location. The challenge is that insurance coverage is typically triggered when the physical officer incurs a "direct physical loss" or damage, for example, in the form of a fire or water damage.

Dealing with the presence of a virus on the property would therefore not normally trigger coverage. With that said, courts have ruled that contamination which renders a property unusable for its primary purpose may establish direct property loss or damage. Fortunately, from what is known right now, damage to property is probably not very likely.

What is more likely is that a company's business will be disrupted because employees along the supply chain are either out sick or caring for others who are sick. Standard commercial insurance does not cover financial losses an insured company experience when its suppliers experience loss and cannot supply key materials or goods. Similarly, standard commercial insurance typically will not cover your company if your customers cannot accept goods due to a loss that they incurred.

Companies may want to talk with their brokers about "Contingent Business Income Insurance" and "Contingent Extra Expense" coverage. This coverage reimburses lost income and extra expenses resulting from damage or operational disruption at the location of a customer or supplier. Existing

policies and endorsements or supplemental coverage policies should be read and reviewed carefully to understand what coverage is available and, importantly, what is not.

Travel Insurance

Facing reduced bookings by business travelers who are uncertain about whether an upcoming business trip will be canceled because of the spread of the virus, some major airlines are starting to publicly announce that they will permit cancellations for flights booked in the near future. Not all airlines have extended this offer, however, and many hotels, car rental companies and other travel-related businesses that charge for, or do not permit, changes or cancellations have not relaxed their rules. Companies that rely on business travel should consider reviewing whether to obtain travel insurance or require business travelers to obtain travel insurance for near-future reservations.

Workers' Compensation

Workers' Compensation insurance policies generally cover job-related illnesses or injuries. This coverage provides medical treatment, lost wage replacement and disability compensation. Ordinary illnesses, such as the common cold and other infectious diseases, are not compensable under Workers' Compensation.

However, there are situations in which an ordinary illness or disease may be covered if a direct connection can be established between the office or plant and the circumstances through which the disease was contracted.

If an infected employee comes to work and subsequently infects other employees through their daily interactions at an office, the employee originally carrying the disease would not be eligible for Workers' Compensation benefits, but it could be argued that the resulting illness to other employees has been the result of an accident causing bodily injury.

Insureds should consider all potentially applicable insurance policies when assessing potential coverage for COVID-19 related claims. Consulting with your insurance broker or consultant should place a company in good position to understand and possibly maximize insurance recovery in the event of a COVID-19 related loss.

Pandemic Information for Employers

In the event of pandemic, businesses play a key role in protecting employees' health and safety as well as limiting the negative impact to the economy and society. Planning for any pandemic is critical. To assist employers in their efforts, the DHHS and the CDC have developed the following checklist for businesses. It identifies important, specific activities businesses can do now to prepare, many of which will also help in other emergencies.

1.1 Plan for the impact of a pandemic on your business

Completed	In Progress	Not Started	
			Identify a pandemic coordinator and/or team with defined roles and responsibilities for preparedness and response planning. The planning process should include input from labor representatives.
			Identify essential employees and other critical inputs (e.g., raw materials, suppliers, sub-contractor services/ products, and logistics) required to maintain business operations by location and function during a pandemic.
			Train and prepare ancillary workforce (e.g., contractors, employees in other job titles/descriptions, retirees).
			Develop and plan for scenarios likely to result in an increase or decrease in demand for your products and/or services during a pandemic (e.g., effect of restriction on mass gatherings, need for hygiene supplies).
			Determine potential impact of a pandemic on company business financials using multiple possible scenarios that affect different product lines and/or production sites.
			Determine potential impact of a pandemic on business-related domestic and international travel (e.g., quarantines, border closures).
			Find up-to-date, reliable pandemic information from community public health, emergency management, and other sources and make sustainable links.
			Establish an emergency communications plan and revise periodically. This plan includes identification of key contacts (with back-ups), chain of communications (including suppliers and customers), and processes for tracking and communicating business and employee status.
			Implement an exercise/drill to test your plan and revise periodically.

1.2 Plan for the impact of a pandemic on your employees and customers

Completed	In Progress	Not Started	
			Forecast and allow for employee absences during a pandemic due to factors such as personal illness, family member illness, community containment measures and quarantines, school and/ or business closures, and public transportation closures.
			Implement guidelines to modify the frequency and type of face- to-face contact (e.g., handshaking, seating in meetings, office layout, shared workstations) among employees and between employees and customers (refer to CDC recommendations).
			Encourage and track annual influenza or other related vaccination for employees.
			Evaluate employee access to and availability of healthcare services during a pandemic and improve services as needed.
			Evaluate employee access to and availability of mental health and social services during a pandemic, including corporate, community, and faith-based resources, and improve services as needed.
			Identify employees and key customers with special needs and incorporate the requirements of such persons into your preparedness plan.



1.3 Establish policies to be implemented during a pandemic

Completed	In Progress	Not Started	
			Establish policies for employee compensation and sick-leave absences unique to a pandemic (e.g., non-punitive, liberal leave), including policies on when a previously ill person is no longer infectious and can return to work after illness.
			Establish policies for flexible worksite (e.g., telecommuting) and flexible work hours (e.g., staggered shifts).
			Establish policies for preventing the spread of the disease at the worksite (e.g., promoting respiratory hygiene/cough etiquette, and prompt exclusion of people with symptoms).
			Establish policies for employees who have been exposed to pandemic disease, are suspected to be ill, or become ill at the worksite (e.g., infection control response, immediate mandatory sick leave).
			Establish policies for restricting travel to affected geographic areas (consider both domestic and international sites), evacuating employees working in or near an affected area when an outbreak begins, and guidance for employees returning from affected areas (refer to CDC travel recommendations).
			Set up authorities, triggers, and procedures for activating and terminating the company's response plan, altering business operations (e.g., shutting down operations in affected areas), and transferring business knowledge to key employees.

1.4 Allocate resources to protect your employees and customers during a pandemic

Completed	In Progress	Not Started	
			Provide sufficient and accessible infection control supplies (e.g., hand-hygiene products, tissues and receptacles for their disposal) in all business locations.
			Enhance communications and information technology infrastructures as needed to support employee telecommuting and remote customer access.
			Ensure availability of medical consultation and advice for emergency response.

1.5 Communicate with and Educate Your Employees

Completed	In Progress	Not Started	
			Develop and disseminate programs and materials covering pandemic fundamentals (e.g., signs and symptoms of specific disease, modes of transmission), personal and family protection and response strategies (e.g., hand hygiene, coughing/sneezing etiquette, contingency plans).
			Anticipate employee fear and anxiety, rumors and misinformation. Plan communications accordingly.
			Ensure that communications are culturally and linguistically appropriate.
			Disseminate information to employees about your pandemic preparedness and response plan.
			Provide information for the at-home care of ill employees and family members.
			Develop platforms (e.g., hotlines, dedicated websites) for communicating pandemic status and actions to employees, vendors, suppliers, and customers inside and outside the worksite in a consistent and timely way, including redundancies in the emergency contact system.
			Identify community sources for timely and accurate pandemic information (domestic and international) and resources for obtaining countermeasures (e.g., vaccines and antivirals).

1.6 Coordinate with external organizations and help your community

Completed	In Progress	Not Started	
			Collaborate with insurers, health plans, and major local healthcare facilities to share your pandemic plans and understand their capabilities and plans.
			Collaborate with federal, state, and local public health agencies and/or emergency responders to participate in their planning processes, share your pandemic plans, and understand their capabilities and plans.
			Communicate with local and/or state public health agencies and/or emergency responders about the assets and/or services your business could contribute to the community.
			Share best practices with other businesses in your communities, chambers of commerce, and associations to improve community response efforts.



SAMPLE INFECTIOUS AND COMMUNICABLE DISEASE POLICY

The following is a sample of factors that should be considered when creating your Infectious and Communicable Disease Control Policy. It is recommended that a team be pulled together with representatives from all levels of the company hierarchy to ensure the development of a thorough and responsive plan that meets the business objectives of your organization. Employers should also review their Disaster Recovery Plan for coordination of policy provisions.

Employers will also want to review any relevant state laws that apply to their organization.

[Remove or edit the information as it applies to your organization]



Sample: Infectious and Communicable Disease Control Policy

[*Company name*] will take steps to safeguard the workplace in the event of an infectious and communicable disease outbreak. These steps include:

- a plan to operate effectively
- to ensure all essential services are continuously provided
- that employees are safe within the workplace
- providing information about the nature and spread of infectious and communicable diseases, including symptoms and signs to watch for, and steps to take in the event of an illness or outbreak.

Communicable Disease

A Communicable disease is defined as an infectious disease that is spread from person to person including but not limited to physical contact with an infected person or a contaminated surface, airborne transmission or through the exchange of blood and bodily fluids.

More commonly known diseases include, but are not limited to, Coronavirus (COVID-19), measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, and tuberculosis.

Equal Employment Opportunity (EEO)

In accordance with [*Company Name*] EEO policy, we will not discriminate against any job applicant or employee based on the individual having a communicable disease. Applicants and employees shall not be denied access to the workplace solely on the grounds that they have a communicable disease. [*Company Name*] does reserve the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if the organization finds that, based on a medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace.

Privacy

[*Company Name*] will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally enough safeguards to maintain the personal confidence about persons who have communicable diseases.

Preventing the Spread of Infection in the Workplace

It is our goal to ensure a clean workplace, including the regular cleaning of objects and areas that are frequently used, such as bathrooms, breakrooms, conference rooms, door handles and railings. We ask all employees to cooperate in taking steps to reduce the transmission of infectious disease in the workplace. The best strategies are:

- to clean your hands often with an alcohol-based hand sanitizer that contains at least 60-95% alcohol, or
- wash your hands with soap and water for at least 20 seconds. Soap and water should be used preferentially if hands are visibly dirty.

To help stop the spread of germs:

- [Cover your mouth and nose](#) with a tissue when you cough or sneeze.
- Put your used tissue in a waste basket.
- If you don't have a tissue, cough or sneeze into your upper sleeve, not your hands.

Remember to [wash your hands](#) after coughing or sneezing:

- Wash with soap and water, or
- If soap and water are unavailable, use an alcohol-based hand sanitizer that contains at least 60% alcohol to clean hands.

Attendance

Unless otherwise notified, current attendance and leave policies remain in place. Following the Center for Disease Control (CDC) guidelines we actively encourage sick employees to stay home.

Employees who have symptoms of acute respiratory illness are recommended to stay home and not come to work until they are free of fever (100.4° F [37.8° C] or greater using an oral thermometer), signs of a fever, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). Employees should notify their supervisor and stay home if they are sick.

Many times, with the best of intentions, employees report to work even though they feel ill. If you arrive to work appearing to have acute respiratory illness symptoms (i.e. cough, shortness of breath) upon arrival to work or become sick during the day you will be separated from other employees and be sent

home immediately. Sick employees should cover their noses and mouths with a tissue when coughing or sneezing (or an elbow or shoulder if no tissue is available).

Employees who believe they may face challenges reporting to work during an infectious disease outbreak should take steps to develop any necessary contingency plans. For example, employees might want to arrange for alternative sources of childcare should schools close. It is best to be prepared in advance. Please speak with your supervisor about possible solutions.

[Employers should include important health care phone numbers i.e. telehealth, EAP etc. here]

Leave of Absence

Paid Time Off

If there is no paid sick time available (for an individual or class of individuals), consider if the company will pay for sick time based upon a diagnosis of an infectious and communicable disease. Also, if applicable, consider the removal of any disciplinary action for going over sick time in limited period. Please check your state and local laws for any required leave of absence regulations.

We provide paid sick time and other benefits to compensate employees who are unable to work due to illness. See the *[insert name of sick leave/PTO policy here]* for more information.

Family and Medical Leave or Other Leave of Absence

Employees who are diagnosed with a serious health condition may be eligible for Family and Medical Leave and/or short-term disability under the Company's policies. Additionally, employees who are caring for the family member's serious health condition may also be eligible for Family Medical Leave. Please check with your Human Resources Department for additional information.

Requests for Medical Information and/or Documentation

If you are out sick or show symptoms of being ill, it may become necessary to request information from you and/or your health care provider. In general, we would request medical information to confirm your need to be absent, to show whether and how an absence relates to your illness, and to know that it is appropriate for you to return to work.

Our policy is to treat any medical information as a confidential medical record. Any disclosure of medical information is in limited circumstances to those who have a need to know. This may include supervisors, managers, first aid and safety personnel, and government officials as required by law. If there is an exposure of employees by a confirmed case of an infectious diseases, the company will follow CDC guidelines as well as maintain confidentiality required by the Americans With Disabilities Act. Exposed employees will want to review CDC guidelines published on the CDC website with information available for exposure to the relevant outbreak [how to conduct a risk assessment](#).

Business Travel

All nonessential business travel should be avoided until further notice. Employees who travel as an essential part of their job should consult with their supervisor on appropriate actions. Business-related travel outside the United States will not be authorized until further notice.

Employees who do need to travel for business purposes should following CDC guidelines and take the following steps:

- Check the [CDC's Traveler's Health Notices](#) for the latest guidance and recommendations for each country to which you will travel. Specific travel information for travelers going to and returning from China, and information for aircrew, can be found at on the [CDC website](#).
- Check yourself for symptoms of [acute respiratory illness](#) before starting travel and notify your supervisor and stay home if you are sick.
 - If you become sick while traveling or on temporary assignment notify your supervisor and promptly call a healthcare provider for advice.

Social Distancing Guidelines

During times of a heightened potential of the spread of an infectious and communicable disease and in an effort to minimize the spread of any disease among the staff, it is encouraged that employees maintain the following social distancing guidelines.

During the workday, employees are requested to:

1. Avoid meeting people face-to-face and use the telephone, online conferencing, e-mail or instant messaging to conduct business as much as possible, even when participants are in the same building.

2. If a face-to-face meeting is unavoidable, minimize the meeting time, choose a large meeting room and sit at least one yard from each other if possible; avoid person-to-person contact such as shaking hands.
3. Avoid any unnecessary travel and cancel or postpone nonessential meetings, gatherings, workshops and training sessions.
4. Do not congregate in work rooms, pantries, copier rooms or other areas where people socialize.
5. Bring lunch and eat at your desk or away from others (avoid lunchrooms and crowded restaurants).
6. Encourage members and others to request information and orders via phone and e-mail in order to minimize person-to-person contact. Have the orders, materials and information ready for fast pick-up or delivery.
7. Employees should avoid crowded public transportation when possible. Alternative scheduling options, ride-share resources and/or parking assistance may be provided on a case-by-case basis. Contact human resources for more information.
8. Employees are encouraged to the extent possible to:
 - a. Avoid public transportation. Alternatively consider by walking, cycling, driving a car or going in early or leaving late to avoid rush-hour crowding on public transportation.
 - b. Avoid recreational or other leisure classes, meetings, activities, etc., where there is the potential to come into contact with contagious people.

