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OSHA RELIEVES MANY EMPLOYERS OF MAKING COVID-19 DETERMINATIONS

Under a directive from the U.S. Occupational Safety and Health Administration (OSHA), RIPA members do not have to make determinations of whether an employee's contraction of COVID-19 is work related. Such COVID cases, then, are not recorded in the employer's illness and injury logs, and do not show in the annual summaries submitted to the federal or state OSHAs.

What's not immediately clear is if this exclusion of COVID cases from reporting necessarily precludes any COVID claims for workers' compensation. Worker compensation insurance largely follows state law, and those laws can vary in significant ways. Generally, however, claimants who are not in high risk professions (e.g., nurses, paramedics, police) face a certain burden of proof. And employers typically are asked for evidence of their own, either for or against the claim. Proving a claim of workplace COVID exposure would be difficult for most types of workers.

More information will be reported as it is discovered.

See [HERE](#) a copy of the OSHA directive. It is operative "...until further notice.."