

Return-to-work services and COVID-19

Spot the symptoms

Caused by droplets from infected person's cough, sneeze or breath that has touched another's eyes, nose or mouth.^[1]

Fever

Headache

A cough

Sore throat

Shortness of breath

Congestion or runny nose

Fatigue

Loss of taste or smell

Chills, sometimes shaking

Nausea or vomiting

Body aches

Diarrhea

Symptoms (continued)

Pinkeye

Rashes

Liver problems or damage

Heart problems

Kidney damage

Dangerous blood clots in legs, lungs and arteries which may cause stroke

Researchers are looking into reports of mouth sores and skin rashes, including reddish-purple spots on fingers or toes

Symptoms (continued)^[2]

Lung damage

Neurological changes, including brain injury

Hypoxia of the brain due to lack of oxygen

Possible psychological effects, including post-traumatic stress disorder (PTSD), depression and anxiety

Chronic fatigue and muscle weakness^[3]



Recovering from COVID-19 or ending home isolation^[3]

Employee's emotional reactions may include:

- mixed emotions, including relief;
- fear and worry about their health and the health of loved ones;
- stress from having COVID-19, self-monitoring or being monitored by others;
- sadness, anger or frustration because friends or loved ones have fears of getting the disease from them, even though they are cleared to be around others;
- guilt about not being able to perform normal work or parenting duties;
- worry about getting sick again; and
- other emotional or mental health changes.





COVID-19 illnesses are compensable under workers' compensation law: Minnesota Statutes § 176.011, subdivisions 15 and 16^[4]

For an injury to be compensable, it is sufficient that:

- employment is a substantial contributing factor to the condition or to an aggravation or acceleration of a pre-existing condition; and
- it is not necessary the employment be the only cause of the condition.

An employee has “contracted” COVID-19 under the new law by:

- having either a positive laboratory test; or
- if a test was not available for the employee, a diagnosis based on symptoms by a licensed physician, licensed PA or licensed APN.

COVID-19 Denial of Liability^[5]

Must state in detail the facts for the denial and specific reasons explaining why the claimed injury or occupational disease was not within the course or scope of employment; and include the name and phone number of the person making the determination (see www.revisor.mn.gov/statutes/cite/176.221#stat.176.221.1).

Examples of nonspecific denials or having a factual or legal basis:

- no medical information that relates the injury to the job;
- the employee was not tested for COVID-19;
- the employee was not exposed to someone with COVID-19 at work; and
- the employee has been terminated or laid off by the employer.

Waiver of workers' compensation rights prohibited^[6]

- **Employee signing a waiver** agreeing the employer is not liable if the employee contracts COVID-19 on work premises
- **Employee's who refuse to sign** waiver will be fired or unable to return to work
- **Employee agreeing that by returning to work** they have assumed the risk of contracting COVID-19; or waiver requires the employee to agree to mandatory arbitration

Such waivers or agreements **are not** enforceable under Minnesota law. Employees cannot sign away their right to file a workers' compensation claim and an employer may not discriminate against a worker for reporting an injury.

Employers cannot advise employees to **not** report an injury, agree to hold an employer harmless for an injury or relinquish the rights an employee may have to workers' compensation benefits.



Employees reported feeling safer

If at brick and mortar jobs:^[7]

- **53%** – social distancing measures, such as signage, a plan for communal areas and a reduced number of staff members in the workplace at a time;
- **46%** – detailed cleaning protocols;
- **44%** – COVID-19 testing offered to employees;
- **44%** – personal protective equipment required, such as masks; and
- **43%** – temperature and symptom screening.

CATEGORY	BUILDERS	BABY BOOMERS	GENERATION X	GENERATION Y	GENERATION Z	GEN ALPHA
Slang terms	 We prefer proper English if you please Born: < 1946 Age: 74+	 Be cool Peace Groovy Way out Born: 1946-1964 Age: 55-73	 Dude Ace Rad As if Wicked Born: 1965-1979 Age: 40-54	 Bling Funky Doh Foshizz Whassup? Born: 1980-1994 Age: 25-39	 Fam GOAT Slay Yass queen Born: 1995-2009 Age: 10-24	 lit yeet hundo oof rn idrc Born: 2010-2024 Age: under 10
Social markers	World War II 1939-1945	Moon landing 1969	Stock market crash 1987	September 11 2001	GFC 2008	Trump / Brexit 2016
Iconic cars	 Model T Ford Final, 1927	 Ford Mustang 1964	 Holden Commodore 1978	 Toyota Prius 1997	 Tesla Model S 2012	 Autonomous vehicles 2020s
Iconic toys	 Roller skates	 Frisbee	 Rubix cube	 BMX bike	 Folding scooter	 Fidget spinner
Music devices	 Record player LP, 1948	 Audio cassette 1962	 Walkman 1979	 iPod 2001	 Spotify 2008	 Smart speakers Now
Leadership style L - Leader I - New leaders	 Controlling	 Directing	 Coordinating	 Guiding	 Empowering	 Inspiring
Ideal leader	Commander	Thinker	Doer	Supporter	Collaborator	Co-creator
Learning style	Formal	Structured	Participative	Interactive	Multi-modal	Virtual
Influence/advice	Officials	Experts	Practitioners	Peers	Forums	Chatbots
Marketing	Print (traditional)	Broadcast (mass)	Direct (targeted)	Online (linked)	Digital (social)	In situ (real-time)

General satisfaction with employer return to work plans:^[8]

85% – baby boomers

82% – millennials

77% – Generation X

62% – Generation Z

N/A – Generation Alpha

Minnesota distribution of COVID-19 claims by industry – July 10^[9]

Industry sectors*	Number of claims	Industry sectors*	Number of claims
Manufacturing	60	Residential mental health and substance abuse facilities	32
Animal (except poultry) slaughtering	42	Continuing care retirement communities	161
Retail trade	12	Assisted living facilities for the elderly	74
Transportation and warehousing	18	Other residential care facilities	23
Real estate and rental and leasing	14	Services for the elderly and persons with disabilities	58
Residential property managers	14	Other individual and family services	29
Administrative and support and waste management and remediation services	102	Accommodation and food services	23
Janitorial services	101	Limited service restaurants	14
Educational services	15	Public administration	183
Health care and social assistance	1,810	Other general government support	14
Offices of physicians	31	Police protection	50
Home health care services	68	Correctional institutions	75
General medical and surgical hospitals	532	Fire protection	20
Nursing care facilities	638	Administration of housing programs	13
Residential intellectual and developmental disability facilities	124	All other industries	20
Total = 2,257			

*Detailed industries with 10 or more claims are indented.

Minnesota COVID-19 claims by occupation – July 10^[10]

Occupation groups*	Number of claims	Occupation groups*	Number of claims
Management, business and financial occupations	98	Building and grounds cleaning and maintenance occupations	169
Management occupations	87	Personal care and service occupations	123
Business and financial occupations	11	Office and administrative support occupations	26
Professional occupations	687	Installation, maintenance and repair occupations	18
Community and social services occupations	83	Production occupations	34
Education, training and library occupations	12	Transportation and material moving occupations	16
Health care practitioners and technical occupations	583	Accommodation and food services	23
Service occupations	1,237	All other occupations	6
Health care support occupations	750	Occupation not reported	135
Protective support occupations	157		
Total = 2,257			
*Subgroups with 10 or more claims are indented.			



Proactive employee communications ^[11]

Minimize isolation through communication:

- Zoom, Facetime, texting, phone and email are useful tools;
- identify points to be reviewed with employee prior to conversation;
- allow employee to vent, but set boundaries; and
- have honest conversations about risks, benefits, fears and goals.

Face to face meetings, with protocols identified:

- social distancing;
- face mask;
- handshake or other; and
- outdoor versus indoor location.

OSHA guidance on returning to work^[12]



Hazard assessment

Job tasks assessed to determine which job tasks or job categories involve occupational exposure

Exposure from members of the public (such as customers or visitors) with whom workers interact and coworkers in the workplace considered

Current outbreak conditions in the community reviewed



Hygiene

Employer provides soap, water and paper towels for workers, customers and visitors to wash their hands, and encourages frequent and proper (for at least 20 seconds) handwashing

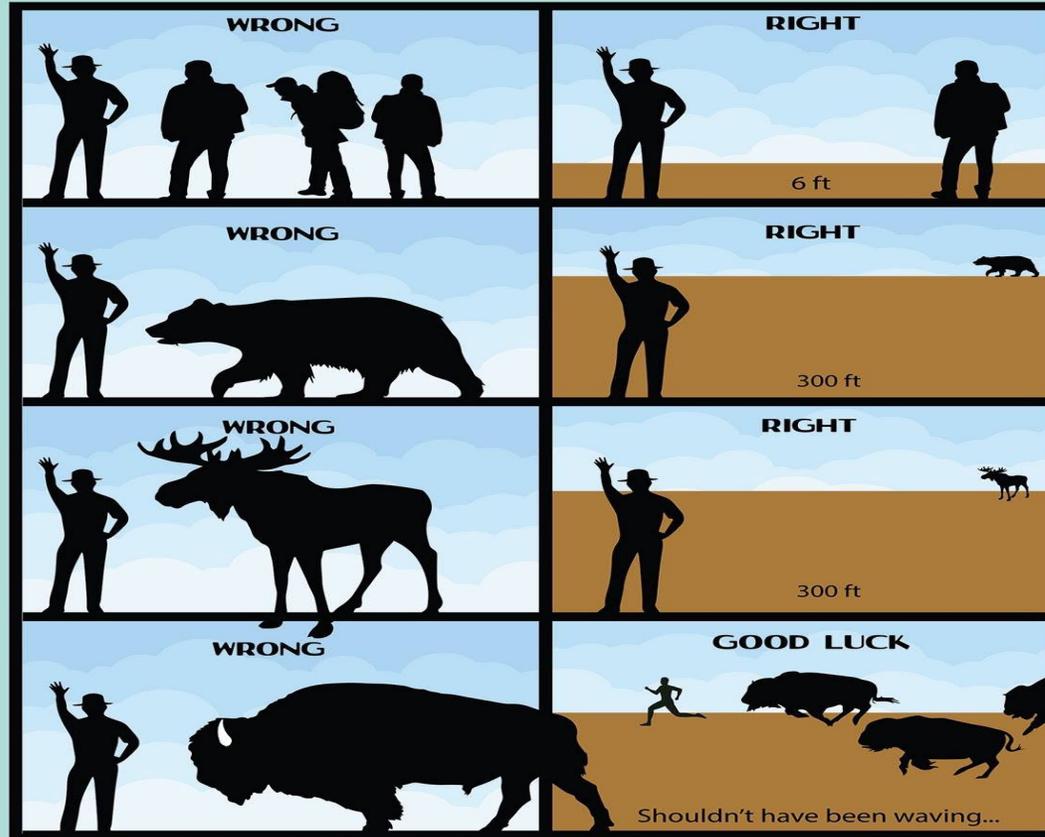
Hand sanitizer with at least 60% alcohol and employees are encouraged to use it frequently when they cannot readily wash their hands

High-traffic areas identified, as well as surfaces or items that are shared or frequently touched, that could become contaminated

- Are they targeted for enhanced cleaning and disinfection using EPA-registered disinfectants?

Social distancing

KEEP YOUR SOCIAL DISTANCE



Social distancing^[13]

Business limits occupancy to a number of workers and customers that can safely be accommodated to allow for social distancing

Demarcate flooring in six-foot zones in key areas where workers, customers or visitors would ordinarily congregate (such as in restrooms, breakrooms, checkout lines, areas with time clocks) to encourage people to keep appropriate social distance between themselves and others

Signage posted reminding workers, customers and visitors to maintain at least six feet between one another

Directional signage posted in hallways and corridors where the width restricts movement and limits social distancing



Identification and isolation of sick employees

Employees are asked to evaluate themselves for signs and symptoms of COVID-19 before coming to work and to stay home if they are not well.

Check for protocol for managing people who become ill in the workplace:

- details about how and where a sick person will be isolated (in the event they are unable to leave immediately);
- while awaiting transportation from the workplace to their home or to a health care facility; and
- whether there is cleaning and disinfecting of spaces the ill person has occupied to prevent exposure to other workers, customers or visitors.



Return to work after illness or exposure

Test-based strategy is no longer recommended to discontinue home isolation, except in certain circumstances.

Symptom-based criteria were modified as follows:

- changed from “at least 72 hours” to “at least 24 hours” *since last* fever without medications; and
- changed from “improvement in respiratory symptoms” to “improvement in symptoms” to address expanding list of symptoms associated with COVID-19.

Patients with severe illness: Duration of isolation for up to 20 days after symptom onset may be warranted.

For persons who never develop symptoms: Isolation and other precautions can be discontinued 10 days after the date of their first positive test.

When I accidentally burn popcorn in the office breakroom microwave, my coworkers are like...



Controls

Engineering controls – physical barriers or shields to separate workers and enhanced ventilation

Administrative controls – staggering work shifts, limiting breakroom capacity, practicing social distancing, replacing in-person meetings with video-conference calls, ensuring workers wear appropriate face coverings, such as cloth face masks, to contain respiratory secretions

Providing and use of appropriate personal protective equipment (PPE) – identified through hazard assessments and in accordance with OSHA standards

- **Note:** Cloth face coverings are not PPE, because they protect other people from the wearer's respiratory secretions, rather than protecting the wearer.



Employer training of employees^[14]

Appropriate language and literacy level about their risks of exposure to SARS-CoV-2, what the employer is doing to protect them – including site-specific measures – and how they can protect themselves

About wearing cloth face coverings in the workplace, including any employer policies related to their use and considerations for when cloth face coverings could cause or contribute to a workplace safety and health hazard

OSHA standards for PPE, including respiratory protection, include:

- train workers how to put on, use and take off PPE;
- train workers how to clean, maintain, store and dispose of PPE; and
- understand what the limitations of the PPE are.

Face mask mistakes



Anti-retaliation

Workers understand their right to a safe and healthful work environment, who to contact with questions or concerns about workplace safety and health, and prohibitions against retaliation for raising workplace safety and health concerns

Raise concern: That workers understand their right to raise workplace safety and health concerns and seek an OSHA inspection

Understand: Workplace flexibilities and other human resources policies and procedures, as well as workers' rights in general

**PLEASE STOP COMPLAINING
ABOUT BEING HOME WITH YOURS KIDS**



**WHEN I'M JUST PRAYING I
DON'T BRING THIS VIRUS HOME TO MINE.**

As a professional^[15]

Remember everyone reacts differently to stressful situations:

- people who are at higher risk for illness;
- those caring for family members or loved ones;
- frontline workers, such as health care providers and first responders;
- essential workers in the food industry;
- those with existing mental health conditions;
- those using substances or having a substance use disorder;
- people who have lost their job, had their hours reduced or had major changes to their employment;

As a professional (continued)

- people with disabilities;
- those who are socially isolated from others, including people who live alone and people in rural areas;
- people in some racial and ethnic minority groups;
- those who do not have access to information in their primary language;
- people experiencing homelessness; and
- those living in congregate (group) settings.



Take care of yourself, COVID-19 or not^[16]

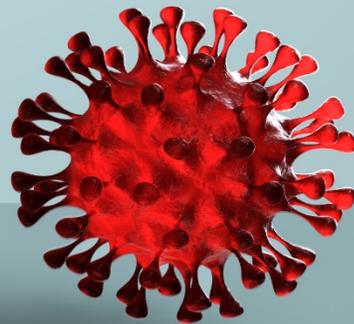
Take care of your body:

- take deep breaths, stretch or meditate;
- try to eat healthy, well-balanced meals;
- exercise regularly;
- get plenty of sleep; and
- avoid alcohol and drugs.

Make time to unwind and try to do some other activities you enjoy.

Take breaks from watching, reading or listening to news stories.

Connect with others in a safe way (maintaining social distancing) and talk with people you trust about your concerns and how you are feeling.



References

1. Coronavirus: What happens when you get infected?
www.webmd.com/lung/coronavirus-covid-19-affects-body#1F
2. Five potential long-term effects of COVID-19. July 1, 2020. Sarah Ellis.
www.healthcentral.com/article/long-term-effects-coronavirus
3. Pandemics can be stressful. July 1, 2020. Centers for Disease Control and Prevention.
www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/managing-stress-anxiety.html
4. Denials of liability related to COVID-19 illnesses. COMPACT: Special edition: COVID-19* July 2020 p. 4.
www.dli.mn.gov/sites/default/files/pdf/special_edition_COVID-19.pdf
5. Denials of liability related to COVID-19 illnesses. COMPACT: Special edition: COVID-19* July 2020 p. 4, 5.
www.dli.mn.gov/sites/default/files/pdf/special_edition_COVID-19.pdf

6. Waiver of workers' compensation rights prohibited. COMPACT: Special edition: COVID-19* July 2020 p. 17, 18.
[www.dli.mn.gov/sites/default/files/pdf/special edition COVID-19.pdf](http://www.dli.mn.gov/sites/default/files/pdf/special%20edition%20COVID-19.pdf)
7. Most employees satisfied with COVID-19 return-to-work plans, July 16, 2020. American Staffing Association.
www.prnewswire.com/news-releases/most-employees-satisfied-with-covid-19-return-to-work-plans-301094865.html?tc=eml_cleartime
8. Most employees satisfied with COVID-19 return-to-work plans, July 16, 2020. American Staffing Association.
www.prnewswire.com/news-releases/most-employees-satisfied-with-covid-19-return-to-work-plans-301094865.html?tc=eml_cleartime
9. Department tracks workers' compensation related COVID-19 claims. COMPACT: Special edition: COVID-19* July 2020 p. 12.
[www.dli.mn.gov/sites/default/files/pdf/special edition COVID-19.pdf](http://www.dli.mn.gov/sites/default/files/pdf/special%20edition%20COVID-19.pdf)

10. Department tracks workers' compensation related COVID-19 claims. COMPACT: Special edition: COVID-19* July 2020 p. 13.
www.dli.mn.gov/sites/default/files/pdf/special_edition_COVID-19.pdf
11. Counseling after COVID-19: What should providers do? Do we dig in the trenches or stay behind a screen? May 13, 2020. Wendy Boring-Bray.
www.psychologytoday.com/us/blog/new-beginning/202005/counseling-after-covid-19-what-should-providers-do
12. Guidance on returning to work: OSA 4045-06 2020. U.S. Department of Labor: Occupational Safety and Health Administration. p. 6.
www.osha.gov/Publications/OSHA4045.pdf
13. Guidance on returning to work: OSA 4045-06 2020. U.S. Department of Labor: Occupational Safety and Health Administration. p. 7.
www.osha.gov/Publications/OSHA4045.pdf

14. Guidance on returning to work: OSA 4045-06 2020. U.S. Department of Labor: Occupational Safety and Health Administration. p. 9.
www.osha.gov/Publications/OSHA4045.pdf
15. Pandemics can be stressful. July 1, 2020. Centers for Disease Control and Prevention.
www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/managing-stress-anxiety.html
16. Guidance for direct service providers: How can I cope with stress during the COVID-19 pandemic? June 28, 2020. Centers for Disease Control and Prevention.
www.cdc.gov/coronavirus/2019-ncov/hcp/direct-service-providers.html