**Coronavirus (COVID-19) – would it be covered by New York Workers Compensation?**

It depends, but probably not. The answer will depend primarily on how widespread COVID-19 becomes. After that, the tests common to all “normal” workers compensation claims need to be passed: the type of work, how the exposure to COVID-19 occurred, and the circumstances behind the exposure. We prepared a basic flowchart on whether or not a COVID-19 exposure would be compensable under workers compensation; however, we recommend contacting us if you have questions.

Proving a coronavirus exposure to be work-related will be very difficult. Note, the following information is relevant only if a worker has positive diagnosis with diagnostic tests performed by a doctor for COVID-19. Isolation, quarantine, and diagnostic tests related to possible COVID-19 exposure would not be compensable. For a claim to be compensable, the worker needs to be able to identify the source of the infection. If a disease is very widespread then it will be impossible to prove that the exposure solely came from his or her work activity. An example of this is: a worker may contract the common cold; however, the common cold is so widespread it would be impossible to identify where the exposure came from.

What separates COVID-19 from the common cold is how widespread the infection is. COVID-19 is still limited in how widespread it is that it may be possible to pinpoint where the exposure came from. If COVID-19 continues to expand how many are infected there are then it will be more difficult to pinpoint where the infection came from.

Other than that, all the regular laws apply to COVID-19 as they do to a “normal” claim. So, as well as what was mentioned above, the exposure has to occur while doing work beneficial to the employer and during work hours.

If you have questions regarding whether or not a COVID-19 exposure would be compensable, contact Hamond Safety Management.

We recommend avoiding COVID-19 by taking preventative measures: practicing good hygiene, washing your hands often, keeping your hands away from your face. If you are concerned that you have been infected by COVID-19, please contact the Novel Coronavirus Hotline (1-888-364-3065).

