



Concern over employees contracting COVID 19 in the course of their employment - Workers' compensation covers illness or disease if it arises out of the employee's occupation. The basic two prong test is whether the illness or disease arises out of employment ("AOE") and occurring in the course of employment ("COE"). In short, the employee must show that the injury did occur at work while employed and it was caused by an employment condition. This means the cause must have arisen out of the particular work or condition specific to the work. Workers' compensation coverage may be available to employees with the COVID 19 virus. Of course, these employees must meet the AOE, COE, or similar test depending on the state and act. Most employees will not meet this test because they are not engaged in work that has a connection to the COVID 19 virus. However, healthcare workers, police, EMT or other services who assist the public and are involved in situations where there is an increased risk may be able to meet this test and the coverage should respond.

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