



be prepared: what should employers do about the coronavirus?

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This week, the U.S. Centers for Disease Control and Prevention (CDC) warned that the Coronavirus, otherwise known as COVID-19, will likely continue its spread around the world and to the U.S. While we don't know the extent to which the Coronavirus will take hold in the U.S., employers should start planning now so they can protect the safety of their workforces and maintain normal business operations, to the extent possible, should the Coronavirus have a significant impact.

In doing so, employers face potentially conflicting laws that should be taken into account in determining how to move forward. For example, under the Occupational Safety and Health Act (OSHA) and similar state laws, employers have a general duty and obligation to provide a safe and healthy work environment and must not place their employees in situations that are likely to cause serious physical harm or death. On the other hand, overreacting or implementing overbroad bans or quarantines that aren't based on reasonable or reliable facts or information could violate laws that prohibit discrimination (based upon disability, national origin, or other protected characteristics).

Employers should contact counsel with any questions as they navigate putting together their Coronavirus (or general infectious disease prevention) plans and policies, or dealing with employee-specific issues that may arise.

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