



PEARSON KOUTCHER LAW

*We have received many calls and know that you are concerned and have questions regarding workers' compensation and we want to help you through them. So, we put together a list of general questions and answers we hope will help you better understand the affects that COVID-19 has under the New Jersey workers' compensation system. If your question is not answered here or if you have a specific concern please contact Laura Brooke at [laura@pearsonkoutcherlaw.com](mailto:laura@pearsonkoutcherlaw.com) or Will Ward at [will@pearsonkoutcherlaw.com](mailto:will@pearsonkoutcherlaw.com) or call 856-657-7070.*

*Stay safe and healthy!*

**Disclaimer:** If you believe you have been exposed to Coronavirus (COVID-19) you should follow the self-quarantining and medical treatment guidelines provided by the CDC (<https://www.cdc.gov/quarantine/quarantineisolation.html>).

**FAQs**

***Q: Am I entitled to New Jersey worker's compensation if I am exposed to Coronavirus (COVID-19) at work or forced to quarantine due to a possible exposure?***

A: Possibly. The NJ Department of Labor & Workforce Development has indicated employees **may** be eligible for Workers' Compensation benefits if the employee is directed to self-quarantine by their employer or a public health official following known exposure to the virus during the course of their work. **Even if it turns out that the employee does not have the virus, the quarantine period may potentially still be covered under workers' compensation.**

***Q: How do I report my illness to my employer?***

A: Properly reporting a potential virus exposure to your employer is essential to a successful claim. In NJ, you will need to prove that it is **more probable than not** that you contracted COVID-19 at work unless you qualify as a first responder, whose work-related exposure is presumed. To report your illness, immediately contact your supervisor. We recommend doing so by text to limit the spread of the virus and to be able to provide proof that you gave notice as to your belief that you were exposed to the virus at work and any symptoms you are having. You must specify that you believe you were exposed to the virus at work. **DO NOT** allow your supervisor to convince you that you were exposed outside of work if you do not believe that to be the case. **Exposures outside of work are not compensable under workers' comp.**

***Q: Do I need to see a company doctor if I believe I was exposed to COVID-19 at work?***

A: Yes. You should ask your employer to send you to a doctor for treatment since the employer directs all treatment in NJ workers' compensation matters. If your employer refuses to send you to a doctor, please see your own doctor and advise of your work-related exposure and symptoms.

***Q: What if I am laid off while out of work for a work injury or while working light duty?***

A: While layoffs for COVID-19 have not been litigated before the court to date, it is our opinion that you **may** be entitled to a resumption of temporary disability benefits until you are found to be at Maximum Medical Improvement.

***Q: What if I am injured while working from home?***

A: Work injuries that occur while working from home are likely to be compensable. This could be true even if you are not performing a regular job duty. The courts are still accepting new claims for work injuries unrelated to COVID-19.

\*These are general answers to general questions. Each matter is fact specific and must be reviewed by an attorney.

WORKERS' COMP. IT'S ALL WE DO.