On February 29, 2020, Governor Jay Inslee declared a state of emergency in response to the spread of COVID-19, directing state agencies to use all resources necessary to prepare for and respond to the outbreak. This was followed by the U.S. President on March 13, 2020. Significant measures have been put in place to limit human interaction to slow the spread of the virus. This is a rapidly evolving situation with no recent precedent in our state history.

WCIA members are public agencies providing essential services to their communities. As such, they will come into contact with the public through delivery of services. As the virus affects more people, services may become less immediately available. Below are some considerations for managing the risk of possible claims during this state of emergency.

1. **Response to requests for aid.** Staffing of first responders will likely be decreased and limited as they become exposed to the virus and need to be quarantined or treated for infection. This is true for fire, law enforcement, and emergency communications personnel. The principals of the Public Duty Doctrine remain in place. Agencies are not generally liable for failing to respond to a request for aid; however, there are exceptions to this rule. Those include if a special relationship is created and a promise to provide a service is given; or if a state statute creates a duty to respond to a particular call such as an active domestic violence dispute. Members should remind their employees they should not be promising to take a specific action or provide a particular response when communicating with the public.

2. **Exposure of employees to COVID-19.** First responders and member employees who work directly with the public will be exposed to the virus by nature of their job duties. Members should endeavor to follow the guidelines issued by the Washington Department of Health for best practices for protecting employees from possible exposures. There is no established standard of care for this specific situation. Therefore, following the guidelines as they are issued is a way to meet the evolving standard of care.

3. **Claims of discrimination or hostile work environment.** Individuals over the age of 60 and individual with certain health conditions have been identified as being at higher risk for more serious symptoms of COVID-19. Member employers should remind supervisors of the laws against discrimination based on someone’s age or disability. Employees should not be treated differently or be subjected to offensive comments at work simply because they fall into one of these protected categories.
4. **Health of incarcerated individuals.** Members who provide jail services may receive claims from inmates if they contract COVID-19 and have serious symptoms. Supervisors should ensure employees follow all protective guidelines and measures instituted by the member for the health and safety of jail personnel and inmate population.

5. **Medical leave.** Member employees who become sick with the virus will need to utilize sick and paid leave as appropriate. Employees who are quarantined due to an exposure to the virus may need to be off work for approximately two weeks. Members should develop a plan for addressing leave during quarantine periods, particularly if the exposure occurred during the course of employment. This should be done in conjunction with the Washington Department of Labor & Industry.

**Recommended Actions**

Members should document the issues that occur in relation to COVID-19 and the steps taken to address the issues. In conjunction with this, it will be helpful to keep a record of the recommendations and advisories being issued by the state and federal government that inform member actions. This will provide a good framework for addressing any potential claims that might be made at a later date. WCIA is maintaining full operations during the state of emergency, and staff are available to assist members with risk management and consults as needed.

See also, the attached Washington State Department of Health Information Sheet with recommendations for police officers. These recommendations are helpful and may be applicable to other member employees as well.

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WHAT IS A CORONAVIRUS?
Coronaviruses are a large family of viruses which may cause illness in animals or humans. In humans, several coronaviruses are known to cause respiratory infections ranging from the common cold to more severe diseases such as Middle East Respiratory Syndrome (MERS) and Severe Acute Respiratory Syndrome (SARS). This most recently discovered coronavirus causes coronavirus disease 2019 (COVID-19).

WHAT IS A COVID-19?
Coronavirus disease 2019 (COVID-19) is the infectious disease caused by the most recently discovered coronavirus—severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). This new virus and disease were unknown before the outbreak began in China, in December 2019.

INCUBATION AND SYMPTOMS
The “incubation period” means the time between being infected with the SARS-CoV-2 virus and beginning to have symptoms of the disease. Estimates of the incubation period for COVID-19 range from 1-14 days. The most common symptoms of COVID-19 include:
- Fever
- Dry cough
- Nasal congestion
- Sore throat
- Diarrhea
- Difficulty breathing

INFECTION PERIOD
The infectious period is unknown, but possibly up to 10-14 days. People are thought to be most contagious when they are most symptomatic (the sickest). Some spread might be possible before people show symptoms; there have been reports of this occurring with this new coronavirus, but this is not thought to be the main way the virus spreads.

HOW DOES IT SPREAD?
- Via respiratory droplets produced when an infected person coughs or sneezes.
- Between people who are in close contact with one another (within about 6 feet).
- It may be possible for a person to get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or possibly their eyes, but this is not thought to be the main way the virus spreads.

ADDITIONAL RESOURCES
- Webinar: Interim Guidance for EMS and 911
- Interim Guidance for EMS Systems and 911 PSAPs for 2019-nCoV in the United States
- EMS Infectious Disease Playbook
- US Department of Labor OSHA – COVID-19 Control and Prevention
PREVENTION AND TREATMENT

There is currently no vaccine to prevent COVID-19. Most people with mild coronavirus illness will recover on their own by drinking plenty of fluids, resting, and taking pain and fever medications. The CDC recommends everyday preventive actions to help prevent the spread of respiratory diseases, including:

- Agencies should evaluate their plans and approaches to performing their work when a significant portion of their workforce is unable to come into work.
- Agencies should strongly suggest or require that employees not come to work if they are sick.
- All vehicles and workspaces should have disinfectant wipes and hand sanitizer, and use these frequently on shared and high-touch surfaces and hands. Use EPA-registered cleaning sprays or wipes following the directions on the label. Cellular phones and duty-related personal equipment should also be regularly disinfected.
- Encourage officers not to touch eyes, nose and mouth.
- Encourage all officers to create additional opportunities to wash hands often with soap and water for at least 20 seconds, especially after going to the bathroom; before eating; and after blowing your nose, coughing, or sneezing. If soap and water are not readily available, use an alcohol-based hand sanitizer with at least 60% alcohol.
- Encourage all officers to wear gloves while responding to medical calls, traffic collisions, and when conducting searches. Change gloves often especially if torn. Officers should not touch clothes or skin with hands while wearing gloves.
- If possible, fit-testing for N95s and use of N95s on medical calls with respiratory complaints. N95 use must be OSHA/DOSH compliant and part of a proper respiratory protection program. It is not suggested to use N95s on all calls.
- In areas where Law Enforcement responds to medical calls, consider limiting the agency’s response to non life-threatening, lower priority medical calls – particularly those of a respiratory nature to reduce risk of exposure.
- Encourage officers not to eat in their vehicles or workspaces.
- Remind officers to maintain appropriate distancing when dealing with individuals or crowds.

This coronavirus fact sheet was coordinated with and reviewed by the Washington State Department of Health.

March 2020