

Industrial Commission Respiratory Virus Guidelines for In-Person Hearings

Note: These guidelines, which are based on the updated Respiratory Virus Guidance from the Centers for Disease Control (CDC) dated March 1, 2024, apply to COVID-19, influenza (flu), RSV, and other common respiratory viruses. These guidelines do not apply to measles, which requires enhanced control measures.

Industrial Commission In-Person Hearing Guidelines are Symptoms-Based and Require an Isolation Period Followed by an Additional 5 Days of Precautions; Presiding Hearing Officer has Discretion to Make Final Decision Regarding Hearing Attendance

A. Symptoms

Symptoms of a respiratory virus can include fever, chills, fatigue, cough, chest discomfort, wheezing, runny or stuffy nose, sneezing, sore throat, headache, muscle or body aches, new loss of taste or smell, diarrhea, or vomiting.

If you are experiencing respiratory virus symptoms that are not better explained by another cause, you should stay home and away from others for a period of time. This period of time is called the “isolation period.” ***Do not attend any in-person Industrial Commission hearing during your isolation period. (See Paragraph E below for instructions on notifying the Commission that you cannot attend an in-person hearing).***

B. Isolation Period

You should stay home and away from others until, for at least 24 hours, both of the following are true:

- (1) Your symptoms are improving; and
- (2) You have not had a fever and you are not using fever-reducing medication.

C. Take Precautions for Additional 5 Days After Isolation Period Ends

It is important to note that these in-person hearing guidelines do not end with staying home and away from others. Some people remain contagious beyond the isolation period, so you should take precautions for an additional 5 days after your isolation period ends to avoid spreading the virus to others. These precautions include wearing a well-fitting mask around others, keeping a distance from others, and utilizing good hygiene practices. ***If you have an in-person Industrial Commission hearing during this period of time, you shall wear a well-fitting mask to the hearing, keep a distance from others at the hearing, cover your coughs and sneezes, and wash or sanitize your hands often.***

D. What to Do if You Develop a Fever or Start to Feel Worse

If you develop a fever and/or start to feel worse after you have ended your isolation period, you should begin a renewed isolation period and then you should take precautions for an additional 5 days after your renewed isolation period ends. ***Do not attend any in-person Industrial Commission hearing during your renewed isolation period. Additionally,***

follow the precautions listed in Paragraph C above if you have an in-person Industrial Commission hearing during the 5 days after your renewed isolation period ends.

E. Instructions on Notifying Commission of Inability to Attend In-Person Hearing

For Deputy Commissioner hearings: Any party or attorney of record who cannot attend the hearing shall contact the presiding Deputy Commissioner by email or telephone at their earliest possible opportunity. Any witness who cannot attend the hearing shall immediately notify the party or attorney who requested their attendance at the hearing.

For Full Commission hearings: Any party or attorney of record who cannot attend the hearing shall contact Counsel to the Panel Chair by email or telephone at their earliest possible opportunity.

F. Presiding Hearing Officer Has Discretion to Determine Hearing Attendance

Notwithstanding any of the foregoing, the presiding Deputy Commissioner or Full Commission Panel Chair has the discretion to make the final decision as to who can attend an in-person hearing, including deciding that a person exhibiting symptoms (although improving and with no fever) should not attend a hearing.