

GUIDELINES FOR PERSONS ATTENDING NORTH CAROLINA INDUSTRIAL COMMISSION IN-PERSON HEARINGS DURING THE COVID-19 PANDEMIC

1. ANY PERSON WITH SYMPTOMS OF COVID-19 SHALL NOT ATTEND A HEARING AND SHALL CONTACT THE DEPUTY COMMISSIONER

Any person with symptoms of COVID-19 shall not enter a courthouse/courtroom or building/hearing room for an Industrial Commission hearing. Any party or attorney of record who cannot attend the hearing shall contact the presiding Deputy Commissioner by email or telephone at the earliest possible opportunity to receive further instructions. Any other witness who cannot attend the hearing shall immediately notify the party or attorney who requested their attendance or participation at the hearing to receive further instructions.

Based on guidance from the Centers for Disease Control (CDC), the symptoms of COVID-19 include:

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

2. ANY PERSON WHO HAS TESTED POSITIVE FOR COVID-19 AND WHO HAS HAD SYMPTOMS OF COVID-19 SHALL NOT ATTEND A HEARING AND SHALL CONTACT THE DEPUTY COMMISSIONER, UNLESS THE PERSON HAS BOTH RECOVERED FROM COVID-19 AND THE CDC-RECOMMENDED AMOUNT OF TIME HAS PASSED SINCE SYMPTOM ONSET AND RECOVERY

Any person who has tested positive for COVID-19 and has had symptoms of COVID-19 shall not enter a courthouse/courtroom or building/hearing room in which an Industrial Commission hearing is scheduled unless all of the following have occurred: (1) 10 days have passed since the COVID-19 symptoms first appeared; and (2) 24 hours with no fever and without the use of fever-reducing medications has passed; and (3) other symptoms of COVID-19 (meaning symptoms other than fever) are improving.

Any party or attorney of record who cannot attend the hearing shall contact the presiding Deputy Commissioner by email or telephone at the earliest possible opportunity to receive further instructions. Any other witness who cannot attend the hearing shall immediately notify the party or attorney who requested their attendance or participation at the hearing to receive further instructions.

Please check current CDC guidelines for updated information regarding relevant COVID-19 symptom onset and recovery time periods.

3. ANY PERSON WHO HAS TESTED POSITIVE FOR COVID-19 BUT WHO HAS HAD NO SYMPTOMS OF COVID-19 SHALL NOT ATTEND A HEARING AND SHALL CONTACT THE DEPUTY COMMISSIONER, UNLESS AT LEAST 10 DAYS HAVE PASSED SINCE THE POSITIVE TEST

Consistent with CDC guidelines, any person who has tested positive for COVID-19 but has not had any symptoms, shall not enter a courthouse/courtroom or building/hearing room in which an Industrial Commission hearing is scheduled unless at least 10 days have passed since the positive test.

4. ANY PERSON WHO IS NOT FULLY VACCINATED FOR COVID-19 AND WHO HAS NOT HAD AND RECOVERED FROM COVID-19 WITHIN THE PREVIOUS 3 MONTHS BUT WHO HAS HAD A KNOWN CONTACT WITH ANOTHER PERSON DIAGNOSED WITH COVID-19 SHALL NOT ATTEND A HEARING AND SHALL CONTACT THE DEPUTY COMMISSIONER, UNLESS AT LEAST 14 DAYS HAVE PASSED SINCE THE KNOWN CONTACT

Any person who is not fully vaccinated for COVID-19 and has not had and recovered from COVID-19 within the previous 3 months but who has had a known contact with another person diagnosed with COVID-19 shall not enter a courthouse/courtroom or building/hearing room in which an Industrial Commission hearing is scheduled, unless at least 14 days has passed since the known contact. Any party or attorney of record who cannot attend the hearing shall contact the presiding Deputy Commissioner by email or telephone at the earliest possible opportunity to receive further instructions. Any other witness who cannot attend the hearing shall immediately notify the party or attorney who requested their attendance or participation at the hearing to receive further instructions.

5. FACE COVERINGS, SOCIAL DISTANCING, HAND HYGIENE, AND OTHER COVID-19 SAFETY PROTOCOLS

The Commission will follow the COVID-19 safety protocols for the county courts where the hearing is held or the safety protocols of the building where the hearing is held, whichever are more restrictive, unless otherwise ordered by the presiding Deputy Commissioner.

For information on a particular county, go to <https://www.nccourts.gov/locations> and then select the desired county.

6. EXHIBITS

Except for hearings involving *pro se* (non-represented) litigants, all stipulated and proposed exhibits shall be uploaded via EDFP at least 48 hours prior to the scheduled hearing and exchanged with the other party or parties. This requirement shall not apply to proposed exhibits contemplated exclusively for use in potential rebuttal, surrebuttal, or impeachment. When a party appears *pro se*, the Deputy Commissioner will determine in his or her discretion how to receive exhibits and how to rule on the admissibility of exhibits.

Unless otherwise ordered by the presiding Deputy Commissioner, all hearing participants (attorneys, parties, witnesses, etc.) shall bring their own copies of the exhibits to the hearing (i.e. all exhibits exchanged between the parties and submitted to the Commission prior to the hearing).

7. STATE AND LOCAL GUIDELINES

All hearing participants and observers are expected to observe all COVID-19 guidelines applicable to the State of North Carolina and applicable to the county and municipality where the hearing is held, as well as any guidelines adopted for the courthouse/courtroom or building/hearing room where the Industrial Commission is conducting hearings.