



Zika Is Here: 7 Tips For Keeping Your Employees Safe

Insights

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Now that the first cases of locally transmitted Zika virus have hit the continental United States, it is time for employers to sit up and take notice. Until recently, Americans could generally acquire the virus only if they visited certain parts of the world or had sexual relations with someone who had been bitten by a mosquito in the Southern Hemisphere. Now Americans – and American employers – should have a different concern.

In late July, Florida public health administrators reported the first locally transmitted Zika virus cases in the continental United States, and the reports have continued in the weeks since that initial announcement. As of the date of publication, there have been 42 locally transmitted cases in Florida where individuals have contracted the virus directly from mosquitoes, including several recent cases from Miami Beach. The concern for those in the United States has now broadened to include the fear of acquiring Zika straight from a mosquito bite without leaving the country.

There is good reason for this concern. While Zika generally exhibits only mild symptoms in healthy adults, it can have devastating consequences, including severe birth defects, for an unborn child if contracted by the mother just before or during pregnancy. Meanwhile, there is no available treatment or vaccine for the virus.

In light of this development, you should take precautions to protect your employees from mosquito bites. Employers located in the southeastern United States, where the Zika-carrying *aedes aegypti* mosquito is most commonly found (especially Florida, Georgia, South Carolina, Mississippi, North Carolina, Texas, Louisiana, and Alabama) should be on heightened alert.

It's unclear at this point if potential exposure to mosquitoes carrying Zika will trigger Occupational Safety and Health Administration (OSHA) regulations or establish a legal duty on behalf of employers (the agency released non-binding guidance on the subject in late August). That should not, however, be your present concern. Rather, focus on keeping employees safe now notwithstanding the legal ramifications that may later develop. Here are some tips for preventing mosquito bites in the workplace:

1. **Educate Your Employees.** A great safety program starts with education. If employees understand the risks associated with Zika, they are more likely to comply with safety rules. The Center for Disease Control provides great resources to assist you with the education process.

2. **Provide Mosquito Repellent.** Obviously, employees working outside are at greatest risk of mosquito bites. Purchase mosquito repellent for your employees and ask that they wear it while working outside. Retain a pest control company to spray mosquito repellent on your company's property. Instruct employees on how to spray repellent on their clothing (e.g., on the outside of clothing and not under it, as mosquitoes can bite through thin clothing), and to use soap and water to remove repellent after work. Encourage employees to avoid wearing strong cologne or perfume while working outside.
3. **Remove All Stagnant Water From Outside Your Facility.** If possible, remove all containers that may accumulate water from your property. Mosquitoes tend to congregate near standing water.
4. **Provide Proper Clothing For Your Employees.** Public health officials recommend that light-colored, long-sleeve shirts and pants be worn when working in areas where mosquitoes are present. If the presence of mosquitoes poses a safety threat to your employees, OSHA may require such clothing under its personal protective equipment (PPE) regulations.
5. **Perform Work Inside.** If possible, relocate employees who generally perform work outside to an indoor location.
6. **Adjust Work Schedules To Avoid Dawn And Dusk Hours.** Mosquitoes are most active during these times. If possible, adjust the hours of employees working outside.
7. **Document Your Actions.** As with any other safety measure, memorialize in writing the precautions you take. This will prove beneficial if called upon to defend any potential future claim relating to safety concerns in the workplace.

Taking these steps can go a long way toward preventing mosquito bites and eliminating the threat of your employees contracting the Zika virus. If you need further assistance in preparing a plan to protect employees, contact your legal counsel or local public health official.

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