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Recalling and Rehiring Our Workforce: Tips for Managing COVID-19 Legal Claims

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Who Is "High Risk?"

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High-Risk Employee RTW Situations

- Employees in vulnerable populations who are concerned about returning to work.
- Employees who live with individuals in vulnerable populations and who are concerned about returning to work.
- Employers who are concerned about allowing employees in vulnerable populations return to work.

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Updated CDC Guidance

- June 25, 2020 – CDC expanded list of risk factors
- Those at risk of severe COVID-19 illness
  - Age – no longer limited to 65 and older; more of a sliding scale consideration
  - Chronic kidney disease (no longer limited to those undergoing dialysis)
  - Chronic obstructive pulmonary disease (now distinguished from moderate to severe asthma)
  - Obesity (BMI of 30 or higher)
  - Immunocompromised state (weakened immune system) from solid organ transplant, which is now distinguished from other reasons a person might be immunocompromised.

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Updated CDC Guidance

- **Those at risk of severe COVID-19 illness - *continued***
  - **Serious heart conditions, such as heart failure, coronary artery disease, or cardiomyopathies.**
  - **Sickle cell disease, which is new to the list.**
  - **Type 2 diabetes, which the CDC now distinguishes from Type 1 diabetes.**
  - **Neurologic, genetic, metabolic conditions or congenital heart disease in children (in addition to children with medical complexities). This is a new addition to the CDC's list.**

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Updated CDC Guidance

- **Conditions potentially increasing a person's risk for severe illness from COVID-19:**
  - **Asthma (moderate-to-severe), which was previously identified as high risk.**
  - **Cerebrovascular disease (affects blood vessels and blood supply to the brain) (new to list).**
  - **Cystic fibrosis (new to list).**
  - **Hypertension or high blood pressure (new to list)**
  - **Immunocompromised state (weakened immune system) from blood or bone marrow transplant, immune deficiencies, HIV, use of corticosteroids, or use of other immune weakening medicines. This was previously identified as high risk.**

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