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Short Communication

COVID-19 as a Recognized Work-Related Disease: The Current Situation Worldwide

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ABSTRACT

Coronavirus disease 2019 (COVID-19), which is a newly emerging infectious disease worldwide, can be categorized as an occupational disease, because employees, particularly in the healthcare system, can be infected at the workplace. As of December 15, 2020, we summarized the occupational safety and health practices in selected countries on the recognition of COVID-19 as one of the occupational risks. The situation has differed among countries, including the recognition status and whether a specific regulation existed. International organizations, namely the International Labour Organization, World Health Organization, and European Union, should plan and conduct studies on the work-relatedness of COVID-19, propose criteria for recognition, and add the infection to the occupational disease list to provide a basis for specific country regulations. Stakeholders should also act to adjust country-level legislation.

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The novel coronavirus disease 2019 (COVID-19) has been defined as the new occupational disease of the decade and suggested to be recognized worldwide since the early phases of the pandemic [1,2]. The importance of occupational diseases includes their direct relation with working life and preventability. In addition, the legal aspect of occupational diseases entitles workers to compensation, which is recognized by insurance institutions.

Different countries have their own insurance and compensation systems, in line with local conditions. Thus, the practice for occupational diseases also varies among countries. The practice of selected countries on COVID-19 contracted due to occupational risks as of December 15, 2020, are summarized in Table 1. Some countries have made amendments to their legal system to recognize COVID-19 as an occupational disease (e.g., Argentina, France, Norway, and South Africa) [2–5] or work accident (e.g., Italy) [6]. Belgium, Japan, and the Republic of Korea have announced the recognition of COVID-19 upon certain defined criteria [7–9]. The United States has permitted federal employees to apply for compensation if contracting COVID-19 due to their duties as either traumatic injury or occupational disease [10]. Besides, various state-level regulations have been made for nonfederal employees [11]. Germany has announced a possible recognition as an occupational disease [12], particularly for healthcare workers. Despite

the initial opposite approach, the recognition as a work accident after a case-based assessment has also been defined [13]. In Malaysia, the recognition of COVID-19 as an occupational disease was published after news in the media [14]. Several other countries, including the Peoples' Republic of China, Singapore, and Taiwan, have announced possible recognition according to their current system for workers' compensation [15–17]. Australia has also announced a possible compensation after a case-based evaluation [18]. In Turkey, no legislative change specific to COVID-19 has been made yet, and current legislation [19] has been pointed out despite ongoing discussion for specific regulations. In Brazil, the situation got complicated when a regulation suggested COVID-19 would not be considered as an occupational disease, except proving the causal link, was published. However, the Federal Supreme Court suspended that regulation [20].

As the number of workers, particularly healthcare workers, contracting the infection due to occupational risks increases, the work-relatedness of COVID-19 seems undeniable. In those countries where COVID-19 is not recognized, international guidance is needed. In the instance where workers are directed to existing workers' compensation practices without adjustments for COVID-19 (e.g., criteria for the recognition in healthcare and non-healthcare workers), problems associated with the pandemic

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Table 1
Current practices on workers' compensation for work-related COVID-19 in selected countries as of December 15, 2020

| Country* | Status | Brief explanation |
|----------------------------|--|---|
| Argentina | Occupational disease | Despite being an unlisted disease, COVID-19 was accepted as an occupational disease with a regulation published on April 13, 2020 [3]. |
| Australia | No specific regulation, but can be compensated | The Safe Work Australia statutory agency declared that COVID-19 might be compensated, but workers' compensation authorities would determine whether the employee was covered and if the contraction of COVID-19 was adequately connected to the employment after case-based evaluation [18]. |
| Belgium | Occupational disease | The Federal Agency for Occupational Risks declared that COVID-19 would be accepted as an occupational disease for healthcare workers who are at significantly increased risk of infection by the virus (occupational disease code 1.404.03) and workers in critical sectors and essential services [7]. |
| Brazil | Suspended regulation, which limited occupational disease claims | On April 29, 2020, the Federal Supreme Court suspended the effectiveness of the regulation suggesting COVID-19 would not be considered as an occupational disease, except upon proving a causal link, not mandatory for other occupational diseases [20]. Recently, a technical note published by the Special Secretariat for Social Security and Labor has also addressed a possible recognition as an occupational disease. |
| Peoples' Republic of China | No specific regulation, but can be compensated | A joint declaration was published on January 23, 2020, by the Ministry of Human Resources and Social Security, the Ministry of Finance, and the National Health Commission on enabling work injury benefits for healthcare and other related workers contracting COVID-19 due to their work duties [15]. |
| France | Occupational disease | The decree published on September 14, 2020, defined specific criteria for the recognition of COVID-19 as an occupational disease [4]. The criteria include COVID-19 cases requiring oxygen therapy, ventilatory assistance or cases resulting in death. |
| Germany | Occupational disease/Work accident | The German Social Accident Insurance (In German: Deutsche Gesetzliche Unfallversicherung, abbreviated as DGUV) declared that COVID-19 might be accepted as an occupational disease according to BK 3101 Annex 1 for healthcare, laboratory, or other workers with similar occupational exposure risk, which is higher than the risk of the general population [12]. The DGUV has revised its initial approach and declared possible recognition as an occupational accident after a case-based assessment [13]. |
| Italy | Work accident | A regulation published on March 17, 2020, accepts confirmed COVID-19 cases in the workplace as a work accident [6]. |
| Japan | Recognition according to certain criteria | Workers developing COVID-19 are eligible for the benefits of the Workers' Accident Compensation Insurance after the recognition [8]. The Ministry of Health, Labour and Welfare has announced criteria and case samples for recognition of COVID-19 in healthcare and nonhealthcare workers on its website in Japanese. |
| Republic of Korea | Work accident/Occupational disease | The Ministry of Employment and Labor has addressed the Korea Workers' Compensation & Welfare Service (KCOMWEL) for possible recognition and compensation under the Industrial Accident Compensation Insurance Act [9]. The KCOMWEL has announced the first recognized case and annexed the criteria for the recognition in healthcare and non-healthcare workers on its website in Korean. |
| Malaysia | Occupational disease | The Social Security Organisation declared on April 3, 2020, that COVID-19 developed after direct exposure to infected persons due to the nature of the work would be accepted as an occupational disease [14]. |
| Norway | Occupational disease | COVID-19, with severe complications, has been added to the compensated occupational disease list since March 2020 [2]. |
| Singapore | No specific regulation, but can be compensated | The Ministry of Manpower declared that COVID-19 infection contracted from exposure due to work is compensable under the Work Injury Compensation Act, which includes the compensation of diseases directly attributable to occupational exposure to a biological agent [16]. |
| South Africa | Occupational disease | COVID-19 was accepted as an occupational disease on March 23, 2020, if developed due to exposure in a high-risk workplace or an assignment in a high-risk region [5]. |
| Turkey | Ongoing discussion for specific regulations, but can be compensated according to current legislation | No legislative change specific to COVID-19 has yet been made. However, the current legislation allows for the compensation of unlisted occupational infectious diseases, with conclusive evidence of work-relatedness and laboratory tests [19]. A corresponding practice is also in effect for employees of public institutions. |
| United States of America | Various regulations for different employees and regions | The Department of Labor has declared that all federal employees who develop COVID-19 due to their federal duties are entitled to workers' compensation coverage defined in "the Federal Employees' Compensation Act." Federal employees should fill the form for traumatic injury or occupational disease [10]. The regulations vary among different states and employees [11]. |

* Listed in alphabetical order. COVID-19, coronavirus disease 2019.

period can be added to the ongoing difficulties of reporting and compensating for occupational diseases. The advice from international organizations can also overcome these problems. To date, COVID-19 has not been included in occupational disease lists provided by international organizations, namely the International Labour Organization, World Health Organization, and European Union, despite examples of country-level regulations. The

organizations planning and conducting research on COVID-19 risks regarding occupations or work duties, proposing criteria to recognize work-related cases, and adding COVID-19 to their proposed occupational disease lists would provide a basis for local action. In countries awaiting regulations to recognize work-related COVID-19, stakeholders should act to promote changes in legislation.

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Conflicts of interest

The authors declare that there are no conflicts of interest.

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