

THE INDUSTRIAL ACCIDENT BOARD  
OF THE STATE OF DELAWARE

ORDER

**WHEREAS**, in response to the fact that the Center for Disease Control and Prevention has determined that a novel coronavirus ("COVID-19") presents a serious public health threat, and

**WHEREAS**, the federal government and the Governor of the State of Delaware have issued mandates to limit the amount of person-to-person contact and guidance as to social distancing in order to mitigate the spread of the COVID-19 virus; and

**WHEREAS**, section 2347 of title 19 of the Delaware Code requires that no petition for review is to be accepted by the Department of Labor unless it is accompanied by proof that a copy of the petition has been served by certified mail upon the other party to the agreement or award; and

**WHEREAS**, it has come to the attention of the Industrial Accident Board that the United States Postal Service ("USPS"), while it is delivering certified mail, is no longer collecting signatures on the green Certified Mail Receipt card ("green card"); and

**WHEREAS**, the USPS has indicated that, until further notice, the delivery procedure it will follow is as follows:

(\*) Avoid ringing the doorbell when possible; knock on the customer's door; avoid areas that may be frequently touched when knocking;

(\*) While maintaining a safe, appropriate distance USPS employees will request the customer's first initial and last name;

(\*) For increased safety, USPS employees will ask the customer to step back a safe distance or close the door so that they may leave the item in a mail receptacle or appropriate location by the customer door;

(\*) If there is no response, the USPS employee will follow the normal Notice Left process; and

**WHEREAS**, when certified mail is delivered in accordance with the above procedure, the USPS Tracking System will reflect that the item was delivered to an individual at the address listed on the green card, with a listed date and time.

**NOW, THEREFORE, it is HEREBY ORDERED**, this 5<sup>th</sup> day of May, 2020, that, until such time as the USPS provides further notice that it is resuming collecting signatures on green cards, documentation of delivery from the USPS Tracking System along with whatever information is contained on the green card returned by the USPS will suffice for purposes of section 2347's requirement for acceptance for filing of a petition for review.

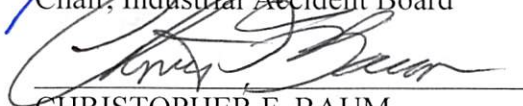
As heretofore, the Department will continue to reject for filing a petition for review that reflects only service upon opposing counsel rather than on the party to the agreement or award as required by section 2347.

**IT IS SO ORDERED** this 5<sup>th</sup> day of May, 2020.

**INDUSTRIAL ACCIDENT BOARD**



MARK A. MUROWANY  
Chair, Industrial Accident Board



CHRISTOPHER F. BAUM  
Chief Hearing Officer