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Recent OSHA Guidelines for COVID-19

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On March 12, 2020, OSHA issued guidance to assist employers in preparing for the impact of COVID-19, "Guidance on Preparing for Workplaces for COVID-19" ("OSHA C-19"). OSHA C-19 is based on traditional infection prevention and industrial hygiene practices and it does not create new legal requirements or alter existing requirements. See also <https://www.osha.gov/SLTC/covid-19/> and <https://www.osha.gov/SLTC/covid-19/standards.html>

Though COVID-19 has not created new regulatory requirements, employers should review existing regulations to help mitigate possible exposure to workers. Relevant OSHA standards can be found here.

Employers should be aware of OSHA's General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health (OSH) Act of 1970, 29 USC 654(a)(1). The GDC requires employers to furnish to each worker "employment and a place of employment, which are free from recognized hazards that are causing or are likely to cause death or serious physical harm."

To that end, we recommend that employers review existing internal policies and expectations to ensure the following requirements are met:

Personal Protective Equipment (PPE): If applicable, OSHA'S PPE standards (in general industry, 29 CFR 1910 Subpart I), require using gloves, eye and face protection and respiratory protection.

Bloodborne Pathogens standard (29 CFR 1910.1030) applies to occupational exposure to human blood and other potentially infectious materials that typically do not include respiratory secretions that may transmit COVID-19. However, the provisions of the standard offer a framework that may help control some sources of the virus, including exposures to body fluids (e.g., respiratory secretions) not covered by the standard.

Cleaning and Disinfection Chemicals: Employers must also protect their workers from exposure to hazardous chemicals used for cleaning and disinfection. Employers should be aware that common sanitizers and sterilizers could contain hazardous chemicals. Where workers are exposed to hazardous chemicals, employers must comply with OSHA's Hazard Communication standard (in general industry, 29 CFR 1910.1200), Personal Protective Equipment standards (in general industry 29 CFR 1910 Subpart I) and other applicable OSHA chemical standards. OSHA provides information about hazardous chemicals used in hospitals in the

Housekeeping section of its Hospital eTool.

Practical Tips for Routine Environmental Cleaning:

- Routinely clean all frequently touched surfaces in the workplace, such as desks, doorknobs, railings, computer keyboards, phones, and toys. Use the cleaning agents that are usually used in these areas and follow the directions on the label.
- No additional disinfection beyond routine cleaning is recommended at this time.
- Provide disposable wipes so that commonly used surfaces (for example, doorknobs, bathroom locks, menus and napkin dispensers) can be wiped down by employees before each use.
- Encourage employees to do additional and responsive cleaning if they notice someone that appears sick has touched a frequently touched surface.
- Where possible instruct employees to open doors for customers when possible to avoid multiple people touching doors and knobs. Doors and knobs should be cleaned as many times as possible, throughout each shift.

OSHA State Standards for COVID-19

There are twenty-eight OSHA-approved State Plans operating state-wide occupational safety and health programs. State plans are required to have standards and enforcement programs that are at least as effective as OSHA's and may have different or more stringent requirements.

The California Division of Occupational Safety and Health (Cal/OSHA) Aerosol Transmissible Diseases (ATD) standard is aimed at preventing worker illness from infectious diseases that can be transmitted by inhaling air that contains viruses (including COVID-19), bacteria or other disease-causing organisms. While the Cal/OSHA ATD standard is only mandatory for certain healthcare employers in California, it may provide useful guidance for protecting other workers exposed to COVID-19.

Enforcement Directives

Worker's Rights

No-Cost On-Site Safety and Health Consultation Services for Small Business: OSHA offers no-cost, confidential advice to small and medium-sized businesses in all states, with priority given to high-hazard worksites. On-Site consultation services are separate from enforcement and do not result in penalties or citations. For more information, find an On-site Consultation office in your state, or call 1-800-321-OSHA (6742).

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