



## e-Alert

03.04.21

# OSHA Issues New Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace

## Background

On January 29, 2021, the US Department of Labor's Occupational Safety and Health Administration (OSHA) released [guidance](#) intended to help **non-healthcare** employers and workers identify risks of being exposed to, and/or contracting, COVID-19 and assist them in determining appropriate control measures.

## Summary

### COVID-19 Prevention Programs

According to OSHA, Prevention Programs are the most effective tool to mitigate the spread of COVID-19 in the workplace. The guidance outlines [16 elements](#), four of which are considered key elements, that should be incorporated in a COVID-19 prevention program.

1. Identification of where and how workers might be exposed to COVID-19 at work by conducting a hazard assessment.
2. Identification of a combination of measures that will limit the spread of COVID-19 in the workplace. This includes a combination of eliminating the hazard,

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implementing controls, establishing workplace policies, and providing personal protective equipment (PPE), among other measures. Employers should prioritize controls from most to least effective to help protect workers from COVID-19 hazards.

3. Instruct workers who are infected or potentially infected to stay home and isolate or quarantine to prevent or reduce the risk of transmission of COVID-19.
4. Implement protections from retaliation and set up an anonymous process for workers to voice concerns about COVID-19-related hazards.

### **Return-to-Work Criteria**

The guidance outlines a symptom-based strategy which states that workers who think or know they had COVID-19 and had symptoms should return to work after:

1. At least 10 days have passed since symptoms first appeared;
2. At least 24 hours have passed with no fever without fever-reducing medication; and
3. Other symptoms of COVID-19 are improving (loss of taste or smell may persist for weeks or months and need not delay the end of isolation).

The guidance notes that some employees may need to isolate longer than 10 days, as outlined by their physician. Regarding workers who have been in close contact with a COVID-19 individual, the local health department will establish quarantine guidelines. The CDC continues to recommend that close contacts stay home for 14 days after their last-known contact, and monitor symptoms. However, there are two options to potentially shorten an individual's quarantine:

- Quarantine can end after 10 days following an individual's last contact with COVID-19 without testing and if no symptoms have been reported during daily monitoring.
- Quarantine can end after seven days following an individual's last contact with COVID-19 after receiving a negative test. The test must occur at least five days after the individual's last exposure.

In either case, the individual must self-isolate if symptoms reappear within that period, wear a face covering, stay at least six feet from others, wash hands, and avoid crowds, among other steps to prevent the spread of the virus.

### **Social Distancing Efforts**

Maintaining at least six feet of distance between workers can be one of the best ways to protect individuals from infection. OSHA advises continued social distancing measures to

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include:

- Limiting the number of people in one place at any time
- Implementing flexible work sites and flexible hours (e.g., rotate or stagger shifts)
- Increasing physical space between workers and/or customers
- Altering workspaces and adding cues reminding employees to physically distance from each other (for example: signs, decals, tape markings, etc.)
- Offering vulnerable employees duties that minimize exposure to others
- Closing or limiting access to communal areas where employees are likely to interact
- Prohibiting handshaking or other physical contact

### **Engineering Controls**

The guidance also outlines two specific engineering controls: barriers between fixed workstations and workers and ventilation. For example, if workers are unable to remain at least six feet away from others, transparent shields or barriers are recommended. It should be noted that these barriers do not replace the need for physical distancing of six feet when possible. Additionally, improved ventilation is recommended to prevent the spread of COVID-19 in the workplace. The guidance outlines several tactics to achieve this, to include:

- Increasing ventilation rates when possible.
- When weather conditions allow, and it does not pose a safety or health risk to others in the building, increasing fresh outdoor air by opening windows and doors. Fans can be used in conjunction with open windows to increase effectiveness.
- Reducing or eliminating air recirculation.
- Improving central air filtration to the MERV-13 or the highest air filtration compatible with the filter rack, and sealing edges of the filter to limit bypass.

### **Face Coverings and Personal Protective Equipment (PPE)**

According to the guidance, OSHA recommends that all employers provide employees with face coverings at no cost. OSHA outlines that face coverings should be made of a minimum of two layers and fit over the nose, mouth, and chin with no large gaps. Face coverings are a complement to, not a replacement for, physical distancing.

OSHA standards may require employers to provide PPE to supplement other controls when the measures discussed above cannot be implemented or do not protect workers fully. In these circumstances, employers must determine what PPE is necessary through relevant [OSHA standards](#) and other [industry-specific guidance](#) and provide it at no cost in accordance with relevant OSHA standards.

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### Sanitation, Cleaning, and Disinfecting Practices

OSHA's guidance recommends that employers ensure that workers, customers/clients, and visitors have access to adequate time and supplies to clean their hands frequently and cover their coughs or sneezes. Regular handwashing and physical distancing should be encouraged regularly in verbal and written form, in a language that workers can understand. The supplies such as soap, sanitizer stations, and tissues should be provided to workers at no cost.

Additionally, employers should follow the [Guidance for Cleaning and Disinfecting](#). This can include regular cleaning of frequently touched surfaces, limiting or prohibiting shared tools and resources, as well as providing adequate and accessible supplies.

### Employer Next Steps

- HR Knowledge will continue to monitor OSHA and CDC guidance.
- If you are a Full-Service or Virtual HR client and have questions about this e-Alert or would like our assistance with updating your policies, please [email us](#).

### HRK Resources for Employers

- [Return-to-Work Guide for Employers](#)
- [Personal Protective Equipment Policy](#)
- [Return-to-Work Action and Communication Plan](#)

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