

Alabama Society for Healthcare Engineering  
Biloxi, Mississippi

## OSHA's Actions to Protect Workers from COVID-19

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### Disclaimer

- This information has been developed by an OSHA Compliance Assistance Specialist and is intended to assist employers, workers, and others improve workplace health and safety. While we attempt to thoroughly address specific topics (or hazards), it is not possible to include discussion of everything necessary to ensure a healthy and safe working environment in this presentation. This information is a tool for addressing workplace hazards, and is not an exhaustive statement of an employer's legal obligations, which are defined by statute, regulations, and standards. This document does not have the force and effect of law and is not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. It does not create (or diminish) legal obligations under the Occupational Safety and Health Act. Finally, OSHA may modify rules and related interpretations in light of new technology, information, or circumstances; to keep apprised of such developments, or to review information on a wide range of occupational safety and health topics, you can visit OSHA's website at [www.osha.gov](http://www.osha.gov).



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### Emergency Temporary Standard (ETS) to Protect Healthcare Workers

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**Emergency Temporary Standard to Protect Healthcare Workers**

- OSHA issued an Emergency Temporary Standard for Healthcare Workers on June 10, 2021.
- The ETS provides protections for workers facing the highest COVID-19 hazards— those in healthcare settings where suspected or confirmed COVID-19 patients are treated.

[osha.gov/coronavirus/ets](https://www.osha.gov/coronavirus/ets)



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**Emergency Temporary Standard to Protect Healthcare Workers**

- Creates requirements for employers in healthcare settings involving patient care to keep their workers safe from COVID-19.
- Includes measures familiar to most Americans, such as physical distancing, masks, and paid medical removal.
- Closely follows CDC guidance for healthcare workers, and uses several overlapping approaches to better protect workers.

[osha.gov/coronavirus/ets](https://www.osha.gov/coronavirus/ets)



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**Emergency Temporary Standard to Protect Healthcare Workers**

**ETS Exemptions**

- Non-hospital care settings where all non-employees are screened before entry.
- Hospital outpatient care settings where all employees are fully vaccinated and all non-employees are screened before entry.
- Home healthcare settings where all employees are fully vaccinated, non-employees are screened prior to entry, and no suspected or confirmed COVID-19 cases are present.
- ETS applies only to embedded healthcare settings within non-healthcare settings.
- Fully vaccinated workers exempted from masking, distancing, and barrier requirements in well-defined areas with no reasonable expectation of suspected or confirmed COVID-19 cases present.

[osha.gov/coronavirus/ets](https://www.osha.gov/coronavirus/ets)



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**Emergency Temporary Standard to Protect Healthcare Workers**

**ETS Requirements**

- Written plan
- Patient Screening
- Facemasks and Respirators
- Paid Medical Removal Protection
- Vaccination
- Physical distancing and barriers
- Ventilation and cleaning
- Reporting
- Anti-retaliation provision.

[osha.gov/coronavirus/ets](https://www.osha.gov/coronavirus/ets)



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**Emergency Temporary Standard to Protect Healthcare Workers**

**Compliance Directive**

- Ensures consistent enforcement of the ETS by establishing:
  - Inspection methods;
  - Guidance for verifying exemptions and assessing compliance;
  - Citation guidance;
  - CSHO training and protection; and
  - Other supplemental instructions.

[osha.gov/coronavirus/ets](https://www.osha.gov/coronavirus/ets)



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**Emergency Temporary Standard to Protect Healthcare Workers**

**ETS effective dates**

- Effective on June 21, 2021.
- July 6, 2021: Employers must comply with most provisions.
- July 21, 2021: Employers must comply with the remaining provisions.

**OSHA will continue to monitor COVID-19 vaccination efforts, virus variants, and other factors as the pandemic continues, and will update the ETS as appropriate.**

[osha.gov/coronavirus/ets](https://www.osha.gov/coronavirus/ets)



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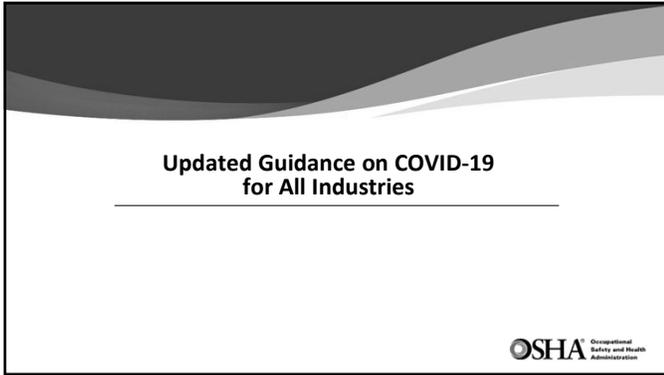
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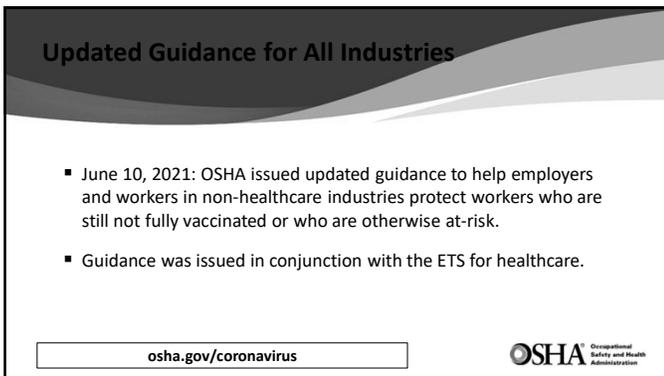
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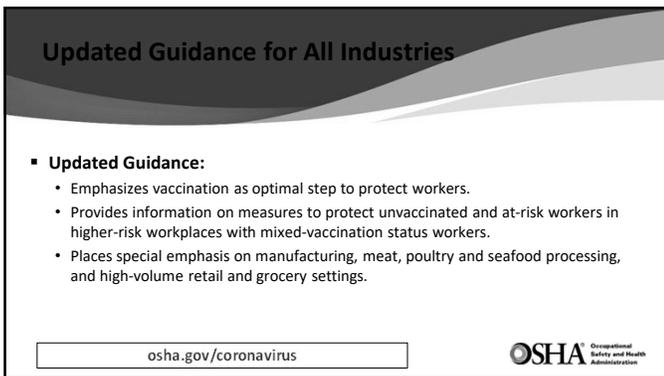
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**Updated Guidance for All Industries**

**Multi-layered controls to protect workers:**

- Providing workers time off to get vaccinated
- Isolating sick workers and instructing them to stay home
- Implementing physical distancing for unvaccinated/at-risk workers in common areas
- Implementing flexible worksites (e.g., teleworking) and flexible work hours
- Providing face coverings to unvaccinated and at-risk workers
- Maintaining and improving ventilation systems.

[osha.gov/coronavirus](https://www.osha.gov/coronavirus)



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**Updated Guidance for All Industries**

- **Best Practices regardless of vaccination status:**
  - Conducting a workplace risk assessment
  - Preparing a response plan with multi-layered controls
  - Taking steps to improve ventilation
- **Multiple layers of protection are even more important in high-risk mixed-vaccination settings.**
- **OSHA will continue to update and develop guidance based on the shape of the pandemic.**

[osha.gov/coronavirus](https://www.osha.gov/coronavirus)



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**Revised National Emphasis Program**  
**Protecting Workers from COVID-19 Exposure**



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**National Enforcement Program for COVID-19**

- March 2021: OSHA first issued an NEP to protect workers from COVID-19.
- July 2021: OSHA issued a Revised NEP for COVID-19, canceling March NEP.
- Revised NEP is based on the latest scientific guidance, a review of enforcement data from the March NEP, and issuance of the ETS for COVID-19 in healthcare.



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**National Enforcement Program for COVID-19**

- **Focus:**
  - Specific high-hazard industries or activities where COVID-19 is prevalent.
  - Healthcare and non-healthcare settings most commonly encountered in OSHA COVID-19 enforcement activities.
  - Preventing retaliation against workers who complain about unsafe or unhealthful conditions or exercise other rights.



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**National Enforcement Program for COVID-19**

- **Revised NEP was adjusted to focus on industries within the predominant sectors with increased potential exposures.**
  - Removed List of Secondary Target Industries (Appendix B from March NEP).
  - Those industries will no longer be a targeting source for programmed inspections.



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**National Enforcement Program for COVID-19**

- **Inspections will follow current priorities:**
  - Unprogrammed
  - Follow Up
  - Programmed
- **Healthcare inspections will follow the Compliance Directive, Inspection Procedures for the COVID-19 Emergency Temporary Standard.**
- **Non-healthcare inspections will follow the June 2021 Updated Interim Enforcement Response Plan.**



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**National Enforcement Program for COVID-19**

**Programmed inspections**

- Target list includes only industries in Appendix A.
- Area Offices may use discretion to delete establishments from targeting lists based on local knowledge.
- Two Master Lists for each Area Office to choose from:
  - Master List 1 includes all establishments with NAICS code listed in Appendix A
  - Master List 2 includes establishments based on ITA data, with NAICS listed in Appendix A and an elevated illness rate.



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**National Enforcement Program for COVID-19**

- **Outreach and Compliance Assistance**
  - Nationwide outreach with industry, labor, and alliances upon issuance of NEP and throughout the duration of the pandemic.
  - Continued outreach using products and activities:
    - New information shared through letters, news releases, social media, and QuickTakes.
    - Seminars tailored to specific audiences.
    - Working with national and regional offices of federal agencies.



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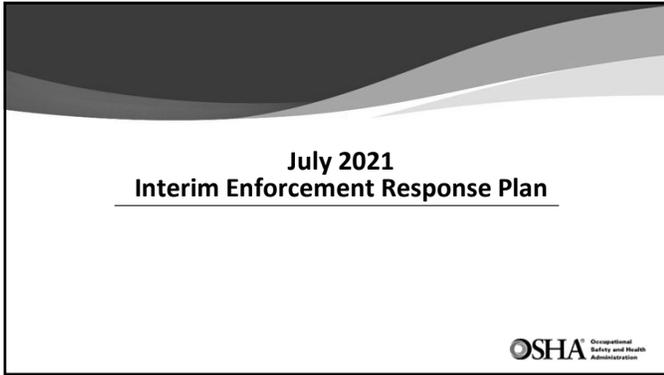
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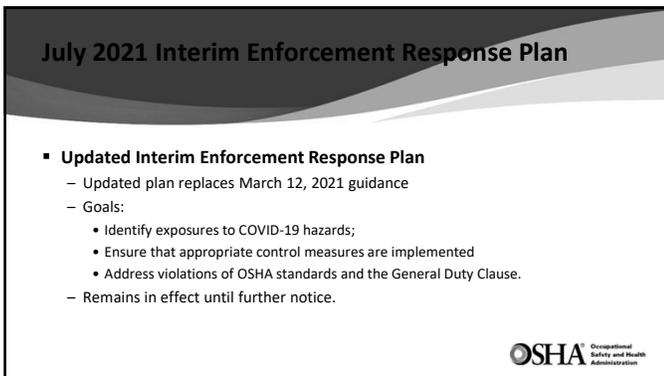
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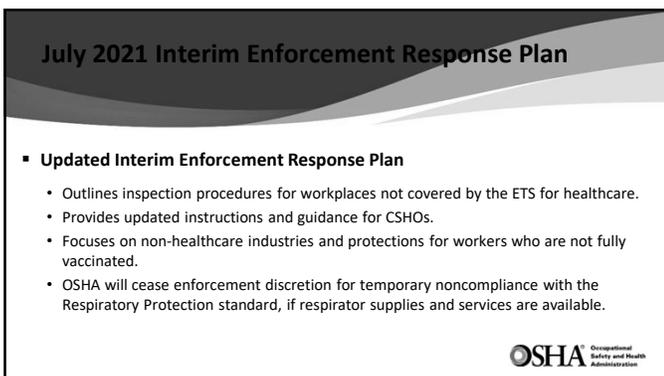
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**July 2021 Interim Enforcement Response Plan**

- **Updated Interim Enforcement Response Plan**
  - Prioritizes
    - COVID-19-related Fatality/Catastrophe inspections and other unprogrammed activities alleging potential exposure to COVID-19-related hazards.
    - On-site workplace inspections where practical, or a combination of on-site and remote methods.
    - Use of remote methods for employee interviews and collection of documentation to minimize CSHO exposures.



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**July 2021 Interim Enforcement Response Plan**

- **Updated Interim Enforcement Response Plan**
  - Continues to ensure anti-retaliation protections.
  - Uses programmed inspections to target industries with previous OSHA enforcement activity and/or establishments with elevated rates of respiratory illness.



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**July 2021 Interim Enforcement Response Plan**

- **Protecting OSHA Compliance Safety and Health Officers (CSHOs)**
  - Evaluate risks and determine appropriate protective measures for on-site inspections.
  - CSHOs are provided all needed equipment, supplies, and PPE.
  - CSHOs are provided appropriate respiratory protection.
  - Vaccination availability for CSHOs has been a Department/Agency priority.



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