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CORONAVIRUS/OSHA GUIDANCE

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Following the issuance of [guidance](#) by the Centers for Disease Control (“CDC”) regarding COVID-19, the Occupational Safety and Health Administration (“OSHA”) has now issued its own guidance intended to “reduce the impact of COVID-19 outbreak conditions on businesses, workers, customers, and the public.” You can access OSHA’s Guidance on Preparing Workplaces for COVID-19 [HERE](#).

OSHA’s guidance, which draws heavily on information available through the CDC, is intended to help employers plan for COVID-19. The guidance puts the burden on employers to identify risks specific to their workplace settings and to determine the appropriate control measures to implement.

OSHA’s guidance identifies jobs that it considers very high or high risk, medium risk and lower risk. Very high or high risk workers include those who interact with potentially infected travelers from abroad, including those involved in healthcare, travel, or waste management.

Like the CDC, OSHA provides examples of how to reduce the risk of obtaining the virus, including washing hands with soap and water, avoiding close contact with people who are sick, and avoiding touching your eyes, nose or mouth with unwashed hands.

OSHA has also indicated that while no specific standard covers COVID-19 exposure, some OSHA requirements may apply to preventing occupational exposure, including OSHA’s personal protective equipment standards and OSHA’s general duty clause (which requires employers to provide their employees with a workplace free from recognized hazards likely to cause death or serious physical harm). The guidance document does not discuss what, if any, enforcement activities OSHA may undertake.

Additionally, on March 14, 2020, the U.S. House of Representatives passed the “[Families First Coronavirus Response Act](#),” ([H.R. 6201](#)). That bill now heads to the Senate where it is expected to pass sometime early this week. The bill includes the requirement that OSHA issue an Emergency Temporary Standard (“ETS”) within thirty days, which will require health care sector employers (and other sectors designated as at elevated risk) to develop and implement a comprehensive infectious disease exposure control plan to protect “health care workers” from exposure to the SARS-CoV-2 virus.

For Further Information



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For more information on appropriate steps to take and policies to implement, or to address issues arising for you on this or any related topic, please contact [Marjorie Obod](#), [Katharine Hartman](#), or any member of Dilworth's [labor and employment](#) team.