



## PEF Summary of the 1/29/2021 OSHA Updated Guidance on Mitigating and Preventing COVID-19 in the Workplace



On January 29, 2021, the Occupational Safety and Health Administration (OSHA) issued stronger COVID-19 safety guidance: ***“Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace”*** which may be found at <https://www.osha.gov/coronavirus/safework>. The OSHA guidance document assists employers and workers outside of healthcare settings implement a coronavirus prevention program and better identify risks which could lead to exposure and contraction. This is not to say the recommendations are not necessary in Healthcare settings, but that those settings may have different needs and more strict enforceable standards than non-healthcare settings.

The guidance document provides recommendations and is not an OSHA standard, however it may serve as a framework for a future standard. We are encouraging PEF leaders and activists to utilize information in the guidance document to ensure your worksite is taking appropriate actions to protect members. PEF, in collaboration with other unions and allies, is advocating for the issuance of an OSHA enforceable emergency temporary standard (ETS) for COVID-19 to include the stronger COVID control measures contained in the new guidance.

This summary is meant to highlight the key points in the OSHA guidance document. The OSHA guidance document has many more details on what employers should do to protect their workers from COVID exposure. The guidance includes sections on what workers need to know about COVID, 19 protections in the workplace, the roles of employers and workers in responding to COVID, and key measures for limiting the spread of COVID.

### **CORE ELEMENTS**

The new guidance instructs employers to:

- Conduct a hazard assessment for the potential for COVID exposure.
- Identify control measures to limit the spread of the virus.
- Adopt policies for employee absences that don't punish workers as a way to encourage potentially infected workers to remain home.
- Ensure that coronavirus policies and procedures are communicated to both English and non-English speaking workers.
- Implement protections from retaliation for workers who raise coronavirus-related concerns.



## **PREVENTION PROGRAMS**

The OSHA guidance recommends employers develop and implement an effective coronavirus prevention program including the following elements:

1. Engage workers and their union representatives in the development and implementation of the coronavirus prevention program.
2. Assign a workplace coordinator.
3. Identify where and how workers might be exposed to COVID-19 at work.
4. Identify a combination of measures that will limit the spread of COVID-19 in the workplace, in line with the principles of the hierarchy of controls.
5. Consideration of protections for workers at higher risk for severe illness through supportive policies and practices.
6. Establish a system for communicating effectively with workers and in a language they understand.
7. Educate and train workers on the COVID-19 policies and procedures using accessible formats and in a language they understand.
8. Instruct workers who are infected or potentially infected to stay home and isolate or quarantine.
9. Minimize the negative impact of quarantine and isolation on workers.
10. Isolate workers who show symptoms at work.
11. Perform enhanced cleaning and disinfection after people with suspected or confirmed COVID-19 have been in the facility.
12. Provide guidance on screening and testing.
13. Record and report COVID-19 infections and deaths:
14. Implement protections from retaliation and setting up an anonymous process for workers to voice concerns about COVID-19-related hazards.
15. Make a COVID-19 vaccine or vaccination series available at no cost to all eligible employees.
16. Provide information and training on the benefits and safety of vaccinations.
17. Do not distinguish between workers who are vaccinated and those who are not.
18. Implement applicable OSHA Standards: All of OSHA's standards that apply to protecting workers from infection remain in place.

## **ON-THE-JOB CONTROLS**

The OSHA guidance provides important controls for workplaces on the following:

- Quarantine: Eliminating the hazard by separating and sending home infected or potentially infected people from the workplace:

1. Workers who have or likely have COVID-19 should be isolated until they meet CDC guidelines for exiting isolation.
  2. Workers should quarantine if they have been exposed to COVID-19.
- Employers may consider permitting critical infrastructure workers to continue to work in limited instances when it is necessary to preserve the function of those critical infrastructure workplaces.
  - Implementing physical distancing in all communal work areas.
  - Installing barriers where physical distancing cannot be maintained.
  - Suppressing the spread of the hazard using face coverings.
  - Improving ventilation.
  - Using personal protective equipment when necessary.
  - Providing the supplies necessary for good hygiene practices.

PEF leaders and Agency representatives should use this summary along with the OSHA guidance document to evaluate the current COVID policies, procedures, and controls in the workplace, and make the necessary changes. Also, should an OSHA ETS be issued, NYS PESH Bureau will adopt that standard, making the elements enforceable for workers in New York State agencies.

PEF Health and Safety and Field Staff are available to assist PEF leaders in addressing workplace COVID concerns.

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This factsheet and many others were developed and produced by the NYS Public Employees Federation Health and Safety Department.

If you have any questions or need assistance with workplace health and safety issues, please contact the PEF Health & Safety Department at 1-800-342-4306, ext. 254 or at [HealthandSafety@pef.org](mailto:HealthandSafety@pef.org).

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