

OSHA Clarifies COVID-19 Reporting Requirements

Navigating recordable and reportable cases will be difficult for the 2020 reporting year. As the pandemic continues, many employers have questions about OSHA illness recordability and reportability. OSHA recordkeeping requirements can be complex when it comes to communicable diseases when certain illnesses are covered while others are not. OSHA has recently released guidance on when an employer is required to report COVID-19 in-patient hospitalizations and fatalities. The new guidance sheds light on questions that many employers have.

OSHA requires employers to report in-patient hospitalizations only if the hospitalization occurs within 24 hours of an exposure to COVID-19 in the workplace. As a result, employers must report COVID-19 hospitalizations only if the hospitalizations are:

- For in-patient treatment; and
- The result of a work-related case of COVID-19.

The report must be submitted within 24 hours of the time the employer determines there was an in-patient hospitalization caused by a COVID-19 case. Hospitalization for diagnostic testing or observation only is not “in-patient” hospitalization.

OSHA requires employers to report COVID-19 fatalities in the workplace within 30 days of an exposure. Fatality reports must be reported **within 8-hours** of the time the employer learns that the fatality took place and that it was due to a work-related exposure.

Determining if a COVID-19 infection is work related requires the employer to identify the most likely cause or source of the infection and if that infection occurred in the workplace during business operations. Work relatedness can be determined based on employee risk levels, OSHA has identified the following risk categories:

- High risk employees are:
 - Engaged in healthcare and healthcare laboratory activities
 - Ancillary support services for medical practitioners
 - Transporting the infirmed and entering patient hospital rooms
- Medium risk employees are:
 - Workers whose job functions may place them within six feet of potentially infected individuals, these workers typically perform services with or for the community such as teachers, store clerks, and transportation employees
- Low risk employees are:
 - Engage in work that does not require close or frequent contact with other individuals such as office workers, construction tradesmen, and factory workers

Employers should carefully evaluate each reported employee COVID-19 case and determine if the exposure was likely to be caused by work tasks or the work environment. For additional assistance with OSHA recordkeeping and reporting contact your Risk Control representative or email riskcontrol@hendersonbrothers.com.