

## Henderson Brothers Risk Control: OSHA New Guidance on COVID-19

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On Jan. 29, 2021, the Occupational Safety and Health Administration (OSHA) issued guidance on mitigating and preventing the spread of COVID-19 in the workplace. The guidance is intended to inform employers and workers in settings outside of health care of the risks of being exposed to or contracting COVID-19 at work. This guidance is meant to help employers and workers determine appropriate COVID-19 control measures for the workplace. This guidance is not a standard or regulation, and it creates no new legal obligations.

OSHA requires employers to comply with safety and health standards and regulations promulgated by OSHA or by a state with an OSHA approved state plan. A number of current standards directly apply to the control of the pandemic in the workplace. In addition, the OSH Act's general duty clause, Section 5(a)(1), requires employers to provide their employees with a workplace free from recognized hazards likely to cause death or serious physical harm.

OSHA has released guidance to help employers plan their COVID-19 prevention and mitigation procedures. With this guidance, OSHA is suggesting that employers should implement COVID-19 prevention programs. According to OSHA, the most effective programs engage workers and their representatives in the program's development. The guidance covers the following:

- Frequent hazard assessments of the workplace as infection rates change
- Establish control measures to limit the spread of COVID-19, utilizing the hierarchy of controls
- Establish a system of communication and training that is effective for all employees
- Eliminate transmission hazards by isolating and quarantining infected or potentially infected employees
- Utilize personal protective equipment, including the mandatory use of face coverings
- Improvements in ventilation, hygiene, and sanitation measures
- Perform enhanced cleaning and disinfection processes following an outbreak

OSHA will continue to update the guidance over time as new developments arise. OSHA has until March 15<sup>th</sup> to determine the appropriateness and issue an emergency temporary standard for COVID-19. Several state plans have already implemented or are in the process of implementing similar emergency measures.

Henderson Brothers Risk Control Department can help plan, develop, and implement a COVID-19 program for your operations. We provide training resources and consultation to create, maintain, and improve your risk control programs. If you need any support, please contact your risk control representative or email [RiskControl@hb1893.com](mailto:RiskControl@hb1893.com).