



OSHA Issues Emergency Temporary COVID-19 Standard for Health Care and Modifies COVID-19 Guidance for All

OSHA issued the long-anticipated federal COVID-19 Emergency Temporary Standard on June 10, 2021. This standard, however, only applies to healthcare settings.

This Emergency Temporary Standard provides that covered health care employers must:

- screen workers prior to their shifts;
- provide masks and other personal protective equipment to employees for use in certain high-risk situations;
- ensure that masks are worn indoors and changed daily; and
- put in place ventilation procedures when dealing with patients who may have the virus.

Employers in the health care sector must also maintain social distancing protocols, and make sure that patients properly screen for virus symptoms. Finally, health care employers must also give workers paid time off to get vaccinated and recover from vaccine side effects as encouragement to get the shot.

The Emergency Temporary Standard also sets out that fully vaccinated health care workers do not have to wear masks or adhere to masking or distancing requirements if they are in "well-defined areas where all employees are fully vaccinated" and where people who have or could potentially have the virus are not reasonably expected to be present.

For employees not subject to the Emergency Temporary Standard, OSHA modified its COVID-19 guidance. The new guidance tracks recent guidance issued by the Centers for Disease Control and Prevention that recommends loosening virus-related restrictions among those fully vaccinated against COVID-19. Per the amended guidance, fully vaccinated employees need not wear a mask or physically distance indoors or outdoors.

Employers, however, per the guidance, should still take certain actions to help reduce the spread of COVID-19, including:

- Offering paid time off for employees to get vaccinated;
- Encouraging unvaccinated workers to stay home if they have been in close contact with someone who tested positive for COVID-19;
- Encouraging all workers to stay home if they are infected or have COVID-19 symptoms;

- Maintaining physical distancing policies for unvaccinated and at-risk employees and providing them with appropriate face coverings;
- Educating and training workers on COVID-19 policies and procedures;
- Suggesting that unvaccinated customers and visitors wear face coverings;
- Maintaining ventilation systems;
- Performing routine cleaning;
- Reporting COVID-19 infections and deaths;
- Protecting employees from retaliation and setting up an anonymous process for them to report COVID-19-related hazards; and
- Following applicable mandatory OSHA standards including the PPE standard.

We will keep you posted if this guidance is further modified.

For more information, please contact [Tony Stergio](#).