

OSHA Standards That Apply to COVID-19 A Resource Guide

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Due to the pandemic, employers are facing intense and ongoing challenges; shifts in demand, supply chains, transportation and mobility and worker protections but the health of every business depends on both workers' and the individuals served well-being. As cases continue to rise at alarming levels throughout the nation and Connecticut, it becomes even more imperative that employers take the necessary precautions to protect workers and to this, employers must be vigilant to meet all OSHA requirements. This document will provide Trust members with the information necessary to understand the OSHA requirements and what to do to help assist in meeting them.

The Trust has created many other resource tools for our Members to assist them with the pandemic. These resources are on our website and can be accessed here: <https://www.wctrust.com/covid-19/>

OSHA is Citing for COVID-19 Violations

OSHA recently announced that it cited \$2,856,533 in coronavirus violations to employers throughout the country. Triggers to these inspections include employee complaints and severe injuries and death due to COVID. OSHA and CONN OSHA have many requirements that apply to preventing occupational exposure to SARS-CoV-2 that causes COVID-19. OSHA has published "Lessons Learned: Frequently Cited Standards Related to COVID-19 Inspections, located here: <https://www.osha.gov/SLTC/covid-19/covid-citations-lessons.pdf>

Audit for Exposures

The first step in controlling any exposure is to audit the workplace for potential hazards. Since COVID-19 is primarily an airborne infectious disease all workplaces have the potential for exposure. Employers have the responsibility to audit their workplace to determine the level of exposure that employees in different areas or positions are exposed to. The audit process will provide a roadmap for employers to install and/or establish:

- Engineering Controls
- Administrative Controls
- Personal Protective Equipment

Information on implementation of these controls is described in detail in "OSHA's Guidance on Returning to Work" located here: https://www.wctrust.com/Content/www/CMS/files/OSHA_Returning_to_Work.pdf.

Applicable OSHA Standards for COVID-19

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|--------------------------|---------------------------------|
| ▪ Bloodborne Pathogens | ▪ Personal Protective Equipment |
| ▪ Emergency Action Plans | ▪ Recordkeeping |
| ▪ General Duty Clause | ▪ Reporting |
| ▪ Hazard Communication | ▪ Respiratory Protection |

The following provides an overview of the applicable OSHA Standards. Sample programs, training and resources are all available on the For Members Only area of our website. To access the site, request a password and ID here: <https://www.wctrust.com/FileRepository/Login.aspx>. In addition, our loss control team stands ready to assist anyone who needs help with these programs and training.

Bloodborne Pathogens [Standard: 1910.1030]

OSHA's Bloodborne Pathogens standard applies to occupational exposure to human blood and other potentially infectious materials that typically do not include respiratory secretions that may contain SARS-CoV-2 (unless visible blood is present). However, the provisions of the standard offer a framework that may help control some sources of the virus, including exposures to body fluids (e.g., respiratory secretions) not covered by the standard.

The Bloodborne Pathogens Standard requires employers to determine which employees have the potential for exposure to bloodborne pathogens, and if they have employees that may be exposed develop an Exposure Control Plan.

Emergency Action Plans [Standard:1910.38, 1910.39]

COVID-19 has impacted how fire drills and emergency exercises should be conducted in order to minimize bringing large numbers of employees together. Options may include practicing drills with building segments instead of entire buildings and spacing employees outdoors during drills.

General Duty Clause [Section 5 (a)(1)]

Although typically infrequent OSHA can cite employers under the General Duty Clause. OSHA's General Duty Clause states:

(a) Each employer:

- 1) shall furnish to each of his employees' employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to their employees;
- 2) shall comply with occupational safety and health standards promulgated under this Act.

(b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

NOTE: During the COVID-19 Pandemic, OSHA can choose to cite under the General Duty Clause if there is a hazard and no applicable standard applies.

Hazard Communication [Standard: 1910.1200]

OSHA requires a Hazard Communication program for employers that utilize chemicals in the workplace. This standard is applicable to all establishments that utilize chemicals which are furnished by the employer (not household use chemicals in private homes).

The standard requires employers to develop a written program, keep an inventory of chemicals onsite, maintain Safety Data Sheets (in paper format or online), make them readily available to employees, and train employees on the standard. With the onset of COVID-19 workplaces have had to add cleaners and disinfectants to the chemicals in the workplace. Some of these cleaners and disinfectants may need special personal protective equipment and updated training for employees.

Personal Protective Equipment [Standard: 1910.132]

Under the hierarchy of controls, OSHA requires employers to utilize engineering or administrative controls as a first measure of control. When these measures are not enough to control the hazards Personal Protective Equipment (PPE) is necessary to protect employees from hazards. Typical PPE for the Trust Members includes: gloves, protective eyewear, face shields, surgical gown, mouthpiece for CPR and most recently face masks, surgical masks and N95 Respirators.

In order to ensure that the proper types of PPE are chosen employers should create PPE assessments for each employee position. The PPE assessment takes under consideration the tasks involved for each position and the PPE necessary to protect employees.

Recordkeeping [Standard: 1904]

OSHA recordkeeping is required for all public employers' and employers within the private sector that have 10 or more employees in certain industry sectors. Additionally, all employers are encouraged to keep OSHA logs as a best practice in order to track and trend employee injuries. During the COVID-19 pandemic it is especially important for employers to keep accurate records of employee injuries and illnesses as this is a commonly cited standard.

In order to determine if an employee that has contracted the COVID-19 illness should go on the OSHA 300 log employers need to first determine if the exposure was work related. In cases of work-related exposures employers then follow the normal record keeping decision making process to determine how it should be recorded on the 300 form.

Reporting [Standard:1904]

OSHA requires ALL employers to report severe injuries. There is no exception for size or type of establishment. OSHA requires that employers report work-related fatalities within 8 hours and inpatient hospitalizations, amputations or losses of an eye within 24 hours. Reports can be made by calling OSHA. Also, if a work-related death occurs within 30 days of the incident it must be reported as well.

Respiratory Protection [Standard 1910.134]

OSHA requires a Respiratory Protection Program for employers that utilize respirators in the workplace. If your organization has determined that some or all employees need to be protected with N95 respirators a Respiratory Protection Program is required. With the onset of COVID-19 MANY employers have had to implement a Respiratory Protection Program. OSHA's Respiratory Protection Program requires: a formal written program, employee training, annual medical evaluations and annual fit testing.

Reliable resources should be reviewed frequently as there can be frequent changes:

- Centers for Disease Control (CDC): www.cdc.gov
- Occupational Safety and Health Administration (OSHA): www.osha.gov
- State of Connecticut: <https://portal.ct.gov/Coronavirus>
- World Health Organization (WHO): <https://www.who.int/>

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