

Main Provisions of OSHA COVID Emergency Temporary Standards for Healthcare Employers

- **COVID-19 Plan** - All employers must create and implement a COVID-19 Plan, which must be in writing if there are more than ten employees. A COVID-19 Plan must establish the policies and procedures, aligned with the ETS and CDC guidelines, to minimize the transmission risk of COVID-19 to employees. A COVID-19 safety coordinator must be designated and authorized to ensure compliance the established plan. The plan must include required screenings, or workplace-specific, COVID-19 hazards assessments, to identify whether any employees, patients or visitors might be COVID-19 positive or have symptoms of COVID-19. All versions of the COVID-19 Plan must be retained. Employers must also maintain a COVID-19 log to record each instance identified by the employer in which an employee is COVID-19 positive, regardless of whether it is connected to exposure in the workplace.
- **Personal Protective Equipment (PPE)** - Employers must supply facemasks to their employees and ensure that employees wear them when indoors and when occupying a vehicle with other people. Note that there are separate standards within the ETS if an employer provides or permits respirators instead of facemasks.
- **Daily Covid Screening** - Employers must conduct daily screenings or hazard assessments to determine whether any employees, patients, or other visitors might be COVID-19 positive. If direct patient care is provided, employers must limit points of entry to screen patients/visitors and implement patient-management strategies as established in the CDC's guidelines. Internally, employees must be screened before each workday and shift, and promptly notify their employers if they are COVID-19 positive, are suspected of having COVID-19, or are experiencing COVID-19 symptoms. Employers must then notify certain employees within 24 hours when a person who has been in the workplace is found to be COVID-19 positive.
- **Paid Leave Requirements** - Employers with more than ten employees must provide paid leave to employees removed from the workplace due to conditions consistent with ETS guidelines. Removed employees must receive the same benefits and pay they would have received while at work, up to \$1,400 per week, until the employee meets the return-to-work criteria. Note that certain exceptions apply depending on employer size. Employers must give their employees reasonable time and paid leave to get vaccinated, and to recover from any vaccine side effects.
- **Physical Distancing** - People must be at least six feet apart when indoors, unless such physical distancing is not reasonable for certain activities, like a hands-on medical procedure. This distancing requirement does not apply to momentary exposures, such as passing by someone in a hallway. Fully vaccinated employees typically are excused from this requirement.

- **Physical Barriers** - Cleanable or disposable solid barriers must be installed at each fixed work location where employees are not separated from other people by at least six feet. The barrier must be sized and located to prevent face-to-face virus transmission and have a pass-through space at the bottom for objects. Physical barriers are not required in direct patient-care areas or resident rooms.
- **Cleaning and Disinfection**- Cleanable or disposable solid barriers must be installed at each fixed work location in non-patient care areas where employees are not separated from other people by at least six feet. Surfaces and equipment in patient-care areas, resident rooms, and other medical devices and equipment will need to be routinely cleaned and disinfected in accordance with CDC guidelines. For all other areas, high-touch surfaces and equipment should be cleaned at least once a day, and hand sanitizer and/or hand washing facilities must be readily available.
- **Training** - Employees must be trained on COVID-19 transmission risks, along with all relevant policies and procedures put in place to reduce these risks. Employers may use previously completed training if it meets the relevant requirements under the ETS. However, employers must ensure that each employee receives additional training as needed from a person knowledgeable in the subject matter. Employers must inform each employee of their right to the protections required by the ETS and are prohibited from discharging or discriminating against any employees for exercising their rights to the protections required by the ETS.
- **Reporting** - Employers must report each work-related COVID-19 fatality or hospitalization to OSHA within 8 or 24 hours respectively.

OSHA Emergency Temporary Standard Resources:

- [OSHA ETS Website](#) – Implementation resources are available here.
- [Summary Fact Sheet](#)
- [FAQS](#)

OSHA is providing a 14-day window beginning June 21st to comply with most of the provisions of the ETS. For physical barriers, ventilation, or training requirements, OSHA is allowing a 30-day window for compliance. OSHA has stated that they will use discretion when enforcing the ETS to avoid citing employers making a good faith effort to comply with the standards.