

What You Need to Know About OSHA ETS Compliance

The Occupational Safety and Health Administration's (OSHA) Emergency Temporary Standard (ETS) for occupational exposure to COVID-19 was posted in the Federal Register on Monday, June 21, and went into effect immediately.

The ETS is aimed at protecting workers facing the highest COVID-19 hazards such as those working in healthcare settings where suspected or confirmed COVID-19 patients are treated. This includes employees in hospitals, nursing homes, and assisted living facilities; emergency responders; and home healthcare workers. Requirements must be implemented at no cost to employees.

Key requirements for employers are:

- ✓ **Develop & implement a COVID-19 plan** (in writing for more than 10 employees) that includes:
 - ✓ A Designated Safety Coordinator with authority to ensure compliance;
 - ✓ A workplace-specific hazard assessment;
 - ✓ Involvement of non-managerial employees in hazard assessment and plan development/implementation; and
 - ✓ Policies and procedures to minimize the risk of transmission of COVID-19 to employees.
- ✓ **Limit & monitor points of entry to settings where direct patient care is provided.** Screen and triage patients, clients, and other visitors and non-employees, and implement patient-management strategies.
- ✓ **Develop & implement policies, procedures** to adhere to Standard and Transmission-Based precautions based on Centers for Disease Control and Prevention (CDC) guidelines.
- ✓ **Provide and ensure employees have appropriate PPE:**
 - ✓ Each employee wears a facemask when indoors and when occupying a vehicle and other places for work purposes; and
 - ✓ Employees use respirators* and other PPE for exposure to people with suspected or confirmed COVID-18 and for aerosol-generating procedures on a person with confirmed or suspected COVID. Limit employee presence to only those essential during these procedures.

**Note that the Food & Drug Administration revoked authorization for emergency use of non-NIOSH-approved N-95 masks on June 30, 2021.*
- ✓ **Maintain social distancing** and keep people at least 6 feet apart when indoors.



- ✓ **Install cleanable or disposable solid barriers** at each fixed work location in non-patient care areas where employees aren't separated from other people by at least 6 feet.
- ✓ **Follow standard practices for cleaning and disinfection** of surfaces in accordance with CDC guidelines in patient care areas, resident rooms, and for medical devices and equipment.
- ✓ **Ensure that existing employer-owned or controlled HVAC systems** are used in accordance with manufacturers instructions and design specifications.
- ✓ **Screen employees before each workday and shift.** Require each employee to promptly notify the employer when the employee is COVID-positive, suspected of having COVID, or experiencing symptoms of the virus. Notify certain employees within 24 hours when a person who has been in the workplace is COVID positive. Follow requirements for removing employees from the workplace.
- ✓ **Provide reasonable time & paid leave for vaccinations** and vaccine side effects.
- ✓ **Ensure all employees receive adequate training about COVID-19** transmission, policies and procedures, and the tasks/situations in the workplace that could result in infection.
- ✓ **Inform employees of their rights to protections** required by the ETS.
- ✓ **Records, including a COVID-19 log, must be kept;** and work-related COVID-19 fatalities and in-patient hospitalizations must be reported to OSHA.

The COVID-19 ETS has multiple sections:

1910.502 – Healthcare. Except as otherwise provided in the standard, this applies to all settings where any employee provides healthcare services or healthcare support services.

1910.504 – Mini Respiratory Protection Program. This addresses limited requirements for situations where respirators are used in according with specific provisions in 1910.502.

1910.505 – Severability. The provides that each section and each provision within those sections are separate and severable from the other sections and provisions.

1910.509 – Incorporation by Reference. The contains materials adopted as part of the ETS, including CDC guidance.

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