

January 29, 2021

U.S. Department of Labor Issues Workplace Guidance on Coronavirus

Today, The U.S. Department of Labor announced that its Occupational Safety and Health Administration (OSHA) has issued worker safety guidance to help employers and workers implement a coronavirus protection program. Last week, President Biden directed OSHA to release clear guidance for employers to help keep workers safe from COVID-19 exposure.

“Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace” provides updated guidance and recommendations, and outlines existing safety and health standards. OSHA is providing the recommendations to assist employers in providing a safe and healthful workplace.

“More than 400,000 Americans have died from COVID-19 and millions of people are out of work as a result of this crisis. Employers and workers can help our nation fight and overcome this deadly pandemic by committing themselves to making their workplaces as safe as possible,” said Senior Counselor to the Secretary of Labor M. Patricia Smith. “The recommendations in OSHA’s updated guidance will help us defeat the virus, strengthen our economy and bring an end to the staggering human and economic toll that the coronavirus has taken on our nation.”

The guidance announced today recommends several essential elements in a prevention program:

- Conduct a hazard assessment.
- Identify control measures to limit the spread of the virus.
- Adopt policies for employee absences that don’t punish workers as a way to encourage potentially infected workers to remain home.

Related Practices

Administration Transition Resources
Government Relations, Political Law &
Public Policy

Michael Best Strategies LLC

- Ensure that coronavirus policies and procedures are communicated to both English and non-English speaking workers.
- Implement protections from retaliation for workers who raise coronavirus-related concerns.

“OSHA is updating its guidance to reduce the risk of transmission of the coronavirus and improve worker protections so businesses can operate safely and employees can stay safe and working,” said Principal Deputy Assistant Secretary for Occupational Safety and Health Jim Frederick.

The guidance details key measures for limiting coronavirus’s spread, including:

- Ensuring infected or potentially infected people are not in the workplace;
- Implementing and following physical distancing protocols; and
- Using surgical masks or cloth face coverings.

It also provides guidance on use of personal protective equipment, improving ventilation, good hygiene and routine cleaning.

OSHA will update today’s guidance as developments in science, best practices and standards warrant.

This guidance is not a standard or regulation, and it creates no new legal obligations. It contains recommendations as well as descriptions of existing mandatory safety and health standards. The recommendations are advisory in nature, informational in content and are intended to assist employers in recognizing and abating hazards likely to cause death or serious physical harm as part of their obligation to provide a safe and healthful workplace.