



OSHA Issues New Comprehensive Worker Safety Guidance – COVID-19

On Friday, January 29, the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) issued a new comprehensive worker safety guidance to protect workers against COVID-19, entitled: "[Protecting Workers – Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace.](#)"

The new guidance helps employers with developing a COVID-19 prevention program by outlining key elements for consideration (i.e., a step-by-step playbook of elements to help employers understand how to design and implement an effective program). As with any [hazard assessment process](#), OSHA recommends a hierarchy of controls approach by:

- eliminating COVID-19 by separating and sending home infected or potentially infected people from the workplace;
- facilitating remote work and telework programs;
- implementing physical distancing in all communal work areas;
- installing barriers where physical distancing cannot be maintained;
- using face coverings to suppress the spread of COVID-19;
- improving ventilation;
- using applicable PPE to protect workers from exposure;
- providing the supplies necessary for good hygiene practices; and
- performing routine cleaning and disinfection.

To date, a majority of OSHA [enforcement cases regarding COVID-19](#) are falling within one of the four following categories:

- Respiratory protection – 29 CFR 1910.134
- PPE hazard assessment – 29 CFR 1910.132

- Recordkeeping and reporting – 29 CFR 1904
- General duty clause – OSH Act 5(a)(1)

While the new OSHA guidance, itself, is not a mandatory regulation, it provides a roadmap of the agency's expectations of what the OSHA rules require of employers to protect workers from exposure to COVID-19.

Key Takeaways

An employer who develops a COVID-19 prevention program along the lines of that set forth in the guidance would be able to point to its program in connection with the effort and measures undertaken to satisfy the [OSH Act](#). Consequently, employers who have not undertaken comprehensive strategies to reduce and mitigate COVID-19 may well benefit from taking a careful review of the new guidance.

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