

Occupational Safety and Health Administration

**Protecting Workers: Guidance on Mitigating and Preventing the Spread of
COVID-19 in the Workplace**

June 10, 2021

Table of Contents

<i>Introduction</i>	3
<i>What are the elements of the COVID-19 Prevention Program?</i>	3
<i>What requirements apply to vaccinated employees?</i>	4
<i>How am I to determine if an employee has been vaccinated?</i>	5
<i>Who is an “At Risk” employee?</i>	5
<i>What is a Higher-Risk Workplace with Mixed-Vaccination Status Workers?</i>	5
<i>What requirements do Higher-Risk Workplaces with Mixed-Vaccination Status Workers need to meet?</i>	5
<i>How do employers eliminate the hazard by separating and sending home infected or potentially infected people from the workplace?</i>	6
<i>What are OSHA’s physical distancing recommendations for unvaccinated and “at risk” employees?</i>	6
<i>How does OSHA ‘s guidance address the use of face coverings for unvaccinated and “at risk” employees?</i>	6
<i>What ventilation practices are identified?</i>	7
<i>What Personal Protective Equipment requirements are required?</i>	7
<i>What are the cleaning and sanitation protocols?</i>	7
<i>Do I need to accommodate unvaccinated and “at risk” employees?</i>	8
<i>What employee training requirements for unvaccinated and “at risk” employees?</i>	8
<i>What do facilities need to do when an employee becomes infected?</i>	8
<i>What are the applicable OSHA regulations that could apply?</i>	8
<i>What are the reporting and recordkeeping requirements?</i>	9
<i>What anti-retaliation protections are in place?</i>	9
<i>For more information</i>	9

This fact sheet highlights the company responsibilities as required by the state regulation that is being summarized. Printing United Alliance always recommends that company representatives read the regulation and fully understand the duties required and implement them.

Introduction

In response to President Biden’s Executive Order addressing COVID-19 in the workplace, the Occupational Safety and Health Administration, issued guidance on January 29, 2021 for mitigating hazards associated with COVID-19 exposures in the workplace. Considering the vaccination rate and changes made by the Centers for Disease Control regarding vaccinated people not required to wear a face covering or social distance, OSHA revised its [guidance](#) on June 10, 2021.

OSHA’s guidance clearly states that vaccinated employees no longer need to wear face coverings or practice social distancing. OSHA’s guidance now focuses on protecting unvaccinated employees from being exposed to the COVID-19 virus unless stricter state or local laws apply.

The protections for unvaccinated or at-risk employees have remained unaltered and they include enforcing the proper use of [face coverings](#) or PPE when appropriate, implementing physical distancing requirements, maintaining ventilation systems, and separating from the workplace all infected people, all people [experiencing COVID symptoms](#), and any unvaccinated people who [have had a close contact](#) with someone with COVID-19.

All current OSHA standards that apply to protecting workers, both vaccinated and unvaccinated, from infection remain in place. These standards include, but are not limited to, requirements for personal protective equipment, respiratory protection, protection from bloodborne pathogens, training under the Hazard Communication Standard for any new chemical risks introduced into the workplace, injury and illness recordkeeping and reporting, and OSHA’s requirements for employee access to medical and exposure records. There is no OSHA standard specific to COVID-19; however, employers still are required under the General Duty Clause of the OSH Act, to provide a safe and healthful workplace that is free from recognized hazards that can cause serious physical harm or death.

The following Frequently Asked Questions (FAQ) answers basic questions and outlines employer responsibilities under the guidance. The guidance contains more detailed information that what is presented in this document.

PRINTING United Alliance has developed a comprehensive [COVID-19 Preparedness and Response Plan](#) to help facilities navigate development of policies and procedures addressing workplace exposures to COVID-19. This can be used as the basis for most of the requirements in the new OSHA guidance document.

What are the elements of the COVID-19 Prevention Program?

OSHA’s revised guidance has departed from its previous one in several aspects. The revised guidance establishes recommendations for two types of workplaces – those that are “Higher-Risk Workplaces with Mixed-Vaccination Status Workers” such as and all other covered workplaces. It has the following focus areas:

- Focuses on protections for unvaccinated and otherwise “at-risk” workers.
- Steps to encourage workers to get a COVID-19 vaccine.

- Provides links to other agency guidance.
- Incorporation of up-to-date guidance issued by other entities, such as the CDC.
- Highlights OSHA’s mandatory health and safety standards that are relevant to mitigating and preventing the spread of COVID-19 in the workplace.

The guidance recommends that employers implement multiple layers of controls to protect employees who are unvaccinated or “at-risk” (e.g., those with compromised immune systems). The recommended controls include:

1. Making it easier for employees to become vaccinated (e.g., by providing paid time off for vaccination and recovery afterward).
2. Instructing any workers who are infected, unvaccinated workers who have had close contact with someone who tested positive for the virus, and all workers with COVID-19 symptoms to stay home from work.
3. Implementing physical distancing for unvaccinated and otherwise at-risk workers in all communal work areas.
4. Providing unvaccinated and otherwise at-risk workers with face coverings or surgical masks, unless their work task requires a respirator or other PPE.
5. Educating and training employees on the employer’s COVID-19 policies and procedures using accessible formats and in language they understand.
6. Suggesting that unvaccinated customers, visitors, or guests wear face coverings, especially in public-facing workplaces.
7. Maintaining ventilation systems.
8. Performing routine cleaning and disinfection.

What requirements apply to vaccinated employees?

OSHA guidance states that except for mask requirements for public transportation, fully vaccinated people can resume activities without wearing masks or physically distancing, except where required by federal, state, local, tribal, or territorial laws, rules and regulations, including local business and workplace guidance. People are considered fully vaccinated for COVID-19 two weeks or more after they have completed their final dose of a COVID-19 vaccine authorized by the U.S. Food and Drug Administration in the United States. However, CDC suggests that people who are fully vaccinated but still at-risk due to immunocompromising conditions should discuss the need for additional protections with their healthcare providers.

This means most employers no longer need to take steps to protect their workers from COVID-19 exposure in any workplace, or well-defined portions of a workplace, where all employees are fully vaccinated.

How am I to determine if an employee has been vaccinated?

The [guidance](#) from the Equal Employment Opportunity Commission states that employers can request that employees to share their vaccination status. If an employee states that they have not been vaccinated, then the employer is **NOT** allowed to ask why they are not vaccinated.

OSHA's guidance does not explicitly state that the vaccination status of each employee be documented. OSHA imposes a general duty for employers to keep employees safe, and because COVID-19 is a known threat to safety, it is important to have a strategy for knowing who is vaccinated so that unvaccinated workers can continue with COVID protocols. These protocols will theoretically give them extra protection from the virus in the workplace, fulfilling the employer's duty.

A best practice would be to collect information on vaccination status and retain it in the event of an OSHA inspection. This could be accomplished by obtaining a copy of a vaccine card or similar verification issued by a pharmacy, healthcare provider, or other vaccinator, request employees to complete self-attesting form whether they have been fully vaccinated and keep it in a HIPAA protected file either digital or paper. If the employer is not able to determine that an employee is fully vaccinated, the employer must treat that employee as not fully vaccinated.

Who is an "At Risk" employee?

OSHA is defining an "at risk" employee as someone who may not have a full immune response to a vaccination because of a prior transplant or prolonged use of corticosteroids or other immune-weakening medications.

What is a Higher-Risk Workplace with Mixed-Vaccination Status Workers?

Higher-risk workplaces are primarily workplaces where unvaccinated or otherwise at-risk workers are more likely to be in prolonged, close contact with other workers or the public such as manufacturing, meat and poultry processing, high-volume retail and grocery, and seafood processing. Printing operations could fall into this category depending upon how close employees are required to work with each other.

What requirements do Higher-Risk Workplaces with Mixed-Vaccination Status Workers need to meet?

For these workplaces, OSHA recommends the following:

- OSHA recommends staggering break times, staggering workers' arrival and departure times to avoid congregations of unvaccinated at-risk workers, providing visual cues (e.g., floor markings, signs) as a reminder to maintain physical distancing, and implementing strategies to improve ventilation.
- In workplaces with processing or assembly lines where there are unvaccinated or otherwise at-risk workers, OSHA recommends proper spacing or use of barriers.
- Employers can suggest masks for unvaccinated (or unknown-status) customers and other visitors, and consider physical distancing or barriers between work stations used by unvaccinated or otherwise at-risk workers and the locations customers will stand.

How do employers eliminate the hazard by separating and sending home infected or potentially infected people from the workplace?

One key element involves eliminating the hazard, which means isolating workers who are infected or potentially infected so they cannot infect other workers. Employers have the option of following a symptom-based strategy for identifying and separating and sending home workers. However, there are certain circumstances where employers may consider a [COVID-19 test-based strategy](#) based on CDC guidelines.

OSHA recommends that workers who have or likely have COVID-19 should be isolated until they meet [CDC guidelines for exiting isolation](#).

OSHA recommends that workers, if they have been exposed to COVID-19, should quarantine. Exposure to COVID-19 has been defined to mean:

- They were within [6 feet of someone who has COVID-19](#) for a total of 15 minutes or more within a 24-hour period, starting from 2 days before illness onset or, for asymptomatic patients, 2 days prior to test specimen collection until the time the patient is isolated, or
- They provided care at home to someone who is sick with COVID-19, or
- They had direct physical contact with a person who has COVID-19 (e.g., hugged or kissed them), or
- They shared eating or drinking utensils with a person who has COVID-19, or
- Someone who has COVID-19 sneezed, coughed, or somehow got respiratory droplets on them.

What are OSHA's physical distancing recommendations for unvaccinated and "at risk" employees?

OSHA states that unvaccinated and "at risk" individuals need to stay far enough away to not breathe in particles produced by an infected person, generally accepted as a distance of at least 6 feet. OSHA recommend that employers limit the number of people in one place at any given time, or seek to increase physical space between workers, where practicable, to at least 6 feet, and take measures to reduce close contact.

How does OSHA 's guidance address the use of face coverings for unvaccinated and "at risk" employees?

OSHA's guidance indicates that employers should provide all unvaccinated and "at risk" workers face coverings unless their work task requires a respirator. These coverings are to be provided at no cost to the employee. Face coverings should be made of at least two layers of a tightly woven breathable fabric, such as cotton, and should not have exhalation valves or vents. They should fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face.

The requirement to wear a face covering applies to any other individuals at the workplace (e.g., visitors, customers, non-employees) unless they are under the age of 2 or are actively consuming food or

beverages on site. Further, wearing a face covering does not eliminate the need for adhering to physical distancing requirements.

When the face covering worn by workers becomes wet and soiled, employers should provide workers with replacements daily or more frequently. Face shields may be provided for use with face coverings to protect them from getting wet and soiled, but they do not provide protection by themselves.

Employers must discuss the possibility of "[reasonable accommodation](#)" for any workers who are unable to wear or have difficulty wearing certain types of face coverings due to a serious medical condition. When deaf employees are present in the workplace, employers are directed to consider acquiring masks with clear coverings over the mouth to facilitate lip reading.

What ventilation practices are identified?

Employers need to ensure that all ventilation systems are operating properly and provide acceptable indoor air quality for the current occupancy level in each space, and if possible, increase ventilation rates.

Maintain ventilation systems according to the [CDC's Ventilation in Buildings](#) and in the [OSHA Alert: COVID-19 Guidance on Ventilation in the Workplace](#). These recommendations are based on ASHRAE [Guidance for Building Operations During the COVID-19 Pandemic](#).

Key measures include ensuring the HVAC system(s) is operating in accordance with the manufacturer's instructions and design specifications, conducting all regularly scheduled inspections and maintenance procedures, maximizing the amount of outside air supplied, installing air filters with a Minimum Efficiency Reporting Value (MERV) 13 or higher where feasible, maximizing natural ventilation in buildings without HVAC systems by opening windows or doors, when conditions allow (if that does not pose a safety risk), and considering the use of portable air cleaners with High Efficiency Particulate Air (HEPA) filters in spaces with high occupancy or limited ventilation.

What Personal Protective Equipment requirements are required?

OSHA standards require that employers provide [personal protective equipment](#) to supplement other controls if the measures discussed above either cannot be implemented or do not fully protect the employee, based on the COVID-19 hazard assessment. To determine appropriate PPE, employers need to conduct a separate workplace PPE [hazard assessment](#) as required by regulation. All employers are to provide the required PPE, including respirators, face shields, protective gowns, and gloves, at no cost to the employee and the proper training on how to use the PPE.

What are the cleaning and sanitation protocols?

The guidance instructs employers to adopt programs for routine cleaning and disinfecting of the workplace and disinfection of areas where employees worked that became infected. The guidance references the cleaning and disinfection protocols as outlined by the [CDC cleaning and disinfection recommendations](#).

The guidance requires employers to ensure that employees have the necessary supplies that encourage good hygiene practices.

PRINTING United Alliance has developed a sanitation protocol. This protocol can be found in the Association's [COVID-19 Preparedness and Response Plan](#). Employers need to ensure that high touch

areas are routinely cleaned. It is also necessary to ensure that employees are using the appropriate personal protective equipment when using the cleaning products.

Do I need to accommodate unvaccinated and “at risk” employees?

OSHA’s guidance specifically speaks to those populations of “at risk” employees who may have severe underlying medical conditions. Workers may be legally entitled to reasonable accommodation that protects them from the risk of contracting COVID-19. Where feasible, employers should consider reasonable modifications for those employees identified as high risk who can perform their duties through telework, in less densely occupied workspace, or better ventilated alternative facilities or offices.

Under federal anti-discrimination laws, employers may need to provide [reasonable accommodation](#) for any workers who are unable to wear or have difficulty wearing certain types of face coverings due to a disability or who need religious accommodation under Title VII. In workplaces with employees who are deaf or hard of hearing, employers should consider acquiring masks with clear coverings over the mouth for unvaccinated and otherwise at-risk workers to facilitate lip-reading.

What employee training requirements for unvaccinated and “at risk” employees?

Educate and train workers on your COVID-19 policies and procedures using accessible formats and in a language they understand. Communications should be in plain language that unvaccinated and “at-risk” workers understand (including non-English languages, and American Sign Language or other accessible communication methods, if applicable) and in a manner accessible to individuals with disabilities.

Training should include:

- Basic facts about COVID-19, including how it is spread and the importance of physical distancing (including remote work), ventilation, vaccination, use of face coverings, and hand hygiene.
- Workplace policies and procedures implemented to protect workers from COVID-19 hazards.

What do facilities need to do when an employee becomes infected?

Any employee who has or is suspected of having COVID-19 based on exposure, a positive test, or in lieu of a test, [COVID-19 symptoms](#), needs to be told to stay home and not come into the work facility or visit a customer’s facility until cleared. Employees in this category may telework from isolation if possible. Workers who appear to have symptoms upon arriving at work or who develop symptoms while at work, should immediately be separated and sent home.

In the areas where known or suspected to be infected employees or other persons accessed or worked, the company must clean and disinfect prior to allowing other employees access to the areas. Where feasible, a period of 24 hours will be observed prior to cleaning and disinfecting.

What are the applicable OSHA regulations that could apply?

The guidance highlights employers that they must follow applicable mandatory OSHA standards, including those that require employers to:

- Record work-related COVID-19 cases and report COVID-19 fatalities and hospitalizations to OSHA (in accordance with OSHA’s 19 May 2020 Revised Enforcement Guidance for Recording Cases of COVID-19).
- Ensure there are prohibitions against retaliation for raising workplace safety and health concerns or engaging in other protected activity (in accordance with Section 11(c) of the OSH Act).
- Follow OSHA’s rules aimed at protecting workers from infection, including requirements for PPE, respiratory protection, sanitation, protection from bloodborne pathogens, and employee access to medical and exposure records.

What are the reporting and recordkeeping requirements?

Employers are responsible for recording work related cases of COVID-19 illnesses on their Form 300 logs if the following requirements are met: the employee has a confirmed case of COVID-19; the infection is work related; and the case involves one or more relevant recording criteria, such as medical treatment or days away from work. Employers should report the case to the state health department as required.

What anti-retaliation protections are in place?

OSHA’s regulations currently prohibit discrimination against an employee for reporting a work-related illness. Additionally, the OSH Act prohibits discharging or in any other way discriminating against an employee for engaging in various occupational safety and health activities. For example, employers may not discriminate against employees for raising a reasonable concern about infection control related to COVID-19 to the employer, the employer's agent, other employees, a government agency, or to the public, such as through print, online, social, or any other media; or against an employee for voluntarily providing and wearing their own personal protective equipment, such as a respirator, face shield, gloves, or surgical mask.

Employers must notify employees of their rights to a safe and healthful work environment, and employers must ensure that workers know whom to contact with questions or concerns about workplace safety and health. Instructions should also be provided to allow workers to voice concerns anonymously.

For more information

For more information, or if you have questions, please contact PRINTING United Alliance’s Government Affairs Department: Marci Kinter, mkinter@printing.org; Gary Jones at gjones@printing.org; or Adriane Harrison at the Human Resources Department at aharrison@printing.org.