

News Release

U.S. Department of Labor | June 10, 2021

US Department of Labor’s OSHA issues emergency temporary standard to protect health care workers from the coronavirus

OSHA also releases new guidance for all industries

WASHINGTON, DC – The U.S. Department of Labor’s Occupational Safety and Health Administration has announced it will issue an [emergency temporary standard](#) to protect healthcare workers from contracting coronavirus. The standard focuses on healthcare workers most likely to have contact with someone infected with the virus. OSHA announced alongside new general industry guidance, both of which are aligned with Centers for Disease Control guidance.

“Too many of our frontline healthcare workers continue to be at high risk of contracting the coronavirus,” said U.S. Secretary of Labor Marty Walsh. “As I said when I came to the department, we must follow the science. This standard follows the science, and will provide increased protections for those whose health is at heightened risk from coronavirus while they provide us with critical healthcare services. Given the pace of vaccinations, this standard, along with the guidance OSHA, the CDC and other agencies have released, will help us protect frontline healthcare workers and end this pandemic once and for all.”

The emergency temporary standard establishes new requirements for settings where employees provide healthcare or health care support services, including skilled nursing homes and home healthcare, with some exemptions for healthcare providers who screen out patients who may have COVID-19. OSHA will update the standard, if necessary, to align with CDC guidelines and changes in the pandemic.

“This standard is necessary to give our healthcare workers deeply needed protections,” said Acting Assistant Secretary of Labor for Occupational Safety and Health Jim Frederick. “This tailored standard allows OSHA to help the workers most in danger of contracting the virus, while the updated guidance will give other businesses across the country the information they need to help protect unvaccinated workers and continue mitigating spread in the workplace.”

In addition to the healthcare-focused ETS, OSHA is issuing [updated guidance](#) to help employers and workers in other industries protect workers who are still not vaccinated, with a special emphasis on other industries noted for prolonged close-contacts like meat processing, manufacturing, seafood, and grocery and high-volume retail.

The health care emergency temporary standard is aimed at protecting workers facing the highest coronavirus hazards—those working in health care settings where suspected or confirmed coronavirus patients are treated. This includes employees in hospitals, nursing homes, and assisted living facilities; emergency responders; home health care workers; and employees in ambulatory care settings where suspected or confirmed coronavirus patients are treated.

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The standard will require non-exempt facilities to conduct a hazard assessment and have a written plan to mitigate virus spread, and requires healthcare employers to provide some employees with N95 respirators or other personal protective equipment. In addition, covered employers must ensure 6 feet of distance between workers. In situations where this is not possible, employers should erect barriers between employees where feasible.

The standard also requires covered employees to provide workers with paid time off to get vaccinated and to recover from any side effects. Covered employees who have coronavirus or who may be contagious must work remotely or otherwise be separated from other workers if possible, or be given paid time off up to \$1400 per week. For most businesses with fewer than 500 employees, tax credits in the American Rescue Plan may be reimbursed through these provisions.

The ETS exempts fully vaccinated workers from masking, distancing and barrier requirements when in well-defined areas where there is no reasonable expectation that any person will be present with suspected or confirmed coronavirus.

The ETS is effective immediately upon publication in the Federal Register. Employers must comply with most provisions within 14 days and with the remaining provisions within 30 days. OSHA will use its enforcement discretion to avoid citing employers who miss a compliance deadline but are making a good faith effort to comply with the ETS. OSHA will continue to monitor trends in coronavirus transmission.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to help ensure these conditions for America's workers by setting and enforcing standards, and providing training, education and assistance. [Learn more about OSHA.](#)

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Release Number: 21-355-NAT