OSHA Updates COVID-19 Guidance to Mirror Recent CDC Recommendations

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On August 13, 2021, the Occupational Safety and Health Administration ("OSHA") updated its COVID-19 guidance from June 10, 2021, which we discussed here.

The updated guidance is designed to protect (a) unvaccinated (or not fully vaccinated) workers, (b) "at-risk" employees with certain underlying medical conditions, and (c) fully vaccinated employees who are located in geographic areas with substantial or high community transmission of COVID-19. In its updated guidance, OSHA recognizes that fully vaccinated individuals who do become infected with the Delta variant can be infectious and, in turn, can spread the virus to others. Consequently, OSHA is now adopting the CDC recommendations regarding testing and the wearing of face masks for fully vaccinated employees in certain circumstances. OSHA's guidance also includes best practices for protecting unvaccinated or at-risk workers in higher-risk workplaces, which include: manufacturing; meat, seafood, and poultry processing; high-volume retail and grocery; and agricultural processing settings.

Additional Guidance on Earlier Recommendations

OSHA suggests that employers should engage with their employees (and their representatives) to determine how to implement multi-layered safety controls to protect unvaccinated and otherwise at-risk workers and to mitigate the spread of COVID-19, including suggesting that employers do the following:

Read the full alert here.

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