

## MDS Alert

### Compliance: Quick! Execute These COVID-19 Responsibilities and Tasks

#### Know your facility's responsibility to employees to remain compliant with COVID-19 ETS.

The Occupational Health and Safety Administration (OSHA) has released an emergency temporary standard (ETS) that is quite long. Don't skimp on fulfilling any of the requirements, or you'll risk penalties.

Abide by these "key requirements of the ETS," listed in an OSHA fact sheet:

- **COVID-19 plan:** Develop and implement a COVID-19 plan (in writing if more than 10 employees) that includes a designated safety coordinator with authority to ensure compliance, a workplace-specific hazard assessment, involvement of nonmanagerial employees in hazard assessment and plan development/implementation, and policies and procedures to minimize the risk of transmission of COVID-19 to employees.
- **Health screening and medical management:** (1) Screen employees before each workday and shift (self-screening and reporting are OK); (2) Require each employee to promptly notify the employer when the employee is COVID-19 positive, suspected of having COVID-19, or experiencing certain symptoms; (3) Notify certain employees within 24 hours when a person who has been in the workplace is COVID-19 positive; (4) Follow requirements for removing employees from the workplace; (5) Employers with more than 10 employees, provide medical removal protection benefits (i.e., pay them) in accordance with the standard to workers who must isolate or quarantine.
- **Vaccination:** Provide reasonable time and paid leave for vaccinations and vaccine side effects.
- **Training:** Ensure all employees receive training so they comprehend COVID-19 transmission, tasks, and situations in the workplace that could result in infection, and relevant policies and procedures.
- **Anti-Retaliation:** Inform employees of their rights to the protections required by the standard and do not discharge or in any manner discriminate against employees for exercising their rights under the ETS or for engaging in actions required by the standard.
- **Recordkeeping:** Establish a COVID-19 log (if more than 10 employees) of all employee instances of COVID-19 without regard to occupational exposure and follow requirements for making records available to employees/representatives.
- **Reporting:** Report work-related COVID-19 fatalities and inpatient hospitalizations to OSHA.
- **Personal protective equipment (PPE):** Provide and ensure each employee wears a facemask when indoors and when occupying a vehicle with other people for work purposes; provide and ensure employees use respirators and other PPE for exposure to people with suspected or confirmed COVID-19, and for aerosol-generating procedures on a person with suspected or confirmed COVID-19.



Other ETS requirements are either already in use, including patient (or resident) screening and management; CDC Standard and Transmission-Based Precautions; rules for aerosol-generating procedures on a person with suspected or confirmed COVID-19; physical distancing; physical barriers; cleaning and disinfection; and ventilation.

All requirements must be implemented at no cost to employees, OSHA emphasizes.