

January 18, 2022

Doug Parker
Assistant Secretary for OSHA

Subject: COVID-19 Vaccination and Testing: Emergency Temporary Standard
Federal Register Number: 2021-23643
OSHA Docket Number: OSHA-2021-0007
RIN: 1218-AD42

Comments Submitted online

Dear Secretary Parker:

OSHA must act and pass an Emergency Temporary Standard (ETS) to protect America's workforce during this COVID-19 pandemic. OSHA's emergency temporary standard for SARS-CoV-2 will provide a unified national approach to protecting worker health across the country and is critical to saving lives. Employer-provided mitigation measures are critical to protecting workers and to putting an end to the pandemic. As with other hazards in the workplace, we urge the agency to require that employers have a written coronavirus prevention program that includes identification of hazards, training, provision of adequate (PPE) face coverings for source control, social distancing, other personal protective equipment, where indicated, and the use of engineering controls, such as appropriate ventilation and other technologies that are available for controlling biohazards. OSHA's scope of the ETS should require a broad range of controls for mitigating SARS-CoV-2 workplace exposures.

We urge OSHA to expand the definition of SARS-CoV-2 transmission to include both droplet and airborne (inhalation) modes of transmission. As stated in the AIHA Join Consensus Statement 2021 Fact Sheet co-sponsored by fifteen scientific societies ...

“...the lack of recognition of the risk of airborne transmission of COVID-19 and the lack of clear recommendations on the control measures against the airborne virus will have significant consequences: people may think that they are fully protected by adhering to the current recommendations, but in fact, additional airborne interventions are needed for further reduction of infection risk.”

The ETS must include other control measures and technologies, such as ventilation systems and filtration, to reduce the airborne levels of infectious agents in the indoor environment of the workplace. It should employers needing to cover the cost of compliance of an OSHA Rule (PPE, testing, etc.)

We urge OSHA to include requirements for respiratory protection, specifically N95s, in workplaces where individuals work indoors in close contact with other workers or the public. In addition, the standard should include provisions for isolation of confirmed cases and quarantine of those who have been exposed with payment for time off from work (as was provided for in the Healthcare worker ETS issued in June 2021). This provision is important for worker protection and community public health.

Employers should be required to keep a COVID log of all cases and exposures, accessible to workers and their representatives with personal identifiers removed. And include a requirement to then report outbreak episodes to OSHA, which includes 2 or more confirmed cases within a 14-day period at the same work location). Maintain such data logs is an important step, as with any other workplace hazard, to track cases and outbreaks in order to help identify prevention strategies.

We sincerely hope our comments toward this important standard are considered for inclusion. Please do not hesitate to reach out if there are questions or further assistance we can provide.

Sincerely

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