

Lake County Safety Council  
Thursday, June 10 Meeting



***OSHA - Update, Compliance  
Information & Programming  
Opportunities***

# Event Sponsor



***HZW Environmental  
Consultants***

# Event Sponsor



***Lake Health  
Occupational Services***

**Todd Jensen**  
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**Cleveland Area Office**  
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# National Emphasis Program on Noise

Who is covered?

- 3311xx Iron and Steel Mills
- 3312xx Steel Product Manufacturing from Purchased Steel
- 3313xx Alumina and Aluminum Production and Processing  
(except 331314, 331315)
- 3314xx Nonferrous metal (except aluminum) Production and Processing  
(except 331410, 331492)
- 3315xx Foundries
- 3321xx Forging and Stamping (except 332114 and 332117)
- 3322xx Cutlery and Handtool Manufacturing (except 332215)
- 332313 Plate Work Manufacturing
- 3324xx Boiler, Tank, and Shipping Container Manufacturing  
(except 332410, 332439)
- 3326xx Spring and Wire Product Manufacturing (except 332613)
- 33272x Turned Product and Screw, Nut, and Bolt Manufacturing
- 3329xx Other Fabricated Metal Product Manufacturing  
(except 332910, 332911, 332912, 332913, 332991, 332992, 332993, 332994, 332996)
- 3331xx Agriculture, Construction, and Mining Manufacturing  
(except 333110, 333112, 333130, 333132)

- 333413 Industrial and Commercial Fan and Blower and Air Purification Equipment Manufacturing
- 333414 Heating Equipment (except warm air furnaces) Manufacturing
- 3335xx Metalworking Machinery Manufacturing  
(except 333511, 333514, 333517, 333519)
- 333618 Other Engine Equipment Manufacturing
- 333912 Welding and Soldering Equipment Manufacturing
- 335221 Household Cooking Appliance Manufacturing
- 3361xx Motor Vehicle Manufacturing
- 3362xx Motor Vehicle Body and Trailer Manufacturing
- 3363xx Motor Vehicle Parts Manufacturing  
(except 336320, 336340, 336350, 336360, 336390)
- 336411 Aircraft Manufacturing
- 3365xx Railroad Rolling Stock Manufacturing
- 3366xx Ship and Boat Building (except 336612)

- **Scope** - Inspections focusing on noise hazards.
- **OSHA will review:**
  - OSHA 300 logs for any standard threshold shifts
  - Noise monitoring data
  - Hearing conservation program
  - Use of hearing protectors
  - Audiometric testing
  - Training



# COVID-19



# **COVID-19**

# **Emergency Temporary Standard**

## Work Relatedness

-Must perform a good faith effort  
in determining work relatedness

[https://www.osha.gov/memos/2020-05-19/revised-enforcement-guidance-recording-cases-coronavirus-disease-2019-covid-](https://www.osha.gov/memos/2020-05-19/revised-enforcement-guidance-recording-cases-coronavirus-disease-2019-covid-19)

May 19, 2020

**MEMORANDUM FOR:** REGIONAL ADMINISTRATORS  
STATE PLAN DESIGNEES

**THROUGH:** AMANDA EDENS  
Deputy Assistant Secretary

**FROM:** LEE ANNE JILLINGS, Acting Director  
Directorate of Technical Support and Emergency Management

PATRICK J. KAPUST, Acting Director  
Directorate of Enforcement Programs

**SUBJECT:** Revised Enforcement Guidance for Recording Cases of Coronavirus Disease 2019 (COVID-19)

This memorandum provides updated interim guidance to Compliance Safety and Health Officers (CSHOs) for enforcing the requirements of 29 CFR Part 1904 with respect to the recording of occupational illnesses, specifically cases of COVID-19. On May 26, 2020, the previous memorandum on this topic<sup>[1]</sup> will be rescinded, and this new memorandum will go into and remain in effect until further notice. This guidance is intended to be time-limited to the current COVID-19 public health crisis. Please frequently check OSHA's webpage at [www.osha.gov/coronavirus](http://www.osha.gov/coronavirus) for updates.

Under OSHA's recordkeeping requirements, COVID-19 is a recordable illness, and thus employers are responsible for recording cases of COVID-19, if:

1. The case is a confirmed case of COVID-19, as defined by the Centers for Disease Control and Prevention (CDC);<sup>[2]</sup>
2. The case is work-related as defined by 29 CFR § 1904.5;<sup>[3]</sup> and
3. The case involves one or more of the general recording criteria set forth in 29 CFR § 1904.7.<sup>[4]</sup>

In determining whether an employer has complied with this obligation and made a reasonable determination of work-relatedness, CSHOs should apply the following considerations:

- *The reasonableness of the employer's investigation into work-relatedness.* Employers, especially small employers, should not be expected to undertake extensive medical inquiries, given employee privacy concerns and most employers' lack of expertise in this area. It is sufficient in most circumstances for the employer, when it learns of an employee's COVID-19 illness, (1) to ask the employee how he believes he contracted the COVID-19 illness; (2) while respecting employee privacy, discuss with the employee his work and out-of-work activities that may have led to the COVID-19 illness; and (3) review the employee's work environment for potential SARS-CoV-2 exposure. The review in (3) should be informed by any other instances of workers in that environment contracting COVID-19 illness.
- *The evidence available to the employer.* The evidence that a COVID-19 illness was work-related should be considered based on the information reasonably available to the employer at the time it made its work-relatedness determination. If the employer later learns more information related to an employee's COVID-19 illness, then that information should be taken into account as well in determining whether an employer made a reasonable work-relatedness determination.
- *The evidence that a COVID-19 illness was contracted at work.* CSHOs should take into account all reasonably available evidence, in the manner described above, to determine whether an employer has complied with its recording obligation. This cannot be reduced to a ready formula, but certain types of evidence may weigh in favor of or against work-relatedness. For instance:
  - COVID-19 illnesses are likely work-related when several cases develop among workers who work closely together and there is no alternative explanation.
  - An employee's COVID-19 illness is likely work-related if it is contracted shortly after lengthy, close exposure to a particular customer or coworker who has a confirmed case of COVID-19 and there is no alternative explanation.
  - An employee's COVID-19 illness is likely work-related if his job duties include having frequent, close exposure to the general public in a locality with ongoing community transmission and there is no alternative explanation.
  - An employee's COVID-19 illness is likely not work-related if she is the only worker to contract COVID-19 in her vicinity and her job duties do not include having frequent contact with the general public, regardless of the rate of community spread.
  - An employee's COVID-19 illness is likely not work-related if he, outside the workplace, closely and frequently associates with someone (e.g., a family member, significant other, or close friend) who (1) has COVID-19; (2) is not a coworker, and (3) exposes the employee during the period in which the individual is likely infectious.
  - CSHOs should give due weight to any evidence of causation, pertaining to the employee illness, at issue provided by medical providers, public health authorities, or the employee herself.

# Types of protection

- N95
  - Certified
- KN95
  - Last resort
- Face Coverings(Surgical Masks/Cloth)
  - Protects Others

# Respirator Program

- Written Program
- Fit Testing
- Medical Evaluations
- Training

# Recordkeeping: Covid Cases

- Must be work related
- Must be confirmed according to CDC
- Lost time due to quarantining
  - Part time telework
  - Full time telework
  - No telework
- Lost time due to negative vaccine reaction





# COVID-19 National Emphasis Program

# Background

- NEP effective March 12, 2021
- The NEP targets establishments that have workers with an increased potential exposure to Covid-19 (high frequency of close contact exposures)
- Effective for 12 months unless canceled or extended

**Table 1. Targeted Industries in Healthcare by 2017 NAICS**

<b>NAICS Code</b>	<b>Industry</b>
621111	Offices of Physicians (except Mental Health Specialists)
621210	Offices of Dentists
621610	Home Health Care Services
621910	Ambulance Services
622110	General Medical and Surgical Hospitals
622210	Psychiatric and Substance Abuse Hospitals
622310	Specialty (except Psychiatric and Substance Abuse) Hospitals
623110	Nursing Care Facilities (Skilled Nursing Facilities)
623210	Residential Intellectual and Developmental Disability Facilities
623311	Continuing Care Retirement Communities
623312	Assisted Living Facilities for the Elderly

**Table 2. Targeted Industries for non-Healthcare by 2017 NAICS**

<b>NAICS Code</b>	<b>Industry</b>
311612	Meat Processed from Carcasses
311611	Animal (except Poultry) Slaughtering
311615	Poultry Processing
445110	Supermarkets and Other Grocery (except Convenience) Stores
452112	Discount Department Stores
493110	General Warehousing and Storage
561320	Temporary Help Services*
722511	Full-Service Restaurants
722513	Limited-Service Restaurants
922140	Correctional Institutions

<b>NAICS Code</b>	<b>Industry</b>	<b>CISA v4.0 Sector</b>
11xxxx	Agriculture, Forestry, Fishing and Hunting	Food and Agriculture
236XXX	Construction of Buildings *	Construction
237XXX	Heavy and Civil Engineering Construction*	Construction
238XXX	Specialty Trade Contractors*	Construction
311xxx	Food Manufacturing	Food and Agriculture
3121xx	Beverage Manufacturing	Food and Agriculture
321xxx	Wood Product Manufacturing	Food and Agriculture
322xxx	Paper Manufacturing	Food and Agriculture
32412x	Asphalt Paving, Roofing, and Saturated Materials Manufacturing	Energy
32419x	Other Petroleum and Coal Products Manufacturing	Energy
325xxx	Chemical Manufacturing	Chemical
326xxx	Plastics and Rubber Product Manufacturing	Transportations and Logistics; Critical Manufacturing
327xxx	Nonmetallic Mineral Product Manufacturing	Critical Manufacturing
331xxx	Primary Metal Manufacturing	Critical Manufacturing

NAICS Code	Industry	CISA v4.0 Sector
332xxx	Fabricated Metal Product Manufacturing	Critical Manufacturing
333xxx	Industrial Machinery Manufacturing	Transportations and Logistics; Critical Manufacturing; Food and Agriculture
334xxx	Computer and Electronic Product Manufacturing	Critical Manufacturing
335xxx	Electrical Equipment, Appliance, and Component Manufacturing	Commercial Facilities; Energy; Critical Manufacturing; Communications and Information Technology
336xxx	Transportation Equipment Manufacturing*	Transportation and Logistics; Critical Manufacturing; Defense Industrial Base
33711x	Wood Kitchen Cabinet and Countertop Manufacturing	Commercial Facilities
3399xx	Other Miscellaneous Manufacturing	Critical Manufacturing; Government Facilities; Transportation and Logistics
44422x	Nursery, Garden Center, and Farm Supply Stores	Food and Agriculture
445xxx	Additional Food and Beverage Stores	Food and Agriculture
4523xx	General Merchandise Stores, including Warehouse Clubs and Supercenters	Food and Agriculture
4851xx	Urban Transit Systems	Transportation and Logistics
4852xx	Interurban and Rural Bus Transportation	Transportation and Logistics
4854xx	School and Employee Bus Transportation	Transportation and Logistics
485991	Special Needs Transportation	Transportation and Logistics
491xxx	Postal Service*	Transportation and Logistics
54142x	Industrial Design Services	Critical Manufacturing
811219	Other Electronic and Precision Equipment Repair and Maintenance	Commercial Facilities
81131x	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	Commercial Facilities