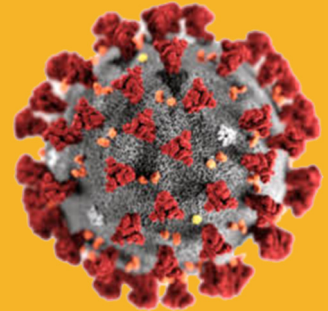




# TEAMSTERS SAFETY & HEALTH COVID-19 Guidance



## National Emphasis Program on Coronavirus Disease 2019 (COVID-19)<sup>1</sup>

January 28, 2022

### Introduction:

On January 21, 2021, President Biden issued an executive order directing the Occupational Safety and Health Administration (OSHA) to establish a National Emphasis Program (NEP) on providing protection from Coronavirus 2019 (COVID-19). The U.S. Secretary of Labor has stated, “OSHA will do everything in its existing authority to hold businesses accountable for protecting workers by enforcing the COVID-19 national emphasis program and the OSHA General Duty Clause”<sup>1</sup>. OSHA states the purpose for implementing the NEP for COVID-19 is to ensure that employees in high-hazard industries are protected from contracting COVID-19 in the workplace and ensuring workers are protected from retaliation.

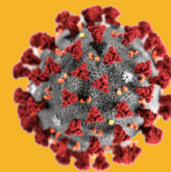
### Scope:

This program focuses on preventing COVID-19-related hazards in the workplace by requiring employers to ensure that workplace ventilation systems are properly maintained, implement policies that require workers to maintain adequate social distancing, wear face coverings, and maintain good hand hygiene. The NEP provides procedures for planned/programmed and follow-up inspections in workplaces where unvaccinated employees have a high frequency of close contact exposures. This NEP also reaffirms the Occupational Safety Health Administration’s (OSHA) adherence to a longstanding inspection policy that relies predominantly on on-site (in person) presence for most inspections DIR 2021-02(CPL 02)<sup>2</sup>.

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<sup>1</sup> [Statement from Secretary of Labor Marty Walsh on Supreme Court ruling on OSHA emergency temporary standard on vaccination, testing](#)

<sup>2</sup> [OSHA Direction, DIR 2021-02 \(CPL 02\), Inspection Procedures for the COVID-19 Emergency Temporary Standard, June 28, 2021.](#)



The directive establishes OSHA's field inspection and enforcement procedures to ensure uniformity when addressing workplace exposures to COVID-19.

### **COVID-19 NEP Goal:**

The goal of this program is to significantly reduce or eliminate COVID-19 exposures in the workplace by focusing on targeted industries where unvaccinated workers may have higher frequencies of close contact. This goal is expected to be accomplished by a combination of inspection targeting, outreach to employers, and training.

### **Targeted Industries for the COVID-19 NEP:**

OSHA lists each high-hazard industry that is targeted under the COVID-19 NEP in Appendix A of the NEP document<sup>3</sup>. In table 1, OSHA lists targeted industries in healthcare which are:

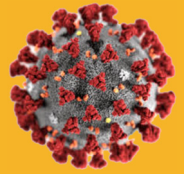
- Physicians' Offices
- Dentists Offices
- Home Health Care Services
- Ambulance Services
- General Medical and Surgical Hospitals
- Psychiatric and Substance Abuse Hospitals
- Specialty (except Psychiatric and Substance Abuse Hospitals)
- Nursing Care Facilities (Skilled Nursing Facilities)
- Residential Intellectual and Developmental Disability Facilities
- Continuing Care Retirement Communities
- Assisted Living Facilities for the Elderly

In table 2, OSHA lists targeted non-healthcare industries which are:

- Meat Processed from Carcasses Facilities
- Animal (except Poultry) Slaughtering Facilities
- Poultry Processing
- Supermarkets and Other Grocery (except Convenience) stores
- Discount Department Stores
- Postal Service Facilities
- General Warehousing and Storage
- Temporary Help Services
- Full-Service Restaurants
- Limited-Service Restaurants
- Correctional Institutions (Public Administration Sector)

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<sup>3</sup> [Appendix A: Target Industries for the COVID-19 NEP](#)



### **Whistleblower Protections under the NEP:**

In response to the presidential executive order directing the creation of the NEP on COVID-19 issued on January 21, 2021<sup>i</sup>, the program will include an added focus of ensuring that workers are protected from retaliation. Workers that file a complaint, or request an inspection be conducted due to possible occupational exposures to COVID-19 or report an injury or work-related illness are protected from retaliation and covered by the whistleblower protection statutes. Members are encouraged to contact their stewards and business agents for assistance on how to file an OSHA complaint or obtain protection from retaliation as a result of exercising their worker safety and health rights.

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<sup>i</sup>[Centers for Disease Control and Prevention \(CDC\): COVID-19 \(webpage\).](https://www.cdc.gov/coronavirus/2019-ncov/index.html)

<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

<sup>i</sup>[OSHA Safety and Health Topics: Coronavirus Disease \(COVID-19\) \(webpage\).](https://www.osha.gov/coronavirus)

<https://www.osha.gov/coronavirus>

<sup>i</sup>[Presidential Executive Order on Protecting Worker Health and Safety, January 21, 2021. .](https://www.whitehouse.gov/briefing-room/presidentialactions/2021/01/21/executive-order-protecting-worker-health-and-safety)

[www.whitehouse.gov/briefing-room/presidentialactions/2021/01/21/executive-order-protecting-worker-health-and-safety.](https://www.whitehouse.gov/briefing-room/presidentialactions/2021/01/21/executive-order-protecting-worker-health-and-safety)

**For concerns, questions, and information, contact the IBT Safety and Health Department at (202) 624-6960 or visit: <https://teamster.org/COVID-19>**