

FACT SHEET

Subpart U—COVID-19 Healthcare ETS



On January 21, 2021, President Biden issued an [Executive Order](#) which declared that ensuring the health and safety of workers is a national priority and a moral imperative. The order directed the Occupational Safety and Health Administration (OSHA) to take action to reduce the risk that workers may contract COVID-19 in the workplace.

OSHA has determined that employee exposure to SARS-CoV-2, the virus that causes COVID-19, presents a grave danger to workers in healthcare settings where people with suspected or confirmed COVID-19 are reasonably expected to be present. These healthcare workers continue to put their lives on the line helping people who may have COVID-19, and they deserve protection against ongoing exposures in the workplace.

The agency has determined that existing standards and regulations, and the OSH Act's General Duty Clause, are inadequate to address the COVID-19 hazard for these workers. Additionally, it has become clear that a Federal standard is needed to ensure sufficient protection for healthcare workers in all states. OSHA has issued an emergency temporary standard (ETS) to address this hazard.

This fact sheet summarizes OSHA's COVID-19 ETS, contained in [29 CFR 1910 Subpart U](#). Employers should consult the standard for full details.

Understanding COVID-19 ETS Subpart U

The COVID-19 ETS is one standard with multiple sections, all contained in Subpart U. The ETS sections are:

- **1910.502 – Healthcare:** Except as otherwise provided in the standard, applies to all settings where any employee provides healthcare services or healthcare support services.

- **1910.504 – Mini Respiratory Protection Program:** Addresses limited requirements for situations where respirators are used in accordance with specific provisions in 1910.502.
- **1910.505 – Severability:** Provides that each section of Subpart U and each provision within those sections is separate and severable from the other sections and provisions.
- **1910.509 – Incorporation by Reference:** Contains materials adopted as part of the ETS, including: Centers for Disease Control and Prevention (CDC) guidance, consensus standards for personal protective equipment (PPE), and EPA's list of approved disinfectants.

The ETS is aimed at protecting workers facing the highest COVID-19 hazards—those working in healthcare settings where suspected or confirmed COVID-19 patients are treated. This includes employees in hospitals, nursing homes, and assisted living facilities; emergency responders; home healthcare workers; and employees in ambulatory care facilities where suspected or confirmed COVID-19 patients are treated. The ETS exempts fully vaccinated workers from masking, distancing, and barrier requirements when in well-defined areas where there is no reasonable expectation that any person with suspected or confirmed COVID-19 will be present. For more information, see the [“Is your workplace covered by the COVID-19 Healthcare ETS?”](#) flow chart.

The ETS is effective immediately upon publication in the Federal Register. Employers must comply with most provisions within 14 days, and with provisions involving physical barriers, ventilation, and training within 30 days. OSHA will use its enforcement discretion for employers who are making a good faith effort to comply with the ETS. OSHA will continue to monitor trends in COVID-19 infections and deaths as more of the workforce and the general population become vaccinated and the pandemic continues to evolve. Where OSHA finds a grave danger from the virus no longer exists for the covered workforce (or some portion thereof), or new information indicates a change in measures necessary to address the grave danger, OSHA will update the ETS, as appropriate.

How to Protect Workers from COVID-19

The main section of the ETS (1910.502 – Healthcare) requires employers to develop and implement effective COVID-19 plans. Controlling COVID-19 requires employers to use multiple overlapping controls in a layered approach to better protect workers. The key requirements of the ETS are:

- **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 non-managerial employees in hazard assessment and plan development/implementation, and policies and procedures to minimize the risk of transmission of COVID-19 to employees.
- **Patient screening and management:** Limit and monitor points of entry to settings where direct patient care is provided; screen and triage patients, clients, and other visitors and non-employees; implement patient management strategies.
- **Standard and Transmission-Based Precautions:** Develop and implement policies and procedures to adhere to Standard and Transmission-Based precautions based on CDC guidelines.
- **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.
- **Aerosol-generating procedures on a person with suspected or confirmed COVID-19:** Limit employees present to only those essential; perform procedures in an airborne infection isolation room, if available; and clean and disinfect surfaces and equipment after the procedure is completed.
- **Physical distancing:** Keep people at least 6 feet apart when indoors.
- **Physical barriers:** Install cleanable or disposable solid barriers at each fixed work location in non-patient care areas where employees are not separated from other people by at least 6 feet.
- **Cleaning and disinfection:** Follow standard practices for cleaning and disinfection of surfaces and equipment in accordance with CDC guidelines in patient care areas, resident rooms, and for medical devices and equipment; in all other areas, clean high-touch surfaces and equipment at least once a day and provide alcohol-based hand rub that is at least 60% alcohol or provide readily accessible handwashing facilities.
- **Ventilation:** Ensure that employer-owned or controlled existing HVAC systems are used in accordance with manufacturer's instructions and design specifications for the systems and that air filters are rated Minimum Efficiency Reporting Value (MERV) 13 or higher if the system allows it.
- **Health screening and medical management:** (1) Screen employees before each workday and shift; (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 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.

- **Requirements must be implemented at no cost to employees.**
- **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.
- **Report work-related COVID-19 fatalities and in-patient hospitalizations to OSHA.**

Additional Information

Visit www.osha.gov/coronavirus for additional information on:

- COVID-19 Laws and regulations
- COVID-19 Enforcement policies
- Compliance assistance materials and guidance
- Worker's Rights (including how/when to file a safety and health or whistleblower complaint).

This Fact Sheet is intended to provide information about the COVID-19 Emergency Temporary Standard. The Occupational Safety and Health Act requires employers to comply with safety and health standards promulgated by OSHA or by a state with an OSHA-approved state plan. However, this Fact Sheet is not itself a standard or regulation, and it creates no new legal obligations.