

Oregon OSHA

COVID-19 WORKPLACE RULE CHANGES – Q&A



Does the new public health guidance mean that Oregon OSHA's rules for COVID-19 are being rescinded?

A: No, but the Oregon OSHA rule has been modified accordingly to match Oregon's new statewide public health guidance. The provisions that have changed apply only to face coverings and physical distancing, as well as the COVID-19 Hazard poster requirement. Although those are the most visible requirements, the rule includes other protective provisions, such as infection control, cleaning, notification of exposure, and ventilation, plus individual screening and triage in health care facilities. Those remain in place at present.

Is there an official statement from Oregon OSHA regarding these changes?

A: Yes, you can find an official statement from Oregon OSHA on our website at osha.oregon.gov/news/2021/Pages/nr2021-25.

Can businesses still require face coverings?

A: Businesses can still choose to put their own protective provisions in place, such as face coverings, so long as those provisions are consistent with public health guidelines.

Which types of businesses still need to enforce face coverings and social distancing?

A: Establishments engaged in health care, public transit, and airports must still enforce face coverings and physical distancing.

Does the physical distancing and face covering change apply to all healthcare establishments?

A: Yes, at the present time facial coverings and physical distancing are required in all health care establishments (including dental offices and those engaged in noninvasive medical procedures). This also applies to patient reception areas, lobbies, and waiting areas.

How is "health care employer" defined?

A: Health care employers are those that operate workplaces where employees perform one or any combination of the following job duties:

- A) Direct patient care;
- B) Environmental decontamination services in a healthcare setting;
- C) Aerosol-generating healthcare or postmortem procedures (AGPs);
- D) Direct client service in residential care or assisted living facilities;

- E) Emergency first responder activities;
- F) Personal care activities that involve very close contact with an individual, such as toileting or bathing; or
- G) Handling, packaging, cleaning, processing, or transporting human remains or human tissue specimens or laboratory cultures collected from an individual known or suspected to be infected with COVID-19.

For more information on health care employers and workplaces at exceptional risk, you can go to [osha.oregon.gov/OSHARules/div1/437-001-0744.pdf](https://www.osha-oregon.gov/OSHARules/div1/437-001-0744.pdf).

Do workers in areas of the healthcare establishment where patients DO NOT GO or where those exceptional risk job duties listed above are NOT PERFORMED, need to adhere to the same face covering and physical distancing requirements as those healthcare workers involved in direct patient care, AGPs, or other exceptional risk job duties?

No. So long as the involved employee is not engaged in an exceptional risk job duty and does not have direct or indirect exposure to patients, then those workers do not need to adhere to the physical distancing and face covering requirements.

How do the new federal OSHA rules apply to healthcare providers in Oregon?

A: Oregon OSHA's rule still applies and takes precedence over the federal OSHA standard for those employers that are already subject to Oregon OSHA's jurisdiction. An employer already covered by Oregon OSHA's rule does NOT need to also follow the federal OSHA rule.

Can COVID-19 vaccine verification be used to reduce physical distancing or face covering use in health care establishments, public transit, or airports?

No.