



Oregon OSHA's COVID-19 Temporary Standard for All Workplaces Provisions with Delayed Effective Dates



Introduction

This fact sheet outlines the provisions of Oregon OSHA's temporary standard for COVID-19 (OAR 437-001-0744) that have delayed effective dates and that are applicable to all employers and all workplaces. Used in combination with Oregon OSHA's other [COVID-19 fact sheet](#) and [additional resources](#), this document will help employers better understand the intent of the temporary rule and how to come into compliance with its requirements.

Exposure risk assessment

OAR 437-001-0744(3)(g)

Effective Date: Dec. 7, 2020

Oregon OSHA's temporary rule for COVID-19 requires all employers to complete an exposure risk assessment. When completed correctly, an employer's assessment will identify hazards and risk factors that contribute to the potential exposure of its workers to COVID-19. This multilayered determination requires an employer to consider how different types or classifications of employees may have varying exposure risks based on their assigned job duties, work setting, or both. For example, in a hospital setting, there could be a wide variety of employees (physicians, nurses, social workers, janitorial staff, accountants, researchers, etc.) who work at the same establishment. Some of these workers may be responsible for performing higher risk job duties such as direct patient care or aerosol-generating health care procedures. Other employees at the same location may be responsible for working in lower risk office settings, such as the billing department or dining hall outside of patient treatment areas.

By identifying those COVID-19 hazards specific to their employees and their work environment, employers can take steps to eliminate or otherwise minimize those exposure risks. A well-developed risk assessment also helps the employer determine if its existing hazard control measures are adequate to protect workers or if more precautions need to be implemented. Employers are required to seek employee participation and feedback on the risk assessment. This can be achieved via a safety meeting, safety committee, supervisor, process negotiated with the exclusive bargaining agent, or any other similarly interactive process.

Note: Oregon OSHA does not require employers to submit their COVID-19 exposure risk assessment or infection control plan (discussed below) for review or approval by the division. Each employer needs to complete both the exposure risk assessment and infection control plan and, if required to do so under the rule, record the exposure risk assessment and infection control plan in writing.

Infection control plan

OAR 437-001-0744(3)(h)

Effective Date: Dec. 7, 2020

Once its exposure risk assessment is completed, the employer needs to develop and implement a COVID-19 infection control plan. Like a coach's playbook, once established, this plan will serve as an employer's tactical guide and strategic approach to mitigating employee exposure risk to COVID-19. This infection control plan requires an employer to outline the specific steps it will take to provide its workers with clear instructions about workplace policies on physical distancing,

facial coverings, and sanitation. This plan must include information about how employees will be adequately trained to recognize and appropriately manage COVID-19 hazards in their workplace and what steps will be taken by the employer to notify employees if they or their co-workers have had a work-related exposure to someone with COVID-19.

Employee information and training

OAR 437-001-0744(3)(i)

Effective Date: Dec. 21, 2020

OAR 437-001-0744(3)(i) outlines the employee information and training requirements for all employers. This instruction must be provided in a language and manner that is understood by the employer's workers. Also, employers must provide their workers with an opportunity to provide feedback about this COVID-19 training. Establishing clear lines of communication and encouraging frequent employee feedback are essential to any successful training program.

Note: There are more employee training requirements for those workplaces identified under OAR 437-001-0744(1)(c) as being "workplaces at exceptional risk." Specifically, infection control training (OAR 437-001-0744(4)(a)) must be provided to employees whose job duties put them in an exceptional risk work environment as defined by the temporary rule. This extra training for employees in exceptional risk workplaces must be provided in addition to (not in lieu of) the standard employee training requirements above.

Ventilation requirements

OAR 437-001-0744(3)(f)

Effective Date: Jan. 6, 2021

Good ventilation is an essential engineering control that can reduce the spread of COVID-19 in indoor settings. However, not all indoor workplaces or heating, ventilation, and air conditioning (HVAC) systems are constructed equally. This difference in design can have a significant effect on how air moves and is filtered or purified in the workplace. All employers are required to ensure, their existing HVAC system is set to optimize the amount of fresh air

circulated through the indoor workplace. This increase in fresh air serves to lower, or dilute, the concentration of indoor pollutants, as well as any infectious agents that may be airborne in the environment, including SARS-CoV-2, the coronavirus that causes COVID-19.

Note: There are more ventilation requirements for certain health care settings. By Jan. 6, 2021, these advanced ventilation requirements must be implemented in addition to (not in lieu of) the standard ventilation requirements that are applicable to all workplaces.

Building operators

OAR 437-001-0744(3)(e)

Effective Date: Nov. 23, 2020

Oregon OSHA recognizes that not all employers own the buildings they occupy or use for work. This is why OAR 437-001-0744(3)(e) was developed. The rule ensures the [basic sanitation requirements](#) are implemented in those work settings where the employer is leasing a building or workspace from a third party, such as a property management company. Specifically, even though they may not have their own employees working at this location, all building operators in Oregon are required to comply with this provision.

