

Workplace Advisory Memo 3.14.2022

Oregon OSHA, in alignment with updated public health guidance from the Oregon Health Authority (OHA), has determined that the following changes to its COVID-19 Requirements for All Workplaces (OAR 437-001-0744) are appropriate at this stage in the pandemic. As required, Oregon OSHA will initiate rulemaking to achieve these modifications. Until that rulemaking is complete, Oregon OSHA will modify its enforcement activities so that it does not enforce any provisions of the rule, other than the requirements that are outlined below.

General Workplaces

Employers in general workplaces, which are defined as all workplaces other than exceptional risk workplaces, must:

- 1) Allow workers to voluntarily use facial coverings and provide facial coverings at no cost to workers.
- 2) Facilitate COVID-19 testing for workers if such testing is conducted at the employer's direction by ensuring the employer covers the costs associated with that testing, including employee time and travel.

In addition to those requirements, employers in general workplaces should:

- 1) Continue to optimize the use of ventilation systems to help reduce the risk of COVID-19 transmission.
- 2) Follow OHA, public health, or medical provider recommendations for isolation or quarantine of employees for COVID-19.
- 3) Provide notice to workers who have had a potential work-related exposure to COVID-19 within 24 hours.

Exceptional Risk Workplaces

The requirements for exceptional risk workplaces, which are primarily where direct patient care is provided, under section (3) and section (4) of OAR 437-001-0744 will generally remain in place. The contact tracing requirements under subsections (3)(l) and (4)(i) will no longer be applicable to law enforcement personnel, personal care providers, and laboratories that work with human remains or human tissue from people known or suspected to be infected with COVID-19. Oregon OSHA will continue discussions with OHA and stakeholders about the application of the remaining requirements and continue to repeal them as they become no longer necessary.

Industry-Specific Appendices

With the exception of the appendix for *Emergency Medical Services: First Responders, Firefighters, Emergency Medical Services and Non-Emergency Medical Transport*, Oregon OSHA will repeal all other remaining industry-specific and activity-specific workplace guidance. This appendix will be updated to reflect masking changes in non-patient care settings.