

Employer Notification Tool

In certain circumstances, the OSHA COVID-19 Healthcare Emergency Temporary Standard (ETS) requires employers to notify their employees about potential COVID-19 exposure in the workplace. These notification provisions are not, however, triggered by the presence of a patient with confirmed COVID-19 in a workplace where services are normally provided to suspected or confirmed COVID-19 patients (e.g., emergency rooms, urgent care facilities, COVID-19 testing sites, COVID-19 wards in hospitals).

If you are informed that that a person who has been in your workplace (including an employee, client or patient outside of where COVID-19 services are normally provided, resident, vendor, contractor, customer, delivery person, other visitor, or other non-employee) is COVID-19 positive, you must, within 24 hours:

- Notify each employee who was not wearing a respirator and any other required PPE and has been in close contact with the COVID-19 positive person. **Close contact** means being within 6 feet of the person for a cumulative total of 15 minutes or more over a 24-hour period during that person's potential transmission period. The **potential transmission period** runs from 2 days before the person felt sick (or, if not showing symptoms, 2 days before testing) until the time the person is isolated.
- Notify all other employees who were not wearing a respirator and any other required PPE and worked in a well-defined portion of the workplace (e.g., a particular floor) in which the COVID-19 positive person was present during the potential transmission period.

Notifications should be in a language and manner that employees understand, and can be done in several ways (**do not** include the COVID-19 positive person's name, contact information, or occupation):

- For close contact with a COVID-19 positive person, notify employees by phone, text message, e-mail, or in-person, and state the date(s) that contact occurred. You will also need to remove these employees from the workplace for 14 days or, if providing COVID-19 testing at no cost to the employee, they may return to work seven days following exposure if they test negative at least five days after the exposure. You do not need to remove employees who are not experiencing symptoms AND have been fully vaccinated or have within the past three months had and recovered from COVID-19.
- For work in the same well-defined portion of the workplace as a COVID-19 positive person, notify employees by phone, text message, e-mail, in-person, or by posting a message in common areas such as bulletin boards, time clocks, break rooms, cafeterias, etc., as well as using alternate modes of communication needed to reach employees with disabilities. Specify the date(s) that the person with COVID-19 was in the workplace.

Sample Email Notification to Employees Working in the Same Well-Defined Portion of the Workplace

Dear [Employee Name],

We have been notified that an individual who was present in our workplace on [MM/DD/YYYY] has been diagnosed with COVID-19. We are separately notifying people who appear to have had close contact with the individual, but we want to alert everyone working in the same well-defined portion of the workplace to the possibility of exposure. If you experience symptoms of COVID-19, such as fever, chills, cough, difficulty breathing, new loss of taste or smell, or other symptoms, please contact [COVID-19 Safety Coordinator Name and Contact Information] and consider consulting with your healthcare provider about COVID-19 testing. As always, [Company Name] will protect all employee medical information.

Sincerely,

[Signatory]

You must also notify any other employer(s) whose employees were not wearing a respirator and any other required PPE and have been in close contact with, or worked in the same well-defined portion of the workplace as, the COVID-19 positive person during the potential transmission period. The notification must specify the date(s) that the person with COVID-19 was in the workplace and the location(s) where the person was in the workplace. The other employer(s) must then notify their own employees using their protocols for notification of close contact or having worked within the same well-defined portion of the workplace, as applicable.

This document 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 document is not itself a standard or regulation, and it creates no new legal obligations.