# O'CONNOR

# What You Need to Know About OSHA's New COVID-19 Emergency Temporary Standard

## Location

Webinar

## Date & Time

Start Date: 11/30/2021 Start Time: 3:00 pm End Time: 4:00 pm EST

On November 5, 2021, OSHA published, in the federal register, its highly anticipated COVID-19 Emergency Temporary Standard (ETS) which covers employers with 100 or more employees. The ETS generally requires, among other things, covered employers to do the following:

- Determine the vaccination status of each employee, obtain acceptable proof of vaccination status from vaccinated employees and maintain records and a roster of each employee's vaccination status.
- Require employees to provide prompt notice when they test positive for COVID-19 or receive a COVID-19 diagnosis. Employers must then remove such employees from the workplace, regardless of vaccination status and they must not be allowed to return to work until they meet specified requirements.
- Ensure each worker who is not fully vaccinated be tested for COVID-19 at least weekly (if the worker is in the workplace at least once a week) or within 7 days before returning to work (if the worker is away from the workplace for a week or longer).
- Ensure that, in most situations, each employee who has not been fully vaccinated wears a face covering when indoors or when occupying a vehicle with another person for work purposes.

#### Join John Ho as he discusses:

- Background of ETS (5 minutes)
- Update on legal challenges and OSHA's authority to issue the ETS (5 minutes)
- Coverage issues, e.g., how is the 100 employee threshold determined and application to state-sponsored OSHA plans (5 minutes)
- Overview of ETS requirements and compliance deadlines (35 minutes)
- Update on recording and reporting of confirmed COVID-19 cases (5 minutes)
- Addressing whistleblower and retaliation concerns (5 minutes)

#### **ATTORNEYS**



John S. Ho Co-Chair, OSHA-Workplace Safety Practice

iho@cozen.com

**J** (212) 883-4927

### **RELATED PRACTICES**

Labor & Employment

# **Sponsor**

**Practicing Law Institute** 







**LEARN MORE** 

**CLE Programs** Subscribe To Publications <u>Contact</u>

Privacy Policy | Disclaimer | Attorney Advertising