

# 2021—2<sup>nd</sup> Quarter Newsletter

## Are adverse reactions to vaccines recordable? OSHA UPDATES COVID-19 FAQ LIST

On April 20, 2021, the Occupational Safety and Health Administration (OSHA) released three new [FAQs](#) for employers who recommend or require employees to receive COVID-19 vaccines.

OSHA is requiring the recording of adverse reactions to COVID-19 vaccines only when vaccination is required by the employer. Employers who require COVID-19 vaccines must notify OSHA within 24 hours of an employee’s inpatient hospitalization (or within eight hours of an employee’s death) resulting from an adverse reaction.

If the adverse reaction meets other general recording criteria (e.g., Days away from work, restricted work or transfer to another job, or medical treatment beyond first aid) the reaction must be recorded on the employer’s OSHA 300 log, even if it does not lead to hospitalization. For example, if an employee uses a sick day because of fever, chills, headache, etc...following a vaccine administration, the reaction must be reported. However, if an employee merely requires OTC medication to ease soreness of the vaccine site, it does not need to be reported.

Employers who recommend but do not require vaccination do not need to record adverse reactions or report hospitalizations due to those adverse reactions even if the employer facilitates employee’s access to the vaccine.

See the following page for OSHA’s full guidance on the new FAQ’s [◇](#)

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## Workers Memorial Day Remembers Lives Lost on the Job Affirms OSHA’s commitment to protect worker’s safety & health

*OSHA investigated 40 Missouri worker fatalities in 2020*

OSHA News Release, April 27, 2021

KANSAS CITY, MO – Every 99 minutes, about one worker suffers fatal injuries and fails to return home safely at their work day’s end. That’s 15 workers a day, 100 a week, more than 5,200 a year – a frightening reality, but one that the nation’s employers can change by following workplace safety and health standards and regulations.

On April 28, the U.S. Department of Labor’s Occupational Safety and Health Administration and the nation annually recognize Workers Memorial Day. The day honors those who lost their lives on the job, and recognizes the impact these tragic losses have on families, co-workers and communities. This year, we also recognize that, more than a year into the pandemic, everyday essential workers, many of whom are people of color and immigrants, have put their lives at-risk amid the coronavirus pandemic.

In 2020, OSHA investigated 40 Missouri workplace fatalities including 24 pandemic-related deaths. *Continued on Page 4*

# OSHA

## REPORTING GUIDANCE FAQs

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### **Are adverse reactions to the COVID-19 vaccine recordable on the OSHA recordkeeping log?**

In general, an adverse reaction to the COVID-19 vaccine is recordable if the reaction is: (1) work-related, (2) a new case, and (3) meets one or more of the general recording criteria in 29 CFR 1904.7 (*e.g.*, days away from work, restricted work or transfer to another job, medical treatment beyond first aid).

### **If I require my employees to take the COVID-19 vaccine as a condition of their employment, are adverse reactions to the vaccine recordable?**

If you require your employees to be vaccinated as a condition of employment (*i.e.*, for work-related reasons), then any adverse reaction to the COVID-19 vaccine is work-related. The adverse reaction is recordable if it is a new case under 29 CFR 1904.6 and meets one or more of the general recording criteria in 29 CFR 1904.7.

### **I do not require my employees to get the COVID-19 vaccine. However, I do recommend that they receive the vaccine and may provide it to them or make arrangements for them to receive it offsite. If an employee has an adverse reaction to the vaccine, am I required to record it?**

No. Although adverse reactions to recommended COVID-19 vaccines may be recordable under 29 CFR 1904.4(a) if the reaction is: (1) work-related, (2) a new case, and (3) meets one or more of the general recording criteria in 29 CFR 1904.7, OSHA is exercising its enforcement discretion to only require the recording of adverse effects to required vaccines at this time. Therefore, you do not need to record adverse effects from COVID-19 vaccines that you recommend, but do not require.

Note that for this discretion to apply, the vaccine must be truly voluntary. For example, an employee's choice to accept or reject the vaccine cannot affect their performance rating or professional advancement. An employee who chooses not to receive the vaccine cannot suffer any repercussions from this choice. If employees are not free to choose whether or not to receive the vaccine without fearing adverse action, then the vaccine is not merely "recommended" and employers should consult the above FAQ regarding COVID-19 vaccines that are a condition of employment.

Note also that the exercise of this discretion is intended only to provide clarity to the public regarding OSHA's expectations as to the recording of adverse effects during the health emergency; it does not change any of employers' other responsibilities under OSHA's recordkeeping regulations or any of OSHA's interpretations of those regulations.◇

## National Safety Stand-Down TO PREVENT FALLS IN CONSTRUCTION

MAY 3-7, 2021



According to the latest BLS data, falls to a lower level accounted for **401 of the 1,061 construction fatalities, and 711 of the 5,333 fatalities in all industries**—a **25% increase** in fatalities from falls than in 2018. The good news is, we know that incidents related to falls are preventable and the Stand-Down is an excellent means to raise awareness and help reverse this negative trend. They can help make a difference. As a community, we will continue focusing on this effort until falls no longer remain the leading cause of death in construction.

In advance of the 8<sup>th</sup> annual [National Safety Stand-Down to Prevent Falls in Construction](#) (May 3-7, 2021), we wanted to alert you to the following new tools and resources to assist workplaces in participating in the Stand-Down:

**Official Stand-Down Kickoff:** Monday May 3<sup>rd</sup> 1 PM EST virtual webinar featuring:

- ◆ James Frederick, Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health, OSHA
- ◆ Scott Ketcham, Director, OSHA's Directorate of Construction
- ◆ Dr. John Howard, Director, NIOSH, and Administrator of the World Trade Center Health Program, U.S. Department of Health and Human Services
- ◆ G. Scott Earnest, PhD, PE, CSP, Acting Director for the Office of Construction Safety and Health, NIOSH
- ◆ Chris Cain, CIH, CPWR Executive Director

Register [here](#)

**Stand-Down Events:** Stand-Down events and trainings that are free and open to the public are now being added to the [Events](#) section of the Stand-Down webpage. Find an event near you, or, if you plan to host a free event that is open to the public, submit the event details or contact your [Regional Stand-Down Coordinator](#).

As a reminder, anyone who wants to prevent hazards in the workplace can participate in the Stand-Down. OSHA is encouraging organizations to host virtual Stand-Downs events or events for small groups that follow CDC guidelines on social/physical distancing and the use of face coverings. Companies can conduct a Safety Stand-Down by taking a break to have a toolbox talk or another safety activity such as conducting safety equipment inspections, developing rescue plans, or discussing job specific hazards. See [Suggestions to Prepare for a Successful "Stand-Down"](#) and [Highlights from the Past Stand-Downs](#).

## Spring Storm Tips

Spring is here, which means severe weather can arrive at a moment's notice, no matter where you live. Wind, rain, hail, tornadoes, and other elements can cause extensive damage to your property, so it's always a good idea to be prepared for what Mother Nature throws your way. Below is a spring storm checklist to proactively protect your worksite and property from damaging spring storms.



**Assess.** Take a walk around your worksite often to see if there is any damage—whether by Old Man Winter or from summer mayhem—and make necessary repairs. Small damage to roofs that occurred during winter can turn into big headaches after any severe storm. Make sure gutters are clear and draining properly.

**Trim and prune trees.** Remove dead branches that could end up being dangerous projectiles in a severe storm and cause damage not covered by your insurance. Are any hovering near the power source to your building/site? Consider hiring an arborist to come out and identify any potential problem areas.

**Ensure sump pumps are working.** Spring runoff and torrential rainstorms can all result in flooded basements or buildings. Make sure your pumps are running smoothly so they can do their job when you need them.

**Secure loose items.** Your worksite can turn into a danger zone in a severe storm. High winds can turn unsecured items into missiles. If you've received a warning that a severe storm is approaching, move these items—tools, lumber, trash cans, tables, chairs, etc.—inside the building, shed, or site trailer if possible. If you can't move large or heavy items indoors, try using a rope or straps to tie them down securely.

**And don't forget this important step!**

**Familiarize yourself with your insurance coverage.** Every business owner should know exactly what their policy covers, or doesn't cover, so there are no surprises in the event of storm damage. ◇

## CDC revises COVID-19 guidance on cleaning and disinfecting

Printed from:  
Safety & Health Magazine, April 27, 2021

Atlanta — Prompted by available data and studies that show the risk of contracting COVID-19 via contact with surfaces is low, the Centers for Disease Control and Prevention is relaxing its exposure-prevention guidance on cleaning and disinfecting.

Cleaning and disinfecting has been a key element of CDC guidance during the pandemic. Now, in a [science brief](#) issued April 5 and based on available epidemiological data and studies of environmental transmission factors, the agency says, “Surface transmission is not the main route by which SARS-CoV-2 (the coronavirus that causes COVID-19) spreads.” Instead, the highest risk of transmission is via exposure to respiratory droplets carrying the virus.

CDC adds: “Cleaning surfaces using soap or detergent, and not disinfecting, is enough to reduce risk.” However, disinfection is still recommended in indoor work environments where a suspected or confirmed case of COVID-19 was present within the past 24 hours.

The risk of transmission from surfaces can be reduced, according to CDC, by wearing masks consistently and correctly, practicing hand hygiene, cleaning, and taking other measures to maintain safe facilities.

The number of COVID-19 infections potentially linked to surface transmission is unavailable because of a lack of reporting of such cases. Quantitative microbial risk assessment studies estimate the risk of surface transmission is less than 1 in 10,000. ◊



**Spring is a season of changing weather. It could be 70° today and sleeting tomorrow. Wear light layers, and watch the weather forecasts.**

## Workers Memorial Day Continued from Page 1

This year, our Workers Memorial Day commemoration recognizes those essential workers sickened or killed by just going to work – simply doing their best to support their families and keep the rest of us safe and healthy. The pandemic has taken a horrible toll on workers in hospitals, grocery stores, meatpacking plants and schools, along with first responders, delivery drivers and sanitation workers. We cannot forget their sacrifices,” said OSHA Regional Administrator Kimberly Stille in Kansas City, Missouri. “Today, we also affirm OSHA’s commitment to protecting U.S. workers. A safe and healthy workplace isn’t a privilege, it’s every workers right.”

April 28 also marks the 50th anniversary of enactment of the Occupational Safety and Health Act and OSHA’s creation. Read the Bureau of Labor Statistics’ 2019 national census of fatal occupational injuries. BLS reports 106 Missouri worker fatalities in 2019.

Transportation incidents resulted in 46 fatal work injuries, and falls, slips and trips accounted for 16

fatalities. Nationally, transportation incidents were the leading cause of fatal work injuries, accounting for 40 percent of all fatalities.

On March 12, 2021, OSHA launched a national emphasis program focusing enforcement efforts on companies that put the largest number of workers at serious risk of contracting the coronavirus. The program also prioritizes employers that retaliate against workers for complaints about unsafe or unhealthy conditions, or for exercising other rights protected by federal law. [Read about feasible and acceptable means of abatement for this hazard](#) and OSHA’s [COVID-19 information](#) and resources.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA’s role is to ensure these conditions for America’s working men and women by setting and enforcing standards, and providing training, education and assistance. [Learn more about OSHA.](#) ◊

*“Every day essential workers put their lives at-risk amid the coronavirus pandemic. Many were sickened or died just because they went to work. On Workers Memorial Day we honor and remember every worker who has lost their lives on the job.”*

Join the Conversation | #WorkersMemorialDay

Links found in this issue

OSHA Website (pg. 1)

<https://www.osha.gov/news/newsreleases/region7/04272021-1>

OSHA FAQ’s

<https://www.osha.gov/coronavirus/faqs#vaccine>

National Safety Stand-Down to Prevent Falls in Construction (page 3)

<https://www.osha.gov/stop-falls-stand-down>

CDC Science Brief: SARS-COV-2 and Surface Transmission (pg. 4)

<https://www.cdc.gov/coronavirus/2019-ncov/more/science-and-research/surface-transmission.html>

Census of Fatal Occupational Injuries Summary, 2019 (pg. 4)

<https://www.bls.gov/news.release/foi.nr0.htm>