

DOSH DIRECTIVE

Department of Labor and Industries
Division of Occupational Safety and Health

Keeping Washington Safe and Working

1.70

GENERAL CORONAVIRUS PREVENTION UNDER STAY HOME-STAY HEALTHY ORDER

Date: April 7, 2020

I. Purpose

This Directive provides enforcement policy when evaluating workplace implementation of social distancing, sanitation and sick employee practices as required under the [Governor's Proclamation: Stay Home - Stay Healthy Order](#).

Under the Order, people are required to stay home except for essential activities, which include a wide range of economic and social functions necessary to maintain minimum living conditions. Employers who continue operations under the Order are required to maintain coronavirus prevention practices consistent with DOSH, OSHA and Department of Health guidance. Coronavirus is recognized as a very serious workplace hazard.

II. Scope and Application

- A.** DOSH does not enforce the Governor's Order directly. Under existing DOSH rules, employers are required to protect workers from biological hazards and implement programs to address known hazards in the workplace.
- B.** DOSH staff will not determine whether an employer is engaged in essential activity. If there is no clear rationale for the business operating, this may be referred to the Washington State coronavirus.wa.gov page. (See the Governor's site "What's open and closed" at <https://coronavirus.wa.gov/whats-open-and-closed>).
- C.** DOSH staff will limit actions related to infectious disease only when there is an aspect of exposure that is specific to the relationship between employers and workers. DOSH will do so in a manner consistent with public health orders and issued guidance.
- D.** There are extensive recommendations for healthcare workplaces with specific guidance related to infectious disease prevention. Therefore, this Directive will normally not be used in specific healthcare delivery work task settings.

III. References

- Chapter 296-800 WAC, Safety and Health Core Rules
 - WAC 296-800-11045 Protect employees from biological agents
 - WAC 296-800-140, Accident Prevention Program
 - WAC 296-800-22005, Keep your workplace clean.
 - WAC 296-800-23025, Provide convenient and clean washing facilities

- Proclamation by the Governor: Stay Home - Stay Healthy Order
- CDC: Infection Control in Healthcare Personnel
- CDC Coronavirus (COVID-19) Page
- Washington State Coronavirus Response (COVID-19) Page
- OSHA Publication 3990: Guidance on Preparing Workplaces for COVID-19.pdf (English)
- OSHA Publication 3992: Guidance on Preparing Workplaces for COVID-19.pdf (Spanish)
- Washington State Department of Health Recommendations for Temporary Worker Housing Facilities

IV. **Background**

Staff shall learn and consider the baseline expectations for employers to provide workers a safe workplace during the coronavirus (COVID-19) virus outbreak. Overt workplace specific practices by the employer must be made to implement the Governor's [Executive Order](#). There are four basic categories of prevention elements that must be addressed during the inspection/investigation. Employers must ensure social distancing practices for employees and control customer flow; ensure frequent and adequate employee handwashing and surface sanitation; and ensure sick employees stay home or go home if ill. Employers must also provide basic workplace hazard education about coronavirus and how to prevent transmission in the language best understood by the employee. DOSH staff will need to be thoughtful on how these four elements are addressed based on the challenges that the specific worksite tasks present, but all four elements must be addressed in each operating workplace.

DOSH Staff shall ensure that employers and employees are made aware that it is against the law for any employer to take any adverse action (such as firing, demotion, or otherwise retaliate) against a worker they suspect for exercising safety and health rights such as raising safety and health concerns to their employer, participating in union activities concerning safety and health matters, filing a safety and health complaint or participating in a DOSH investigation. DOSH Staff will ensure workers are informed they have 30 days to file their complaint with L&I DOSH and/or with Federal OSHA.

Employers must institute these prevention program elements or equivalent protections to limit the spread of the disease within the workplace under DOSH rules and in connection to the Governor's Order. These procedures are specific to COVID-19 prevention and the related virus. If a workplace has a concern about exposures to another pathogen, Technical Services must be consulted on procedures specific to that pathogen.

A. Basic Program Elements.

The following **bold program elements are essential** to the program whenever feasible. Employers who can establish work rules consistent with this section are not required to have further active monitoring or ongoing assessment of their workplace.

1. **Educate workers (and customers) about COVID-19 and how to prevent virus spread.**
 - a. Post posters/information from the local health department, state Department of Health, Center for Disease Control and Prevention, and other authorities.
 - b. Inform workers about the steps being taken in the workplace to establish social distancing, increased handwashing, and to prevent the spread of the virus.
2. **Maintain at least 6 feet of spacing at all times.**
 - a. Occupied workstations are separated by 6 feet or have physical barriers
 - b. Only infrequent intermittent passing within 6 feet is allowed between employees without wearing respiratory protection.
 - c. Materials, produce, or work items are transported between workers by mechanical means or by using staging points.
 - Workers may be along a conveyor or production system carrying product.
 - Workers may go to a central point one-at-a-time to drop off or pick up items that transfer between workers.
 - Workers may have mailboxes, bins, or other surfaces at the periphery of their workspace where materials are left for them by other workers.
 - Provisions should be made to clean objects handled extensively by more than one worker when the items are transferred. Physically wiping the object so it is visibly clean (no obvious soiling, smearing, or streaks) is sufficient.
 - Social distancing is maintained during breaks and at shift start and end, while workers are at the employer's worksite.
 - Meetings with workers are limited in less than 10 and maintain 6 foot spacing of all in attendance.
3. **Regular cleaning of area, frequent cleaning of common-touch surfaces.**
 - a. A cleaning schedule must be kept to maintain general housekeeping to prevent buildup of dirt and clutter.
 - b. The first step in cleaning is to remove buildups of dirt and other materials on surfaces. Water and soap or other cleaning fluids are used with wipes, clothes, brushes or other physical means of removing these materials so that there is no visible build-up, smears, or streaks on the surface. Disinfecting is the second step and is primarily needed for high touch surfaces. Bleach solutions or an EPA approved disinfectant **must be used** to make sure this is effective. (See the list of approved disinfectants at <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>).

Surfaces that are commonly touched with the hands but difficult to clean (fabric, rough surfaces, and so forth) may need to be covered to make sure the environment is hygienic.

- c. Cleaning supplies need to be available to workers to do spot cleaning when necessary.
 - d. Surfaces that are regularly touched by workers must be cleaned regularly to maintain a visibly clean state (no obvious soiling, smearing, or streaks).
 - For surfaces touched by multiple workers, this can be on a frequent schedule, or between workers.
 - For surfaces touched by a single worker, this should be done periodically, at least once per shift or when unclean.
4. **Workers must have facilities for frequent handwashing readily available**, including hot and cold (or tepid) running water and soap.
- Staff must pay particular attention to transient outdoor and delivery workers and non-fixed worksites where there are no exceptions being granted. Portable wash stations are readily available.
 - To facilitate more frequent cleaning, secondary handwashing or sanitizing stations can be provided with either hand sanitizer, or wipes/towelettes.
 - Workers must be able to wash their hands after touching any surface/tool suspected of being contaminated, before and after eating and using the restroom, and before touching their face.

5. **Sick Employee and Post- employee illness procedures.**

DOSH staff will ensure employers have a program to prevent sick employees from entering the workplace and when recognized, that ill employees are sent home.

- a. Ensure a system for preventing sick employees to be present at work.
- b. Establish a process for deep cleaning after any worker leaves the workplace reporting a suspected or confirmed case of COVID-19.
- c. Thoroughly clean areas where the worker worked or would have stayed more than 10 minutes.
 - Wipe all accessible surfaces
 - Clean up any visible soiling including any smears or streaks.
 - Sanitize common touch surfaces in the vicinity.
- d. Do not allow other workers into these areas until the cleaning is complete.

B. Consider Possible Alternate Strategies.

Some industries may have challenges with basic elements so one or more of the following alternatives may be used to provide protection for workers.

1. Engineering controls can be established and maintained to provide an effective distancing of employees when it is not feasible to fully separate them.

- a. Barriers must block direct pathways from face to face between individuals, and make it so any indirect air pathways are greater than 6 feet. Sneezes and coughs should not be directed into the air above someone within 6 feet.
- b. Covers can be used on common touch surfaces that cannot be easily cleaned. The covers may create a cleanable surface, or be something that can be changed out between individuals.
- c. Ventilation that provides a clean air supply to a worker's breathing zone.
2. Job modifications may be necessary to facilitate appropriate social distancing. Although an operation may be overall part of an essential industry or service, there may be portions of the work which can be deferred until a later time. In some cases, reorganizing the work may be necessary to break up tasks in a manner that facilitates social distancing or other protective measures.
3. Health surveillance can be done to identify early signs of infection, and separate workers who may present a risk to others.
 - a. There will usually be an initial screening and then periodic review (probably daily with COVID-19).
 - b. Initial screening will involve some review of the worker's history that may be relevant to their risk of contracting the disease. This may also include review of the worker's susceptibility to the disease and an education element on the disease and prevention.
 - c. Periodic screening will involve tracking symptoms and ongoing risks for contracting the disease.
 - d. The employer should set up surveillance in consultation with a physician or occupational health nurse and consider having ongoing participation or review by the healthcare professional.
 - e. The employer needs to consult with health professionals and determine whether the program relies on self-reporting by workers or if someone will be actively reviewing worker health on a regular basis.
4. Personal protective equipment may be helpful to prevent transmission of the disease.
5. Face shields can prevent direct exposure to expelled droplets and provide protection from disinfectants.
6. Respirators require care in use and management under a program covered by the Respirator Rule, Chapter 296-842 WAC. Respirators are not normally recommended for social distancing purposes, but may be appropriate where workers must have close proximity to others.
7. Surgical face masks (loose fitting cloth covers over the mouth and nose) do not prevent respiration of fine aerosols and are not protective in close proximity. The primary purpose for these devices are to prevent exposures to others and may have a use when individuals enter the workplace with a cough or sneeze.

C. Evaluate Special Circumstances.

Two situations where strict social distancing may not be generally feasible are for employer provided housing and businesses with extensive public interaction. The following sections provide additional considerations which are applicable in these situations.

1. Employer provided worker housing is provided by the employer in some circumstances such as agricultural guest workers.
 - a. Workers may have limited control over their environment in some worker housing situations and to the extent that the employer controls conditions, the basic program elements should be maintained as feasible during non-working time.
 - b. Social distancing **must be supported** for occupants during the time workers are housed, which may require additional resources. This includes accommodation of social distancing during cooking, sleeping, and in transportation.
 - c. If strict social distancing is not feasible (including options for dedicated individual or family rooms or offsite accommodations) then health surveillance should be instituted (see above) prior to and during the housing period.
 - d. Housing occupants **must be provided** cleaners and equipment to maintain a hygienic living space.
 - e. **Plans for ill employees must be in place.** If a housing occupant becomes sick:
 - **Employers must provide them with accommodations that are separate from others.**
 - A separate building or room if available, or use barriers or distance to separate them from others.
 - Separate food and bathroom access is also necessary.
 - **Arrangement for medical access.**
 - Telemedicine resources should be utilized first to determine appropriate care.
 - **Provide for transportation**, if necessary in a manner that does not expose others.
 - The employer needs to consult with a physician or public health authority to monitor the situation and provide guidance on treatment and continued housing of all workers.

2. Frequent customer/public interaction may be necessary in some places of employment.
 - a. To the extent feasible, establish social distancing with physical systems.
 - Set up tables that position people away from workers.
 - Place pay stations at a safe distance.
 - Install barriers between people.
 - Place markers and lane dividers to encourage appropriate distancing.
 - b. Have managers or floor leads observing individuals in the workplace and prepared to address behaviors that may put workers at risk.
 - c. Provide supplemental washing facilities to allow additional handwashing when workers handle objects after others, such as:
 - Hand sanitizer stations
 - Wipes or towelettes
 - Tepid water and soap in portable containers.

NOTE: Gloves may be provided, but also must be washed regularly to prevent the spread of the virus. This may help for workers whose hands are bothered by frequent washing.

V. Enforcement Policy

Inspection findings will be reviewed on a case by case basis. Conditions related to COVID-19 and the virus are still emerging. Public health recommendations and orders are being regularly revised, and so any compliance action must take into consideration current understanding of the situation and current rules and guides.

A. Accident Prevention Programs.

1. Employers are not expected to have comprehensive COVID-19 prevention programs at this point. In conducting program reviews, DOSH staff must look at all documents used by the employer to communicate with workers to determine their overall program. Where the employer is clearly implementing recommendations of the public health authorities, they do not need additional documentation of their specific program. Where strict social distancing is not implemented, there needs to be clear communication to workers of the employer's prevention expectations.
2. Violations of the sections of WAC 296-800-140, Accident Prevention Program, should be considered where the employer does not communicate workplace specific expectations to workers or is not effective in implementing those expectations.
3. Serious violations should specifically be considered in cases where the employer adopts practices or policies that clearly contradict the goals of coronavirus prevention practices published by DOSH, OSHA or public health recommendations.
4. Accident prevention program violations must follow instructions in the Compliance Manual.

B. Housekeeping.

Where a workplace is not being cleaned and kept sanitary per public health guidance, a violation of WAC 296-800-22005, *Keep your workplace clean*, may be considered. A serious classification should be strongly considered.

C. Handwashing.

1. There is a requirement for handwashing facilities that applies to all workplaces at all times. A serious and potential willful violation of WAC 296-800-23025, *Provide convenient and clean washing facilities*, will be considered whenever workers do not have basic handwashing facilities available at all or they are grossly inadequate in either number or maintenance.
2. Where employers cannot provide unlimited access to full handwashing facilities at all times, they **must provide alternate means** for frequent hand cleaning. A serious classification should be strongly considered if not adequate to achieve prevention. This is specifically necessary where workers regularly handle or touch objects or surfaces touched by others. Alternate hand cleaning may include:
 - a. Portable wash stations with tepid water and soap.
 - b. Wipes or towelettes with water and soap.
 - c. Hand disinfectant gel.

D. Exposure to Biological Hazards.

1. Workplace conditions which have a direct potential for worker exposure to the COVID-19 virus may be cited under WAC 296-800-11045, *Protect employees from biological agents*. This is the primary WAC code to be used for social distancing practice violations. This may include situations such as ineffective barrier or ventilation systems, or specifically allowing workers to be in close proximity, but where there is no written record of a policy or management decision.
2. Violations of this section are safe place violations in that they must be serious in classification and must follow the Compliance Manual instructions for safe place.

E. Temporary Farmworker Housing.

Temporary worker housing in agriculture is covered under Chapter 296-307 WAC, Part L, Temporary Worker Housing and Cherry Harvest Camps. This rule has specific requirements for hygiene facilities and housekeeping. Employers must in general achieve adequate social distancing; frequent handwashing during work; sanitation practices during work; sufficient disinfection supplies in housing; and sick employee practices outlined above. Consult with Technical Services and Compliance Operations on application of these rules when there is a COVID-19 concern.

VI. Point of Contact

DOSH staff should contact Compliance Operations if there are questions about applicability of WISHA rules to an infectious disease in the workplace. Technical Services may be contacted with technical questions about workplace practices.

VII. Review and Expiration

DOSH will review this Directive, and it will remain effective until superseded or canceled.

Approved: 

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Division of Occupational Safety and Health