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## Labor & Employment Client Alert

### OSHA Publishes Stronger Worker Safety Guidance on January 29, 2021

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On Friday January 29, 2021, OSHA published what it described as “stronger worker safety guidance” to help employers combat the spread of the coronavirus in the workplace: <https://www.osha.gov/coronavirus/safework#purpose>.

The Biden administration emphasized the guidance is not a substitute for a rule and OSHA does not enforce guidance. A spokesperson for the administration said the updated guidance, however, is “our first step” to reestablishing “that OSHA is advocating for workers.”

President Biden has set March 15, 2021, as a deadline for enacting a rule if OSHA concludes a COVID-19 measure is justified under federal requirements for initiating an emergency temporary rule. On Friday, OSHA did not offer a timeline for when the agency would make that determination, or for when an emergency temporary rule could be released.

The new guidance includes information on how to conduct a hazard assessment, policies for employee absences that do not punish potentially infected workers if they remain at home, and ways to ensure that coronavirus policies and procedures are communicated to both English- and non-English-speaking workers. It also offers advice that workers who have been vaccinated should continue to wear face coverings and follow social distance practices.

As for enforcement of existing workplace safety rules, the Biden administration said OSHA will streamline the process for issuing COVID-19-related citations so that they’re issued more quickly.

For more information, please contact attorney Brian Kreucher.



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