

LEGAL UPDATE

OSHA Revises Its COVID-19 National Emphasis Program

On July 7, 2021, the Occupational Safety and Health Administration (OSHA) revised its [national emphasis program](#) (NEP) for COVID-19. The revised NEP adjusts the targeted industries to those most at risk for COVID-19 exposure but still includes health care and non-health care, such as meat and poultry processing.

The original [NEP](#) was launched on March 12, 2021. OSHA establishes NEPs when it identifies a need to focus its resources to address particular hazards and high-hazard industries.

The COVID-19 NEP

The revised NEP removes an appendix that provided a list of secondary target industries for the former COVID-19 NEP. Inspections in non-health care establishments will follow procedure outlines in the updated [interim enforcement response plan](#). The interim response plan includes updates for:

- The enforcement of protections for workers in non-health care industries who are unvaccinated or not fully vaccinated;
- OSHA's enforcement discretion for temporary noncompliance with the Respiratory Protection standard;
- Instructions and guidance for OSHA area offices and compliance safety and health officers (CSHOs) for handling COVID-19-related complaints, referrals and severe illness reports;
- Assurance that workers are protected from retaliation; and
- References to the revised NEP for COVID-19.

Next Steps

Employers should familiarize themselves with OSHA's updated COVID-19 NEP, implementing all policies, measures and procedures necessary for compliance with OSHA regulations. Employers are encouraged to visit [OSHA's COVID-19 website](#) for guidance on how to comply with workplace safety requirements.

Important Dates

March 12, 2021

OSHA releases COVID-19 program for protection of high-risk workers.

July 7, 2021

OSHA revised the COVID-19 NEP.

OSHA's updated COVID-19 NEP adjusts the targeted industries to those most at risk for COVID-19 exposure.

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