Returning to Work during the COVID-19 Pandemic

Like the rest of the country, Tennessee has been gripped by the effects of the COVID-19 pandemic. Many employees are frightened at the prospect of returning to work and their employers have concerns about maintaining a healthy workplace that limits the spread of this virus.

Governor Bill Lee signed several executive orders in March and April of 2020 that implemented measures designed to reduce the spread of COVID-19. He then established the Economic Recovery Group (ERG) to build guidance on how to safely reboot Tennessee’s economy, resulting in development of the Tennessee Pledge.

In tandem with the Tennessee Pledge, Tennessee OSHA has created a dedicated COVID-19 website to serve as a resource for employers and employees across the state. The information posted here includes handouts employers may download, such as this one on general control and prevention in non-healthcare settings and this one that assists employers in conducting a self-evaluation of their workplace.

Employees have a right to a safe and healthy workplace. While it may be infeasible for an employer to implement all the measures suggested, it is reasonable to implement many. Employers following the guidelines established in the Tennessee Pledge will be able to fulfill their duty to provide a healthy workplace to their employees as they return to work.

Additional information and resources concerning the COVID-19 pandemic may be found at the following websites:
Centers for Disease Control
World Health Organization
US Department of Labor, OSHA
Tennessee Department of Health
A Message from TOSHA Leadership

Just when we thought we would be going to the lake or to the ball fields, watching our seniors graduate, and completing those spring chores to welcome in summer...the COVID-19 pandemic struck! So instead of doing those spring/summer activities, many of us are worried about trying to return to work while maintaining a healthy workplace that limits the spread of this virus. Large manufacturing facilities, as well as, small businesses all are asking the same questions... How do we restructure the work environment to ensure productivity while keeping our employees safe and how is this going to affect our business’s current policies and procedures?

It appears that this might be the right time to re-evaluate current policies, procedures, and best practices. Some may need to be altered to align more with our current situation (e.g. social distancing, additional breaks for washing hands, face covering, deep cleaning of the facility, etc.) Recognizing the stresses and challenges within our organizations is critical in helping employees feel safe, cared for, and valued. We need to foster a culture of awareness and understanding at all levels of the organization. Talk to your workers and involve them in decision-making to determine the best way to stay safe while maintaining continuity of operations. Also monitor any changes in employees’ attitudes, behaviors, and performance to ensure the work environment promotes health and wellness. It is also important to show your workers that you care about their health and safety at home during these times of uncertainty. Remember we are all in this together!

Please see the many other articles within this newsletter and various websites (CDC, NIOSH, OSHA, TOSHA, etc.) for additional resource materials on dealing with the COVID-19 pandemic in the workplace.

Wendy Fisher
Assistant Commissioner, TOSHA

SAVE THE DATE!
August 17-19, 2020
The 43rd Annual Tennessee Safety & Health Conference
Gaylord Opryland Resort & Convention Center
Nashville, TN
For more information regarding exhibitor or attendee registration, sponsorship opportunities, Golf Tournament participation
Visit our website at: www.tshc.org
This [webpage](#) provides information for workers and employers about the evolving coronavirus pandemic. The information includes links to interim guidance and other resources for preventing exposures to, and infection with, the novel coronavirus—officially named SARS-CoV-2, which causes the Coronavirus Disease 2019 (COVID-19).

**How to Wear and Remove Respirator Properly**

OSHA released a new [video](#) and [poster](#) that show employers and workers how to properly wear and remove a respirator. The [video](#) and [poster](#) are also available in Spanish.

TOSHA refers to the current CDC Guidelines as a reference on how employers should protect their employees. For most employers, protecting workers will depend on emphasizing basic infection prevention measures such as:

- Training employees on steps they can take to reduce the spread of COVID-19
- Providing alcohol-based hand rubs with at least 60% alcohol at convenient locations throughout the work area
- Cleaning and disinfecting frequently touched objects, such as workstations, keyboards, handrails, doorknobs, etc.
- Minimizing sharing of tools/equipment when possible
- Allowing employees to wear masks over their nose and mouth to prevent spread of the virus.
- Spacing employees approximately 6 feet or 2 meters apart when possible
- Increasing ventilation rates provided by HVAC system, increase percentage of outdoor air that circulates into the system
- Installing high efficiency air filters

For more information visit [here](#).
Did you know that there are differences between facemasks and respirators?

Respirators are designed to reduce the user’s exposure to airborne contaminants. Respirators of this type include filtering facepiece respirators, which filter out airborne particles (e.g. N95). Filtering facepiece respirators differ from other respirators because the filtering media itself is the mask. Respirators are considered Personal Protective Equipment (PPE).

Surgical Face Masks are used as a physical barrier to protect the user from hazards, such as splashes of large droplets of body fluids. Surgical masks include a fluid resistant layer and are classified as a medical device. The sole purpose of a Cloth Face Mask is to prevent transmission of a virus between people in close proximity. Both types of face masks protect other people against infection from the person wearing the mask. A face mask is not considered PPE.

Reference the Maryland Occupational Safety & Health Fact Sheet for a detailed breakdown of the differences between a respirator and a face mask.

**COVID-19 Facemasks vs. Respirators: Understanding the Difference**

<table>
<thead>
<tr>
<th>Testing &amp; Approval</th>
<th>Cloth or Paper Face Mask</th>
<th>Surgical Face Mask</th>
<th>Filtering Facepiece Respirator (e.g. N95)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not tested or approved, but currently recommended by the CDC</strong></td>
<td></td>
<td>Cleared by the U.S. Food and Drug Administration per 21 CFR 878.4040</td>
<td>Evaluated, tested, and approved by NIOSH per 42 CFR Part 84</td>
</tr>
<tr>
<td><strong>Intended Use &amp; Purpose</strong></td>
<td>To prevent transmission of the virus between people in close proximity</td>
<td>A fluid resistant barrier designed to protect the wearer from large droplets, splashes or sprays of bodily or other hazardous fluids.</td>
<td>Reduces the wearer’s exposure to small particle aerosols and large droplets</td>
</tr>
<tr>
<td><strong>Who Should Wear?</strong></td>
<td>Everyone in public settings where social distancing is infeasible e.g. grocery store or pharmacy</td>
<td>Healthcare workers when N95 respirators are not available and patients who are suspected or confirmed to have COVID-19</td>
<td>Healthcare workers providing care to suspected or confirmed COVID-19 cases</td>
</tr>
<tr>
<td><strong>Face Seal Fit</strong></td>
<td>Loose-Fitting</td>
<td>Loose-Fitting</td>
<td>Tight-Fitting</td>
</tr>
<tr>
<td><strong>Fit Test Required?</strong></td>
<td>No*</td>
<td>No*</td>
<td>Yes**</td>
</tr>
<tr>
<td><strong>User Seal Check Required?</strong></td>
<td>No</td>
<td>No</td>
<td>Yes, each time the respirator is donned</td>
</tr>
<tr>
<td><strong>Filtration</strong></td>
<td>Not classified as a filtering face-piece respirator to protect against inhaling smaller airborne particles</td>
<td>Not classified as a filtering face-piece respirator to protect against inhaling smaller airborne particles</td>
<td>Filters ~95% of small and large airborne particles</td>
</tr>
<tr>
<td><strong>Leakage</strong></td>
<td>Leakage occurs around the edge of the mask when user inhales</td>
<td>Leakage occurs around the edge of the mask when user inhales</td>
<td>When properly fitted, minimal leakage occurs around edges of the respirator when user inhales</td>
</tr>
<tr>
<td><strong>Use Limitations</strong></td>
<td>Reusable. Launder routinely in a washing machine, depending on frequency of use. Discard if mask becomes misshapen or damaged.</td>
<td>Not designed for reuse. Discard after each patient encounter.</td>
<td>Ideally discarded after each patient encounter; limited reuse acceptable under certain conditions</td>
</tr>
</tbody>
</table>

*Fit tests are not required for loose-fitting facepieces.

**OSHA has issued temporary enforcement guidance regarding filtering facepiece respirators and OSHA requirements. Additional information regarding fit testing during the COVID-19 outbreak can be found under the March 14, 2020 memo and the April 8, 2020 memo. Source: https://www.fda.gov/medical-devices/personal-protective-equipment-infection-control/n95-respirators-and-surgical-masks-face-masks
When employers require workers to wear respirators, the employer must ensure that the respirator is certified by NIOSH, selected, and used in context of a comprehensive respiratory protection program. The MOSH Fact Sheet below is an employer guide for voluntary and required use of a respirator.

**Employer Guide to Voluntary vs. Required Respirator Use**

<table>
<thead>
<tr>
<th>Guidelines for Employees Using Respiratory Protection</th>
<th>Filtering Facepiece Respirator (e.g. N95)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Required Use</td>
</tr>
<tr>
<td>Fit Testing</td>
<td>Yes</td>
</tr>
<tr>
<td>Medical Evaluation</td>
<td>Yes</td>
</tr>
<tr>
<td>Facial Hair Prohibited</td>
<td>Yes</td>
</tr>
<tr>
<td>Appendix D Provided</td>
<td>No</td>
</tr>
<tr>
<td>Training per 1910.134(k)</td>
<td>Yes</td>
</tr>
<tr>
<td>Cleaning, Storage &amp; Maintenance of Respirator</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Are respirators:
- Necessary to protect the health of the employee; or
- Required by the employer?

Yes

Must establish and implement a written respiratory protection program with work-site specific procedures.

No

Does the employer permit voluntary use of respirators?

Yes

No respirators are provided.

No

Are filtering facepieces (e.g. N95) the only respirators provided for voluntary use?

Yes

No

- Employer determines that the respirator itself does not create a hazard.
- Must provide users with information contained in Appendix D.
- Must establish and implement those elements of a written respiratory protection program necessary to ensure the employee is medically able to use that respirator.
Alert 1: Prevent Worker Exposure to Coronavirus (COVID-19)

The novel coronavirus (officially called COVID-19) is believed to spread from person-to-person, primarily through respiratory droplets produced when an infected person coughs or sneezes. The virus is also believed to spread by people touching a surface or object and then touching one’s mouth, nose, or possibly the eyes. Employers and workers should follow these general practices to help prevent exposure to coronavirus:

- Frequently wash your hands with soap and water for at least 20 seconds. If soap and running water are not available, use an alcohol-based hand rub that contains at least 60% alcohol.
- Avoid touching your eyes, nose, or mouth with unwashed hands.
- Avoid close contact with people who are sick.

Employers of workers with potential occupational exposures to coronavirus should follow these practices:

- Assess the hazards to which workers may be exposed.
- Evaluate the risk of exposure.
- Select, implement, and ensure workers use controls to prevent exposure, including physical barriers to control the spread of the virus; social distancing; and appropriate personal protective equipment, hygiene, and cleaning supplies.

For more information visit [here](https://www.osha.gov/).
7th Annual National Safety Stand-Down to Prevent Falls Postponed Due to COVID-19

The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) announced that it has postponed the 7th annual National Stand-Down to Prevent Falls in Construction, originally scheduled for May 4-8, 2020, due to the COVID-19 pandemic. The event will be rescheduled this summer.

Falls remain the leading cause of fatal injuries to workers in the construction industry. While the National Stand-Down is postponed, OSHA encourages employers to remain vigilant and to use all available resources, including those at https://www.osha.gov/StopFallsStandDown/ to enhance worker safety.

Keep Workers Safe in the Heat

Every year, dozens of workers die and thousands more become ill while working in extreme heat or humid conditions. There are a range of heat illnesses and they can affect anyone, regardless of age or physical condition. Employers are responsible for providing workplaces free of known safety hazards. This includes protecting workers from extreme heat. An employer with workers exposed to high temperatures should establish a complete heat illness prevention program.

OSHA’s Heat Illness Prevention campaign, launched in 2011, educates employers and workers on the dangers of working in the heat. Through training sessions, outreach events, informational sessions, publications, social media messaging and media appearances, millions of workers and employers have learned how to protect workers from heat. The safety message comes down to three key words: Water. Rest. Shade. For more information visit here.

2020 TOSHA Investigated Fatality Statistics
January 1st – May 29, 2020

<table>
<thead>
<tr>
<th>Industry Sectors per NAICS Codes</th>
<th>Fatality Cause #</th>
<th>Fatality Totals per Quarter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturing (31, 32, 33) - 1</td>
<td>Struck by - 1</td>
<td>2016 35</td>
</tr>
<tr>
<td>Construction (23) – 3</td>
<td>Crushed by/Caught in - 4</td>
<td>2017 35</td>
</tr>
<tr>
<td>Service - 5</td>
<td>Falls - 1</td>
<td>2018 41</td>
</tr>
<tr>
<td>Public Sector - 1</td>
<td>Electrocution - 1</td>
<td>2019 25</td>
</tr>
<tr>
<td></td>
<td>Chemical Exposure – 2</td>
<td>2020 12</td>
</tr>
<tr>
<td></td>
<td>Other- 3</td>
<td></td>
</tr>
</tbody>
</table>

12
An Unprotected Trench Can Be An Early Grave

Make plans for your company to participate in this year’s NUCA Trench Safety Stand Down Week. Being a part of our popular 5th annual TSSD Week will help educate your employees on trenching hazards at the jobsite.

OSHA’s National Emphasis Program on Trenching and Excavation is a high agency priority. NUCA and OSHA have teamed up again this year for our annual trench safety program. Almost 48,000 industry and NUCA member company employees participated in last year’s TSSD.

Every company or organization that holds a TSSD will receive a certificate of participation, as well as hard-hat stickers for every employee who participated. Recognition will also be given in NUCA publications.

Trench Safety Stand Down Week  |  June 15–19, 2020

For more details and TSSD materials: nuca.com/tssd  #TSSD20  #TrenchSafetyMonth

Also sponsored by NUCA’s Safety Ambassadors Club

Alex E. Paris Contracting  
Atlas Excavating  
Barber Utilities  
Case Construction Equipment  
Caterpillar, Inc.  
Cemen Tech, Inc.  
Core & Main  
CNA  
Ditch Witch  
Efficiency Production  
Ferguson Waterworks  
Greg Strudwick & Associates  
HCSS  
HRP Construction  
Hymax by Krausz  

John Deere  
Johnson Bros.  
Komatsu America Corp.  
L.G. Roloff Construction  
McLaughlin Boring Systems  
National Trench Safety  
Oxford Plastics USA  
Petticoat-Schmitt Civil Contractors  
Safety Management Services  
Sunstate Equipment Co.  
Team Fishel  
United Rentals  
Xylem  
Wacker Neuson Corp.
The Volunteer STAR is patterned after the OSHA Voluntary Protection Program and recognizes the best of the best in the area of safety and health programming and performance. Volunteer STAR is open to all manufacturers (NAICS codes 20 – 39). Qualified employers must demonstrate that they have performed in a manner that is below the national average for injury and illness rates in their industrial classification. They must also have all of the critical safety and health management system components in place and involve their employees in a manner that ensures total involvement in safety and health issues. Programs must be in place for at least a year, prior to evaluation.

What does a Volunteer STAR site look like? The largest Volunteer STAR site has 10,000 employees, including full-time and contractor employees. The smallest site has 7 employees. Volunteer STAR sites all have one commonality; it is a highly visible Management support for an effective safety and health system and a workforce that is active and engaged in the site’s safety and health program.

How does an employer qualify for Volunteer STAR? In order to receive the certification, the site must have an effective safety and health management system in place and maintain the Total Case Incident Rates and Days Away/Restricted Activity Case Rates below their industry average. The site’s program must have both management commitment and employee involvement.

The site must complete and submit a comprehensive application and undergo a rigorous on-site evaluation by a team of TOSHA inspectors. Certifications are for a three year period.

How does the process start? Once an employer submits the application and it is reviewed and accepted, an on-site evaluation is scheduled. A team of TOSHA inspectors will go to the site and evaluate the employer’s safety and health systems, employer commitment and employee engagement, hazard identification, hazard correction, and training. The on-site evaluations typically last for a week and are conducted at mutually convenient times. The team has two types of findings during the evaluation, Contingency Items and Recommendations. Contingency Items must be corrected within 90 days.

Recommendations must undergo consideration for implementation.

At the end of the evaluation, the team's recommendation on certification is shared with the site. The recommendation is based on completion of the Contingency Items. The actual certification is made by the Commissioner of the Department of Labor and Workforce Development. Certifications last for a three year period and employers can requalify for STAR with successful re-evaluations.

What is the benefit of being a Volunteer STAR site? The following benefits have been identified by current Volunteer STAR participants:
• Improved employee motivation to work safely, leading to better quality and productivity
• Reduced workers’ compensation costs
• Recognition in the community
• Improvement of existing programs, through the internal and external review
• Volunteer STAR participant sites generally experience 60 to 80 percent fewer lost workday injuries than would be expected of an “average” site of the same size in their industries

How do the injury and illness rates at Volunteer STAR sites compare to other companies? On average for 2019 the Tennessee Volunteer STAR sites experience three-year Total Case Incident Rates (TCIR) 61% below their industry average and three-year Days Away, Restricted or Transferred Case Rates (DART) 60% below their industry average. In 2019 there were thirteen (13) sites that experienced a TCIR of 0.0 and there were nineteen (19) sites that experienced a DART of 0.0

Want to learn more? For more information on Volunteer STAR contact the VPP Manager at (800) 325-9901 or visit here.
TOSHA Consultative Services wishes to highlight the benefits of becoming one of our fifteen SHARP partners. SHARP partners are those employers who worked with TOSHA Consultative Services to improve their safety and health program and be recognized for their efforts. TOSHA currently has 15 SHARP sites across the state and is always looking to add more.

What does a TOSHA SHARP customer look like? A Tennessee SHARP site is a general industry facility with at least one year of working history at their site. SHARP companies are smaller sites with 250 or fewer employees at the site and 500 or fewer employees corporation-wide in the United States; we have a few sites with more employees which were “grandfathered” into the program. The average number of employees at Tennessee SHARP sites is 118 and range from 430 employees to six employees. Our SHARP sites include a steel mill, a mechanical contractor, a distribution center, an appliance manufacturer, and another produces the gaskets used in Toyota engines worldwide. These sites have been in the SHARP program anywhere from a few months to 21 years.

What does TOSHA Consultation require of a site to receive the SHARP award? To receive the award, the site must have injury rates at or below their industry average and an effective safety and health program. Effective is the key word here; the site's program must have both management commitment and employee involvement. Why? This gives the site and its program a top-to-bottom and bottom-up commitment and interaction which helps make the site transition from having a “safety program” to a “safety culture”; it becomes part of how the company operates. Also, TOSHA Consultation is not going to force a “one size fits all” approach. Each site is different in how they achieve their program and culture shift. Once we start assisting a site, the site has up to eighteen months to work in partnership with TOSHA Consultation to develop and tune their program.

How would we start the process at our location? TOSHA Consultative Services only performs onsite visits at the invitation of the employer. Consultation's primary function is to identify workplace hazards, evaluate and provide sample programs, and make recommendations to improve safety and health to reduce workplace injuries and illnesses. First, we would conduct a comprehensive visit to evaluate hazards and required programs. Once this is completed, the employer will submit an application along with the past three years of OSHA 300 and 300A logs. Once the application is received, a team of three or more TOSHA Consultants will evaluate the site and identify any gaps in the safety program. If gaps are identified, we can help the employer develop an action plan suited to their site and needs to ultimately help them improve their program and reduce workplace rates if necessary. Consultation will conduct additional visits to assist and evaluate progress at the site.

What is the value of being a SHARP site? SHARP sites possess well-functioning safety and health programs with employee engagement. Several sites have stated this engagement carries over from safety to other areas such as improved quality, employee morale and production.

Wouldn’t a site with an effective program also have lower injury rates? Yes. In 2019, Tennessee’s SHARP sites cumulatively had recordable injury rates 41% below their industry averages and lost or restricted time rates 48% below their industry averages. Over a three year period, these numbers were 60% below the industry average for the total recordable rate and 72% below the lost or restricted rate. Five of the sites had zero recordable injuries in 2019; four had zero injuries in a three year period. The real impact of this is as follows: if these sites had injuries at the national averages, the fifteen locations would have statistically experienced 23 more injuries last year and 116 more injuries over the past three years.

Want to learn more? For more information on the SHARP award and TOSHA's Consultative Services section contact TOSHA's Nashville office at (800) 325-9901 or visit here.
COVID-19 Resources:

TOSHA’s COVID-19 Website

OSHA’s COVID-19 Website

TENNESSEE SAFETY & HEALTH CONFERENCE
August 17-19, 2020

TOSHA Seminar Schedule

OSHA’s Participant Enabling - This half-day class will review various enabling requirements, exemptions of the OSHA Act, non†spars, reporting & record keeping, and OSHA’s enforcement process. 3/5/2021- Nashville - TCD
03/22- Madison - TCD
03/23- Tullahoma - TCD
03/29- Maryville - TCD
03/30- Winchester - TCD
04/05- Hendersonville - TCD
04/06- Nashville - TCD
04/08- Murfreesboro - TCD
04/09- Clarksville - TCD
04/12- Jackson - TCD
04/13- Murfreesboro - TCD
04/19- Clarksville - TCD
04/20- Nashville - TCD
04/23- Murfreesboro - TCD
04/27- Tullahoma - TCD
05/01- Jackson - TCD
05/02- Winchester - TCD
05/14- Hendersonville - TCD
05/15- Nashville - TCD
05/18- Murfreesboro - TCD
05/19- Tennessee - TCD

Adherence - Adherence to adherence - Adherence - Adherence - Adherence to adherence - Adherence to adherence - Adherence - Adherence

TOSHA’s Most Cited Standards List

TENNESSEE PLEDGE

Reopening Tennessee Responsibly

The “Tennessee Pledge” is a plan to help Tennesseans return to work in a safe environment, restore their livelihoods and reboot our state’s economy.