

# UPDATE: OSHA Backtracks from April Policy that Exempted Most Employers from Tracking Workers' COVID-19 Infections

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## Working Together

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On May 19, 2020, the Occupational Safety and Health Administration (“OSHA”) issued new guidance advising employers of a significant change in recording requirements when employees contract COVID-19. In April, OSHA announced that only healthcare providers, emergency response organizations, and correctional institutions were required to record COVID-19 cases as work-related. The revised enforcement guidance eliminates that limitation and clarifies that all employers who are required to maintain OSHA injury and illness logs (often referred to as OSHA 300 Logs) must record work-related cases of COVID-19. While

OSHA acknowledges the inherent difficulty in determining whether an employee’s COVID-19 infection is work-related, the new guidance emphasizes that employers must make “reasonable efforts” to do so using the “information reasonably available.”

The Revised Enforcement Guidance for Recording Cases of COVID-19 can be found [here](#).

For a general discussion of OSHA’s recording and reporting requirements related to COVID-19, please see the Working Together blog post published on April 24, 2020.

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