

On April 10, 2020, the Occupational Safety and Health Administration (OSHA) issued temporary guidance for recording cases of COVID-19 that provides relief to the construction industry. In an earlier [letter](#) to OSHA leadership, AGC, along with our industry partners on the Construction Industry Safety Coalition (CISC), requested the agency re-evaluate its decision to treat cases of employees contracting COVID-19 as recordable incidents. In the letter, industry representatives recommended that only healthcare providers, and similar professions, should be required to report these cases on their logs because they are routinely in direct contact with people with confirmed cases and are at greatest risk. In line with our request, today's announcement provides certainty to the construction industry and helps contractors focus their response efforts on implementing good hygiene practices in their workplaces and otherwise mitigating COVID-19's effects.

Specifically, the agency states that in areas where there is ongoing community transmission, employers other than those in the healthcare industry, emergency response organizations (e.g., emergency medical, firefighting and law enforcement services), and correctional institutions **may have difficulty making determinations about whether workers who contracted COVID-19 did so due to exposures at work**. Accordingly, until further notice, **OSHA will not enforce its recordkeeping requirements to require these employers to make work-relatedness determinations for COVID-19 cases, except where: (1) There is objective evidence that a COVID-19 case may be work-related; and (2) The evidence was reasonably available to the employer**. Employers of workers in the healthcare industry, emergency response organizations and correctional institutions must continue to make work-relatedness determinations.

To view OSHA's full enforcement memo, click [here](#).