
WASHINGTON, DC – Following President Donald J. Trump’s memorandum on the availability of respirators during the COVID-19 outbreak, the U.S. Department of Labor’s Occupational Safety and Health Administration (OSHA) has issued new temporary guidance regarding the enforcement of OSHA’s Respiratory Protection standard. This guidance is aimed at ensuring healthcare workers have full access to needed N95 respiratory protection in light of anticipated shortages.

“The safety and health of Americans are top priorities for the President. That’s why the Administration is taking this action to protect America’s healthcare workers,” said U.S. Secretary of Labor Eugene Scalia. “Today’s guidance ensures that healthcare workers have the resources they need to stay safe during the COVID-19 outbreak.”

“America’s healthcare workers need appropriate respiratory protection as they help combat the COVID-19 outbreak,” said Principal Deputy Assistant Secretary for Occupational Safety and Health Loren Sweatt. “Today’s guidance outlines commonsense measures that will keep personal respiratory devices available for our country’s healthcare workers.”

OSHA recommends that employers supply healthcare personnel who provide direct care to patients with known or suspected coronavirus with other respirators that provide equal or higher protection, such as N99 or N100 filtering facepieces, reusable elastomeric respirators with appropriate filters or cartridges, or powered air purifying respirators.

This temporary enforcement guidance recommends that healthcare employers change from a quantitative fit testing method to a qualitative testing method to preserve integrity of N95 respirators. Additionally, OSHA field offices have the discretion to not cite an employer for violations of the annual fit testing requirement as long as employers:

- Make a good faith effort to comply with the respiratory protection standard;
- Use only NIOSH-certified respirators;
- Implement strategies recommended by OSHA and Centers for Disease Control and Prevention for optimizing and prioritizing N95 respirators;
- Perform initial fit tests for each healthcare employee with the same model, style, and size respirator that the employee will be required to wear for protection from coronavirus;
- Tell employees that the employer is temporarily suspending the annual fit testing of N95 respirators to preserve the supply for use in situations where they are required to be worn;
- Explain to employees the importance of conducting a fit check after putting on the respirator to make sure they are getting an adequate seal;
- Conduct a fit test if they observe visual changes in an employee’s physical condition that could affect respirator fit; and
- Remind employees to notify management if the integrity or fit of their N95 respirator is compromised.

The temporary enforcement guidance is in effect beginning March 14, 2020, and will remain in effect until further notice.

For further information about COVID-19, please visit the U.S. Department of Health and Human Services' Centers for Disease Control and Prevention.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA’s role is to help ensure these conditions for America’s working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit www.osha.gov.

The mission of the U.S. Department of Labor is to foster, promote and develop the welfare of the wage earners, job seekers and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights.

###

**Media Contact:**

Emily Weeks, 202-693-4676, Weeks.Emily.C@dol.gov

Release Number: 20-479-NAT

U.S. Department of Labor news materials are accessible at http://www.dol.gov. The Department's Reasonable Accommodation Resource Center converts departmental information and documents into alternative formats, which include Braille and large print. For alternative format requests, please contact the Department at (202) 693-7828 (voice) or (800) 877-8339 (federal relay).