

## Sample OSHA reply to reporting COVID+ EE - hospitalizations/fatalities

1. Tax I.D. number for the Facility.
2. OSHA 300 for the years 2017, 2018, 2019 and YTD 2020 for the Facility.
3. OSHA 301 and/or its equivalent form submitted for the case.
4. Incident reports and findings of any additional investigations conducted regarding this incident.
5. Please provide the victim's next of kin information including name, address, telephone number, and relationship.
6. How long has the victim been employed at your facility?
7. Provide the victim's job title.
8. What floor or unit does the victim work in?
9. Who is the victim's direct supervisor? And their title?
10. Contact information for the victim's supervisor.
11. A list of the victim's coworkers who worked on the same floor or unit, along with contact information.
12. A copy of the victim's work schedule for the previous three weeks.
13. Describe the normal job duties of the victim.
14. How long has the victim been performing these job duties?
15. Has your facility treated or housed any suspected or confirmed COVID-19 patients in the last month?
16. Was the victim required to work with, or around, suspect or confirmed COVID-19 patients?
17. What is your facilities criteria for testing employees for COVID-19?
18. How many employees of your facility have been tested for COVID-19 and how many have tested positive?
19. What is your protocol with regard to employees who test positive?
20. When did the victim show signs and symptoms of COVID-19, when did they report the signs and symptoms? And when did they test positive for COVID-19?
21. What PPE was the victim provided for use while performing their duties?
22. What PPE did the victim actually use while performing their duties?
23. If PPE was not provided, were any alternative methods utilized? Please describe.
24. Was disposable PPE re used? If so, what procedures were followed?
25. Was outdated/ expired PPE utilized? If so, what procedures were followed?
26. Was disposable PPE sanitized/ decontaminated? If so, what procedures were followed?
27. Were any administrative controls utilized in lieu of PPE? If yes, please describe.
28. Provide a copy of any written work rules, policies and procedures related to the victim's activities. If no written policies, then describe verbal policies if any.
29. Please provide all training records for the victim regarding PPE use and maintenance.
30. Please provide all additional training records for the victim.
31. Provide the sanitation schedule and description for the unit/ floor where the victim worked.
32. Provide a copy of Safety Data Sheets (SDS's) for any cleaning/ sanitizing chemicals utilized.
33. Provide a copy of the employer's respiratory protection program.
34. Provide a copy of the victim's latest fit test records.
35. Provide a copy of the employer's infectious disease program.
36. Has there been any change in workplace procedures, PPE selection/ use/ maintenance or training since the incident? If so, what are they?

OSHA redacted letter/ & Non Mandatory Investigative tool (attached)

In most cases, a serious injury indicates the presence of workplace hazards that threaten the health and safety of other workers. OSHA is very concerned that additional employees at your worksite are at risk of being injured. As we discussed, it is in everyone's interest that you conduct a thorough investigation to determine the reasons for the work related incident, to identify hazards related to the incident and to implement corrective actions.

Conduct an incident investigation. (See Non-Mandatory Investigative Tool – Attachment A)

- Provide OSHA with written, signed documentation of findings from the investigation.
- Provide OSHA with written, signed abatement certification documenting action taken to correct hazards related to the incident.
- Document findings and send corrective actions to (516) 334-3326 or OSHALongIsland@dol.gov
- Post a copy of this letter in a conspicuous place where all affected employees will have notice or near the location where the incident occurred.
- Fax or email a copy of the signed Certificate of Posting (Attachment B) to (516) 334-3326 or OSHALongIsland@dol.gov

If you have a problem meeting this deadline or have any further questions, please call me.

**If we do not receive the investigation results, abatement verification and certificate of posting by (Date), your worksite may be considered for an on-site inspection.**

The goal of your incident investigation will be to identify both the immediate and the underlying causes of the incident. To assist you in conducting an investigation, I have attached a guide for your use, to ensure your employees are protected from future injuries. Additional resources are available at OSHA's Safety and Health Topics website at <https://www.osha.gov/dcsp/products/topics/incidentinvestigation/index.html> to assist you with conducting an Incident Investigation.

After correcting any immediate hazards, small and medium-sized businesses may be interested in requesting free, confidential assistance from the On-Site Consultation Program. Consultants from a state agency or university will work with you to identify workplace hazards, provide advice on compliance with OSHA standards, and assist you in establishing a safety and health management program. These services are separate from enforcement and do not result in penalties or citations. To find out more information about OSHA's On-Site Consultation Program, please visit the programs website at <https://www.osha.gov/dcsp/smallbusiness/consult.html> or call **[State Consultation Office Contact Information]** to reach your local On-Site Consultation office. Also, please find a copy of the OSHA pamphlet, "FREE Safety and Health Consultation Services" for your use in English or Spanish. Please note that it is against the law for employers to retaliate or discriminate in any way against an employee for raising safety and health issues or for exercising their rights under the OSHA law. This includes the right to report a work-related injury or illness to their employer, or to contact OSHA. More information about the Whistleblower Protection Program can be found at <http://www.whistleblowers.gov/>.