

LEGAL UPDATE

OSHA Temporarily Defers to CDC Guidance for Vaccinated Individuals

On May 18, 2021, the Occupational Safety and Health Administration (OSHA) [announced](#) it is reviewing the U.S. Centers for Disease Control and Prevention (CDC) [recommendations](#) for fully vaccinated individuals.

OSHA has indicated it will update its [Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace](#) and their [National Emphasis Program for COVID-19](#) accordingly once the review is complete. Until then, the agency is referring employers to the CDC's guidance for information on appropriate measures to protect fully vaccinated workers.

CDC Guidance for Fully Vaccinated Individuals

According to the CDC, fully vaccinated people can:

- Resume activities without wearing masks or physically distancing, except where required by law or local business and workplace guidance.
- Refrain from testing or quarantine following a known exposure, if asymptomatic, with separate rules for residents and employees of correctional facilities, homeless shelters and healthcare settings.
- Refrain from routine screening testing if feasible.

Fully vaccinated people are also subject to fewer requirements on testing and quarantine related to domestic and international travel.

The CDC guidance states that, for now, fully vaccinated people should continue to get tested if experiencing COVID-19 symptoms and follow CDC and health department travel requirements and recommendations.

Impact on Employers

Employers should review the CDC's recommendations for fully vaccinated individuals. Subject to state or local requirements, employers may choose whether to enforce face covering and physical distancing measures for fully vaccinated individuals. Employers should also monitor OSHA's communications to learn about updated guidance once it is published.

Important Information

May 13, 2021

CDC updated its interim public health recommendations for fully vaccinated individuals.

May 18, 2021

OSHA temporarily adopted the CDC's recommendations while it updates its own workplace safety guidelines.

OSHA is referring employers to the CDC's recommendations for protecting fully vaccinated individuals.

Provided to you by **New England Employee Benefits Co., Inc.**

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