

OSHA Directs Employers to Follow CDC Guidance for Fully Vaccinated Workers

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On May 17, 2021, the Occupational Safety and Health Administration (OSHA) updated its COVID-19 guidance to employers, instructing employers to refer to recent Centers for Disease Control and Prevention (CDC) guidance for information on measures appropriate to protect fully vaccinated workers in the workplace. Accordingly, employers should consider the CDC's guidance, which significantly relaxed recommendations on masking, social distancing and testing for fully vaccinated individuals, in setting their COVID-19 workplace safety protocols.

In an announcement on its website, OSHA stated that it is reviewing the CDC's recent guidance, and that it will update its own guidance accordingly. Until those updates are complete, OSHA has directed employers to follow the CDC guidance.

The CDC's [guidance](#), announced on May 13, 2021, provides that fully vaccinated people no longer need to wear a mask or physically distance in most settings, except where required by federal, state, or local law or by local business and workplace guidance. People are considered fully vaccinated for COVID-19 two weeks after they have received the second dose in a two-dose series (Pfizer-BioNTech or Moderna), or two weeks after they have received a single-dose vaccine (Johnson & Johnson/Janssen). In addition, the guidance provides that most fully vaccinated people with no COVID-19-like symptoms do not need to quarantine, be restricted from work, or be tested following an exposure to someone with suspected or confirmed COVID-19. The CDC also recommends that fully vaccinated people with no COVID-19-like symptoms and no known exposure be exempted from routine screening testing programs.

While awaiting further guidance from OSHA, employers should consult the CDC guidance, as well a state and local COVID-19 restrictions and advisories, in designing and implementing their COVID-19 protocols, including their plans to return employees to physical workplaces over the coming months.

Foley Hoag has formed a firm-wide, multi-disciplinary [task force](#) dedicated to client matters related to the novel coronavirus (COVID-19). For more guidance on your COVID-19 issues, visit our [Resource Page](#) or contact your Foley Hoag attorney.

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