

OSHA FALLS IN LINE WITH CDC'S REDUCED COVID-19 ISOLATION AND QUARANTINE PERIODS

Insights
Jan 13, 2022

As predicted, the Occupational Safety and Health Administration just adopted the Centers for Disease Control and Prevention's most recent guidance that reduced the COVID-19 isolation and quarantine periods. The impact of this January 12 announcement is that employers can now implement the reduced isolation and quarantine periods and allow employees to return to work much sooner. However, you retain the option of continuing to implement the lengthier isolation and quarantine periods at your workplaces.

Summary of CDC's Recommendations and OSHA's Response

As discussed in our [previous alert](#), the CDC recently shortened the recommended time for isolation from 10 days for people with COVID-19 to five days, if asymptomatic, followed by five days of wearing a mask when around others. For most of those who were exposed to COVID-19 and unvaccinated, the CDC's updated guidance recommends a quarantine period of five days followed by "strict mask use" for an additional five days.

What remained unclear after the CDC released these updated isolation and quarantine periods was what position OSHA would take when enforcing its [Emergency Temporary Standard](#) (ETS), because the ETS references and incorporates into its provisions the CDC's isolation guidance that was adopted on February 18, 2021. OSHA's finally addressed the conflicting guidance yesterday by posting an additional FAQ. According to the newly released FAQ, OSHA

Related People



Nicholas S. Hulse

Partner

[704.778.4183](tel:704.778.4183)

Service Focus

[Workplace Safety](#)

will “exercise enforcement discretion” in these cases, and assured employers that they will be in compliance with the provisions of the ETS if they are in compliance with the CDC’s updated isolation and quarantine guidance or the February 18, 2021 guidance.

Conclusion

OSHA’s updated guidance provides both clarity and flexibility for employers as they attempt to comply with the provisions of OSHA’s ETS. You should review your current COVID-19 return to work policies and update them as necessary, and consider the steps that we [previously discussed](#), including educating your workforce on any changes to your policies and encouraging vaccination boosters.

We will continue to monitor this development and provide updates as warranted. Until then, Fisher Phillips has created [a set of comprehensive FAQs for employers on the ETS](#) to help you navigate through this process. Make sure you are subscribed to [Fisher Phillips’ Insight system](#) to get the most up-to-date information.

If you have questions about how to ensure that your vaccine policies comply with workplace and other applicable laws, visit our [Vaccine Resource Center for Employers](#) or contact your Fisher Phillips attorney, the author of this Insight, or any attorney on our [FP Vaccine Subcommittee](#).