AIHA Releases COVID-19 Guidelines for Construction Industry

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Since the COVID-19 pandemic began affecting jobsites in the U.S., the Occupational Safety and Health Administration (OSHA) has released, and revised, COVID-19-related workplace guidance several times (see, Additional OSHA Guidance on COVID-19). To date, OSHA has not put in place COVID-19 specific regulations. Instead, OSHA has warned employers that they may be subject to citations under potentially applicable existing regulations or for violation of the General Duty Clause (see, OSHA’s COVID-19 Standards webpage). OSHA’s General Duty Clause requires employers to provide their employees with a workplace (or jobsite) free from recognized hazards likely to cause death or serious physical harm.

OSHA’s position so far has demonstrated that it may view exposure to COVID-19 at a jobsite as a General Duty Clause violation. As the potential for receipt of OSHA General Duty Clause citations related to COVID-19 remains, employers across the country, and especially in the construction industry, continue to wait for clearer COVID-19-related guidance (and possibly regulations) from OSHA.

However, further action from OSHA may not be coming anytime soon. In the meantime, at least one state (more accurately, commonwealth) has taken concrete action to put in place COVID-19-related OSHA standards (see, Virginia Issues First COVID-19 OSHA Standard). Local governments have also stepped in with their own regulations and guidelines (see, OSHA’s COVID-19 Guidelines for the Construction Industry are Generally Consistent with New York State’s and New York City’s Existing Guidelines).
Enter the American Industrial Hygiene Association (AIHA). The AIHA recently released “Focus on Construction Health: COVID-19” a guidance document intended to help the construction industry manage COVID-19 on jobsites. The guidance document breaks down key background information about COVID-19, its health effects, and how it can be spread.

The AIHA’s guidance also provides construction employers key information on the types of factors that affect workplace exposures. It further lays out, in an easily consumable and usable format, a seven-step plan for protecting workers on construction jobsites. The plan walks through a Job Safety Analysis (JSA) to tailor precautions and controls to jobsite-specific tasks and changing conditions.

While the AIHA’s guidance is that of a nongovernmental organization and does not have the force of law, it could be a useful tool for addressing COVID-19 risks. Each jobsite is unique and will require different approaches to best address the continuing threat COVID-19 poses to workers and the ability for projects to continue on schedule. Concise and convenient guidance documents like AIHA’s can be valuable tools for construction employers as we continue to wade into unchartered territory for jobsite health and safety.

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