Summary of Reporting Work-Related COVID-19 Illnesses for OSHA

Employers with more than 10 employees are required to report work-related COVID-19 illnesses. Recording a COVID-19 illness does not, of itself, mean that the employer has violated any OSHA standard.

Employers with 10 or fewer employees have no recording obligations; but they do need to report work-related COVID-19 illnesses that result in a fatality or an employee's in-patient hospitalization, amputation, or loss of an eye.

Reasonable determinations of work-relatedness should be based on these factors:

- **The employer's investigation into work-relatedness.**
  - Ask the employee:
    - how the employee believes the COVID-19 illness was contracted;
    - while respecting employee privacy, discuss with the employee any work and out-of-work activities that may have led to the COVID-19 illness; and
    - review the employee's work environment for potential SARS-CoV-2 exposure.

- **The evidence available to the employer.**
  - The evidence reasonably available to the employer at the time it made its work-relatedness determination.
  - If the employer later learns more information related to an employee's COVID-19 illness, then that information should be taken into account as well in determining whether there is a reasonable work-relatedness determination.

- **The evidence that a COVID-19 illness was contracted at work.**
  - COVID-19 illnesses are likely work-related when:
    - Several cases develop among staff who work closely together and there is no alternative explanation.
    - It is contracted shortly after lengthy, close exposure to a particular patient or coworker who has a confirmed case of COVID-19 and there is no alternative explanation.
    - If an employee’s job duties include having frequent, close exposure to the public with ongoing local community transmission and there is no alternative explanation.
  - COVID-19 illnesses are likely not work-related if:
    - A single employee contracts COVID-19 and the job duties do not include having frequent contact with patients, regardless of the rate of community spread.
    - An employee, outside the workplace, closely and frequently associates with someone (e.g., a family member, significant other, or close friend) who has COVID-19 and is not a coworker, and exposes the employee during the period in which the individual is likely infectious.

If the employer cannot determine whether it is more likely than not that exposure in the workplace played a causal role with respect to a particular case of COVID-19, the employer does not need to record that COVID-19 illness.

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