**OSHA Guidance**

Given the novelty of the virus, OSHA does not have promulgated standards that specifically address COVID-19, however, the Agency has issued guidance documents for employers, which can be accessed by clicking below.

[*Guidance on Preparing Workplaces for COVID-19*](https://www.osha.gov/Publications/OSHA3990.pdf) (“COVID-19 Guidance”)

Those recommendations, however, are important regarding OSHA requirements that are enforceable.  Principally, OSHA’s “general duty clause” requires employers to furnish “employment and a place of employment, which are free from recognized hazards that are causing or are likely to cause death or serious physical harm.”

OSHA also has confirmed that it’s Hazard Communication Standard (“HCS”), which requires employers to classify and communicate risks related to workplace chemical use, applies to COVID-19 scenarios—for example, use of common chemicals for workplace cleaning and disinfection.

Importantly, employers must consider regular OSHA [recordkeeping and reporting requirements](https://www.osha.gov/laws-regs/regulations/standardnumber/1904/1904.39). COVID-19, unlike the common cold and influenza, is not exempted from such requirements. Specifically, qualifying employers must record on their OSHA 300 log cases of COVID-19 amongst their workers if:

1. It is a confirmed case of COVID-19 (see Centers for Disease Control and Prevention (“CDC”) [information on case status](https://www.cdc.gov/coronavirus/2019-ncov/php/reporting-pui.html));
2. The case is work-related, meaning an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing injury or illness (see 29 CFR 1904.5); and
3. The case involves one or more of the general recording criteria set forth in 29 CFR 1904.7 (e.g. medical treatment beyond first-aid, days away from work).

OSHA also requires all employers to report any workplace incident that results in a fatality (within 8 hours) or an in-patient hospitalization (within 24 hours).  Only formal admissions to the in-patient service of a hospital or clinic for care or treatment are reportable, and employers should review [potential exceptions](https://www.osha.gov/laws-regs/regulations/standardnumber/1904/1904.39).

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**Small Business Administration Guidance**

* [Economic Injury Disaster Loan Program](https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources#section-header-0)
* [Guidance for Businesses and Employers](https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources#section-header-2)
* [SBA Products and Resources](https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources#section-header-4)
* [Government Contracting](https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources#section-header-10)
* [Local Assistance](https://www.sba.gov/page/coronavirus-covid-19-small-business-guidance-loan-resources#section-header-12)

**Access to Capital**

SBA provides a number of loan resources for small businesses to utilize when operating their business. For more information on loans or how to connect with a lender, visit: <https://www.sba.gov/funding-programs/loans>.

**How to get access to lending partners?**  SBA has developed [Lender Match](https://www.sba.gov/funding-programs/loans/lender-match), a free online referral tool that connects small businesses with participating SBA-approved lenders within 48 hours*.*

* **7(a) program** offers loan amounts up to $5,000,000 and is an all-inclusive loan program deployed by lending partners for eligible small businesses within the U.S. States and its territories. The uses of proceeds include: working capital; expansion/renovation; new construction; purchase of land or buildings; purchase of equipment, fixtures; lease-hold improvements; refinancing debt for compelling reasons; seasonal line of credit; inventory; or starting a business.
* **Express** loan program provides loans up to $350,000 for no more than 7 years with an option to revolve. There is a turnaround time of 36 hours for approval or denial of a completed application. The uses of proceeds are the same as the standard 7(a) loan.
* **Community Advantage**loan pilot program allows mission-based lenders to assist small businesses in underserved markets with a maximum loan size of $250,000. The uses of proceeds are the same as the standard 7(a) loan.
* **504** loan program is designed to foster economic development and job creation and/or retention. The eligible use of proceeds is limited to the acquisition or eligible refinance of fixed assets.
* **Microloan** program involves making loans through nonprofit lending organizations to underserved markets. Authorized use of loan proceeds includes working capital, supplies, machinery & equipment, and fixtures (does not include real estate). The maximum loan amount is $50,000 with the average loan size of $14,000.

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**Centers for Disease Control (CDC) Guidance**

The following information is guidance that NLBMDA obtained from the Centers for Disease Control (CDC) specifically catered towards employers.

* [COVID-19 Website](https://www.cdc.gov/coronavirus/about/index.html)
* [What You Need to Know About COVID-19](https://www.cdc.gov/coronavirus/2019-ncov/downloads/2019-ncov-factsheet.pdf)
* [What to Do If You Are Sick With COVID-19](https://www.cdc.gov/coronavirus/2019-ncov/downloads/sick-with-2019-nCoV-fact-sheet.pdf)
* [Interim US Guidance for Risk Assessment and Public Health Management of Persons with Potential Coronavirus Disease 2019 (COVID-19) Exposure in Travel-associated or Community Settings](https://www.cdc.gov/coronavirus/2019-ncov/php/risk-assessment.html)
* [Health Alert Network](https://emergency.cdc.gov/HAN/)
* [Travelers’ Health Website](https://wwwnc.cdc.gov/travel)
* [National Institute for Occupational Safety and Health’s Small Business International Travel Resource Travel Planner](https://www.cdc.gov/niosh/docs/2019-165/pdfs/2019-165.pdf?id=10.26616/NIOSHPUB2019165)
* [Coronavirus Disease 2019 Recommendations for Ships](https://www.cdc.gov/quarantine/maritime/index.html)

The following are recommended steps for employers from the CDC:

**Actively encourage sick employees to stay home:**

* + Employees who have symptoms of acute respiratory illness are recommended to stay home and not come to work until they are free of fever (100.4° F [38.0° C] or greater using an oral thermometer), signs of a fever, and any other symptoms for at least 24 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants). Employees should notify their supervisor and stay home if they are sick.
	+ Ensure that your sick leave policies are flexible and consistent with public health guidance and that employees are aware of these policies.
	+ Talk with companies that provide your business with contract or temporary employees about the importance of sick employees staying home and encourage them to develop non-punitive leave policies.
	+ Do not require a healthcare provider’s note for employees who are sick with acute respiratory illness to validate their illness or to return to work, as healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely way.
	+ Employers should maintain flexible policies that permit employees to stay home to care for a sick family member. Employers should be aware that more employees may need to stay at home to care for sick children or other sick family members than is usual.
* **Separate sick employees:**
	+ CDC recommends that employees who appear to have acute respiratory illness symptoms (i.e. cough, shortness of breath) upon arrival to work or become sick during the day should be separated from other employees and be sent home immediately. Sick employees should cover their noses and mouths with a tissue when coughing or sneezing (or an elbow or shoulder if no tissue is available).
* **Emphasize staying home when sick, respiratory etiquette and hand hygiene by all employees:**
	+ Place posters that encourage [staying home when sick](https://www.cdc.gov/nonpharmaceutical-interventions/tools-resources/educational-materials.html), [cough and sneeze etiquette](https://www.cdc.gov/healthywater/hygiene/etiquette/coughing_sneezing.html), and [hand hygiene](https://www.cdc.gov/handwashing/materials.html) at the entrance to your workplace and in other workplace areas where they are likely to be seen.
	+ Provide tissues and no-touch disposal receptacles for use by employees.
	+ Instruct employees to clean their hands often with an alcohol-based hand sanitizer that contains at least 60-95% alcohol, or wash their hands with soap and water for at least 20 seconds. Soap and water should be used preferentially if hands are visibly dirty.
	+ Provide soap and water and alcohol-based hand rubs in the workplace. Ensure that adequate supplies are maintained. Place hand rubs in multiple locations or in conference rooms to encourage hand hygiene.
	+ Visit the [coughing and sneezing etiquette](https://www.cdc.gov/healthywater/hygiene/etiquette/coughing_sneezing.html)and [clean hands webpage](https://www.cdc.gov/handwashing/index.html) for more information.
* **Perform routine environmental cleaning:**
	+ Routinely clean all frequently touched surfaces in the workplace, such as workstations, countertops, and doorknobs. Use the cleaning agents that are usually used in these areas and follow the directions on the label.
	+ No additional disinfection beyond routine cleaning is recommended at this time.
	+ Provide disposable wipes so that commonly used surfaces (for example, doorknobs, keyboards, remote controls, desks) can be wiped down by employees before each use.
* **Advise employees before traveling to take certain steps:**
	+ Check the [CDC’s Traveler’s Health Notices](https://www.cdc.gov/travel) for the latest guidance and recommendations for each country to which you will travel. Specific travel information for travelers going to and returning from China, and information for aircrew, can be found at on the [CDC website](https://www.cdc.gov/coronavirus/2019-ncov/travelers/index.html).
	+ Advise employees to check themselves for symptoms of [acute respiratory illness](https://www.cdc.gov/coronavirus/2019-ncov/about/symptoms.html) before starting travel and notify their supervisor and stay home if they are sick.
	+ Ensure employees who become sick while traveling or on temporary assignment understand that they should notify their supervisor and should promptly call a healthcare provider for advice if needed.
	+ If outside the United States, sick employees should follow your company’s policy for obtaining medical care or contact a healthcare provider or overseas medical assistance company to assist them with finding an appropriate healthcare provider in that country. A U.S. consular officer can help locate healthcare services. However, U.S. embassies, consulates, and military facilities do not have the legal authority, capability, and resources to evacuate or give medicines, vaccines, or medical care to private U.S. citizens overseas.
* **Additional Measures in Response to Currently Occurring Sporadic Importations of the COVID-19:**
	+ Employees who are well but who have a sick family member at home with COVID-19 should notify their supervisor and refer to CDC guidance for [how to conduct a risk assessment](https://www.cdc.gov/coronavirus/2019-ncov/php/risk-assessment.html) of their potential exposure.
	+ If an employee is confirmed to have COVID-19, employers should inform fellow employees of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act (ADA). Employees exposed to a co-worker with confirmed COVID-19 should refer to CDC guidance for [how to conduct a risk assessment](https://www.cdc.gov/coronavirus/2019-ncov/php/risk-assessment.html) of their potential exposure.