

LEGAL UPDATE

OSHA Clarifies COVID-19 Reporting Requirements

The Occupational Safety and Health Administration (OSHA) has published two additional answers to its list of [COVID-19 frequently asked questions](#) (FAQs). The new answers clarify when employers must report COVID-19 in-patient hospitalizations and fatalities.

Reporting Hospitalizations

OSHA requires employers to report in-patient hospitalizations only if the hospitalization occurs within 24 hours of an exposure to COVID-19 in the workplace. As a result, employers must report COVID-19 hospitalizations only if the hospitalizations are:

- For in-patient treatment; and
- The result of a work-related case of COVID-19.

The report must be submitted **within 24 hours** of the time the employer determines there was an in-patient hospitalization caused by a COVID-19 case. Hospitalization for diagnostic testing or observation only is not “in-patient” hospitalization.

Reporting Fatalities

OSHA requires employers to report fatalities that occur within 30 days of an exposure to SARS-CoV-2 in the workplace.

Fatality reports must be submitted **within eight hours** of the time the employer learns that the fatality took place and that it was due to a work-related exposure.

Recording Requirements

These FAQs address only reporting requirements for COVID-19. Employers can review their [COVID-19 recording requirements](#) on OSHA’s website.

OSHA Reporting Deadlines

- Report workplace fatalities to OSHA within eight hours.
- Report amputations, eye loss, and in-patient hospitalizations to OSHA within 24 hours.

Exception

Reporting is not required for:

- Motor vehicle accidents on a public street or highway (except in a construction work zone); or
- Commercial or public transportation system incidents.

The new FAQs clarify when employers must report COVID-19 hospitalizations and fatalities.

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