

**Injury and Illness Recordkeeping
for Public Sector Employers in Massachusetts
regarding COVID-19 3/23/2020**

The Department of Labor Standards reminds all public-sector employers that they are required to comply with OSHA safety and health standards, per 454 CMR 25. These standards include recordkeeping for work-related injury and illness and reporting requirements

Record a work-related illness on the employer's recordkeeping system for work-related injury and illness when all three of the following conditions exist: 1) employee is confirmed case of COVID-19; 2) exposure was work-related; and 3) illness resulted in medical treatment or lost-time from work.

An explanation of these conditions follows:

1. Confirmed case of COVID-19

Employee tests positive for COVID-19. Since testing is not available for all persons with symptoms at this time, also include employees who receive medical treatment or have lost work days due to symptoms of COVID-19. OSHA refers to the CDC reporting guide: <https://www.cdc.gov/coronavirus/2019-ncov/php/reporting-pui.html>

A situation where an employee is instructed to quarantine due to possible exposure is not recorded unless an actual illness occurs.

2. The case is work-related, as defined by 29 CFR 1904.5. This means an event or exposure in the work environment either caused or contributed to the resulting condition. Examples include:

- Healthcare worker or EMS: exposure is presumed to be from a patient
- Face-to-face customer service job, exposure is presumed to be from customer
- Airport screener, exposure is presumed to be from customer
- Contact with a co-worker who was COVID-19 positive

Examples of non-work-related exposure: Family contact, community contact

3. Medical treatment or Lost-Time from Work: The COVID illness resulted in the employee missing days from work or required medical treatment beyond first aid. See 29 CFR 1904.7. Prescription medication is considered medical treatment.

Employers are also reminded to report work related injuries and illnesses that result in an employee's inpatient hospitalization or fatality to DLS within eight hours by calling (508) 616-0461 or email to safepublicworkplacemailbox@mass.gov.