



OSHA

QuickTakes

Biweekly Newsletter

RSS Feeds

Print This Page

Text Size

Occupational Safety & Health Administration We Can Help

What's New | Offices

Home

Workers

Regulations

Enforcement

Data & Statistics

Training

Publications

Newsroom

Small
Business



Standard Interpretations - Table of Contents

• Standard Number: 1904.7; 1904.11

June 22, 2009

Joseph Berk, MD, JD, MHS
9199 Reisterstown Road
Suite 207 A
Owings Mills, MD 21117

Dear Dr. Berk:

Thank you for your letter to the Occupational Safety and Health Administration's (OSHA's) Directorate of Enforcement Programs (DEP) in which you raised concerns regarding the potential for employees to become infected with norovirus or other infectious agents from fomites (e.g., shared computer keyboards) within the workplace. This letter constitutes OSHA's interpretation only of the requirements discussed and may not be applicable to any question(s) or scenarios not delineated within your original correspondence. For clarification, your questions have been rephrased below followed by OSHA's responses. We apologize for the delay in responding to your inquiry.

Question 1: OSHA's recordkeeping regulation requires employers to record work-related illnesses (such as SARS or MRSA) on the OSHA 300 log. Does this requirement apply to recording illnesses that are spread through workplace contacts with contaminated surfaces (e.g., shared keyboards)?

Reply 1: In your inquiry you outlined several criteria used to determine recordability of a work-related illness. For an illness to be recordable, an employee must be infected as a result of a workplace exposure, and one of the following must also be true: a) medical treatment is provided; or b) the employee misses at least one full day of work. In addition, an injury or illness is recordable if it meets one or more of the criteria outlined in 29 CFR 1904.7 through 1904.11.

Question 2: Assuming feasible measures to disinfect keyboards are available, do employers have an obligation under Section 5(a)(1) of the Occupational Safety and Health Act to use these measures in situations where shared keyboards are used and may spread disease?

Reply 2: OSHA's determination of coverage under Section 5(a)(1) of the Occupational Safety and Health Act would be made on a case-by-case basis. In a healthcare facility, such as your workplace, where it is likely for employees to be exposed to patients with a wide range of infectious diseases, many of which may be transmitted through contact with surfaces that become contaminated, it is important to institute measures to minimize or eliminate the potential for employees to contract infectious diseases which are work-related.

We appreciate the information that you attached regarding possible means of disinfecting keyboards. One way to reduce the potential for transmitting infectious diseases is to institute measures to prevent surfaces/fomites from becoming contaminated in the first place. Washing hands with soap and water following contact with patients is a major way of minimizing the potential for fomite contamination.

The CDC has issued guidelines which provide guidance on the disinfection of medical equipment and other surfaces in healthcare settings. Please refer to the CDC's "Guideline for Disinfection and Sterilization in Healthcare Facilities, 2008" for more information.

Thank you for your interest in occupational safety and health. We hope you find this information helpful. OSHA requirements are set by statute, standards, and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>. If you have any further questions, please feel free to contact the Office of Health Enforcement at 202-693-2190.

Sincerely,

Richard E. Fairfax, Director
Directorate of Enforcement Programs

Standard Interpretations - Table of Contents