EEOC Issues Updated COVID-19 Technical Assistance Publication

The Equal Employment Opportunity Commission (EEOC) has posted an updated and expanded publication addressing questions arising under federal equal employment opportunity laws related to the COVID-19 pandemic. The publication, What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws, expands on a previous publication that focused on the Americans with Disabilities Act (ADA) and Rehabilitation Act. It adds questions and answers addressing common inquiries.

The agency has also provided resources on its website related to the pandemic in an employment context.

OSHA Issues Enforcement Guidance for Recording Cases of COVID-19

The Occupational Safety and Health Administration (OSHA) has issued interim guidance addressing its recordkeeping requirements for recording work-related cases of COVID-19.

Under OSHA’s rules, COVID-19 is a recordable illness, and employers are responsible for recording cases if the case is confirmed as a COVID-19 illness, is work-related as defined by the Occupational Safety and Health Act, and meets one or more of the Act’s recording criteria including medical treatment beyond first aid or days away from work.
Labor Board Delays Effective Date of Election Protection Final Rule

On April 1, 2020, the National Labor Relations Board published a [final rule](#) making three amendments to its rules and regulations governing the filing and processing of petitions for a Board-conducted representation election and proof of majority support in construction industry collective-bargaining relationships.

Due to the ongoing national emergency caused by COVID-19, the Board has [postponed the effective date](#) 60 days. As published in the Federal Register, the new effective date is July 31, 2020.

OSHA Releases Interim Enforcement Response Plan for COVID-19

The Occupational Safety and Health Administration (OSHA) has issued a guidance memorandum to its agents for handling COVID-19 referrals, complaints, and severe illness reports.

The Memorandum discusses the procedures OSHA will use to prioritize enforcement responses, and details measures for protecting OSHA employees from the workplace hazard of COVID-19 when conducting inspections.

It classifies workplace risk levels as described in OSHA's [Guidance on Preparing Workplaces for COVID-19](#) as High Exposure Risk, Medium Exposure Risk, and Lower Exposure Risk.

The Memorandum provides detailed instructions to OSHA offices and field personnel on the safe conduct of COVID-19 investigations, both on-site and via remote means. The Memorandum is effective immediately.