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OSHA and Masks Summary

Thank you for interest in educating yourself about the facts regarding masks. I am happy to provide you with information to educate yourself and others as to masks and their application in the workplace. All information obtained in these documents is easily verifiable and publicly available.

It is important to note, I'm not an attorney and am simply sharing the information I've compiled from my experience in Occupational Health and Safety (workplace safety), as well as basic pathophysiology as an EMT and EMS Instructor.

- OSHA regulations are in place to protect Employees, Employers and ensure workplace safety.
- OSHA's own COVID-19 guidance states they are "not a standard or regulation, and it creates no new legal obligations" and that the Employer should conduct its own "hazard assessment..."
- OSHA's own COVID-19 guidance recognizes that COVID-19 "is a highly infectious disease that is spread most commonly through respiratory droplets and particles", making it a respiratory hazard.
- How does an Employer assess for a "respiratory hazard"? Unless they possess staff that is trained and certified to conduct air sampling testing, the Employer would hire an Industrial Hygienist to conduct the testing.

Per NIOSHs' 'Guidelines for Air Sampling and Analytical Method Development and Evaluation' in order to conduct air sampling testing for a hazard, the "physical and chemical properties of the analyte" need to be identified, meaning you have identified the physical or chemical compounds of what you're testing for. You also must define the acceptable values, or evaluation range (concentration, exposure standards and limits, etc.).

After consulting 5 Industrial Hygienists, 2 national and 1 local, they have stated that OSHA nor CDC has provided this information necessary to conduct these tests. I have contacted the Pennsylvania Department of Health for this information, and left messages for the Bureau of Epidemiology and Bureau of Laboratories without a response. I did speak with employees from The Bureau of Community Health and Bureau of Community Economic Development (which I was referred to by PA Dept. Of Health) and the stated they: did not have the information, and should contact Bureau's of Epidemiology and or Laboratories.

A year into this workplace "Hazard", and this information is not available to Industry professionals. How can ANY Employer conduct a hazard assessment?

If a respiratory hazard is present, per OSHA CFR 29 1910.134 a Respiratory Protection Program is needed. Included in a Respiratory program is the requirement to send Employees to an independent physician for medical evaluation and fit testing (as well as MANY other stipulations)

- Per OSHA CFR 29 1910, PPE must be effective. You cannot require PPE that does not protect against the hazard. (You can't allow employees to wear a baseball cap when a hard hat is necessary). The ONLY NIOSH approved masks for respiratory hazards are N95 masks and the implementation of a Respiratory Protection program.
- Employers REQUIRING any other type of mask directly conflicts with OSHA regulations. Remember COVID-19 guidance does not create any new standard or regulation. It's the Employers decision to "determine appropriate control measures".
- Employers can be liable to workplace injuries that involve pre-existing conditions. If an Employee has a pre-existing condition that is aggravated by workplace conditions (i.e., reduced airflow due to arbitrary and ineffective mask wearing) they have the right to seek medical attention as work related.
- Face coverings / reduced airflow has the ability to aggravate MANY health conditions such as Hypertension, Cardiovascular disease, Diabetes, Asthma, COPD, allergies, Anxiety, seizure disorders, sinus issues, Acne, etc.