

**Comments for the Public Meeting during the Occupational Safety and Health Standards Board meeting on May 20, 2021 by Pamela Murcell, MS, CIH, President, California Industrial Hygiene Council**

Chairman Thomas, Board members and staff, Division Staff: My name is Pamela Murcell. I'm here today representing the California Industrial Hygiene Council. I'm the current president of CIHC. CIHC represents OHS professionals in CA and works to enhance their professional practice.

The California Industrial Hygiene Council (CIHC) appreciates the opportunity to comment on the COVID-19 Prevention emergency regulations. We appreciate the challenges this issue has presented, and the hard work from Board staff and DOSH staff on this issue.

The proposed version of the COVID ETS that is potentially being considered today is an improvement from the version that was adopted in November 2020, and we especially agree with including exceptions for those who are fully vaccinated. If the proposed version is adopted, we request that the Division provide guidance or FAQs as soon as possible to address how employers will determine fully vaccinated employees vs. those who are not, while maintaining confidentiality of an employee's health issues. This is actually an important question whether we are talking about COVID-19 vaccinations or vaccinations for other infectious diseases, and having this information in place would be a major step forward.

Given the rapidly changing public health guidance and lifting of COVID-19 restrictions, as well as in light of the Division's request to postpone today's vote on the latest version of the ETS, CIHC encourages the following two actions:

First, consider repealing or establishing an expiration date of June 15, 2021 for the ETS version currently in effect. Based on the news from the governor's office, the pending lifting of COVID-19 restrictions in California could make the ETS a moot point.

Second, move expeditiously with a path forward to permanently address worker protection in all industries from infectious diseases. This would be a more efficient use of valuable resources rather than attempts to fix protections and prevention measures for COVID-19 only. The path forward could include adding COVID-19 explicitly to the list of diseases covered by the Aerosol Transmissible Disease regulation for those employers and work environments that are covered by the ATD regulation; and developing a mandatory appendix for the Injury and Illness Prevention Program regulation that applies to employers in work environments that are not covered by the ATD regulation and would require these employers to address and plan for infectious disease prevention.

CIHC would look forward to advisory committee participation to assist the Division with a path forward on this issue, and again we encourage expediting this approach.

Thank you for your time and consideration.