



## ILA-USMX JOINT SAFETY COMMITTEE

# OSH ALERT 2021-03 [18 March 2021]

## COVID-19 & OSHA

### A Prospective to Consider

An Executive Order signed by President Biden on 21 January 2021 directs the Secretary of Labor, acting through the Assistant Secretary of Labor for OSHA, to:

**“(b) consider whether any emergency temporary standards on COVID-19, including with respect to masks<sup>1</sup> in the workplace, are necessary, and if such standards are determined to be necessary, issue them by March 15, 2021;”**

[Emphasis supplied]

We understand that the “drop dead date” of March 15, 2021 occurred three days ago and that OSHA has failed to timely respond to the literal direction of the foregoing paragraph within the Executive Order. We can conjecture as to why OSHA has not formally made its determination... but won't do so here.

One thing appears relatively certain: In the coming days, OSHA will likely make a determination that an emergency temporary standard (ETS) addressing potential COVID-19 workplace exposures is necessary. What will be included within any such ETS is presently a matter of some controversy and debate.

Earlier this year, however, OSHA published a document entitled, **“Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace.”** In that document, labor and management constituents of the ILA~USMX Joint Safety Committee have the opportunity to review what the agency's current thoughts may be with regard to potential regulatory avenues it may pursue.

We provide a link to that guidance here:

<https://www.osha.gov/coronavirus/safework>

**Got a question about this particular subject? Write to the JSC at: [blueoceana@optonline.net](mailto:blueoceana@optonline.net)**

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<sup>1</sup> The issue of mask wearing within seaport transportation hubs has been affirmatively decided by an Order issued by the Centers for Disease Control & Prevention last month. If OSHA mandates workplace mask wearing, however, all workplaces (including those workplaces within the 17 States that have no general mask wearing requirement) would be obliged to comply with the OSHA mandate.

## Working Together For The Benefit Of All

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## ILA-USMX JOINT SAFETY COMMITTEE

# OSH ALERT 2021-02 [01 February 2021]

## CDC Orders the Wearing of Masks at U.S. Marine Terminals



On 29 January 2021, the U.S. Centers for Disease Control and Prevention (CDC) issued an Order that is expected to be published in the 01 February 2021 edition of the **Federal Register**, which mandates the wearing of face masks at all U.S. “**Transportation Hubs**” that provide “**...transportation subject to the jurisdiction of the United States.**” We had been under the impression that this Order would apply only to passenger-related transportation, but the text of the Order indicates a wider scope.

Accordingly, the ILA~USMX Joint Safety Committee is obliged to advise all of our constituents that as of 11:59 PM on 01 February 2021 all workers and managers reporting to work at or on any of the marine terminals or vessels subject to U.S. transportation jurisdiction will be required by this Order to wear face masks while on site.

Operators of “**Transportation hubs**” will now be required to: **1).** Allow entry only to persons who wear masks; **2).** Instruct persons that Federal law requires wearing a mask in the transportation hub and that failure to comply constitutes a violation of Federal law; **3).** Monitor persons on the premises of the transportation hub for anyone who is not wearing a mask and seek compliance from such persons; **4).** Remove any persons who refuse to comply from the premises; *and* **5).** Provide persons with adequate notice to facilitate awareness and compliance with the requirement to wear a mask.

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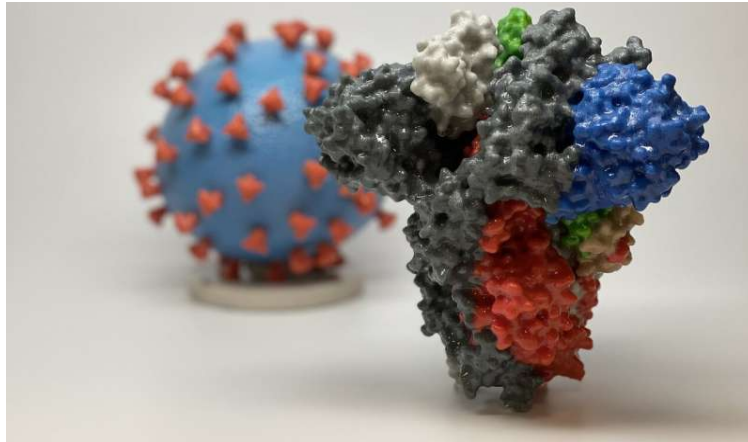
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## ILA-USMX JOINT SAFETY COMMITTEE

# OSH ALERT 2021-01 [06 January 2021]

## COVID-19 MUTATIONS



Over the last few months, reports of the Novel Coronavirus' mutated forms have become more and more prominent. All viruses mutate in order to better adapt to their environment. Notably, mutated strains of the Novel Coronavirus initially found in the U.K. and South Africa are described as having spike proteins that are considerably enlarged and that more readily bind to human cell receptors (*See comparative illustrations, above*). That makes them much more transmissible (much more contagious) but not necessarily more lethal. The U.K. mutated strain has now been found in several U.S. States; it's likely that the South African strain (and perhaps others) will find its way here, as well.

**The results:** The mutated strain(s) will likely become more dominant and the rate of COVID-19 infections in our country [and in our industry] will likely rise as a consequence. The best means at our disposal to remain COVID-19 infection free continue to be:

- 1). Wearing a face covering (a mask);**
- 2). Practicing effective social distancing;**
- 3). Practicing effective hand washing/disinfection;**
- 4). Keeping your hands away from your face & mouth; and**
- 5). Taking the vaccine when it becomes available to you. [The FDA-approved vaccines are considered to be effective against the mutated strains]**

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