

# **DOSH DIRECTIVE**

Department of Labor and Industries

Division of Occupational Safety and Health

*Keeping Washington Safe and Working*

**1.60**

## **Temporary Enforcement Guidance**

### **Expiring Training and Certifications During the COVID-19 Outbreak**

**Date: March 23, 2020**

#### **I. Purpose**

This Directive provides temporary enforcement guidance to Compliance Safety and Health Officers for enforcing training and certifications requirements during the COVID-19 outbreak.

Due to the Governor's Office request for social distancing, and the President's guidance to avoid crowds of more than 10 people, employers may not be able to provide employees the training required by DOSH codes.

#### **II. Scope and Application**

This Directive applies to all DOSH operations statewide.

This temporary enforcement discretion policy will apply until further notification.

#### **III. References**

- [L&I Novel Coronavirus Outbreak \(COVID-19\) Resources](#)
- [Governor's Proclamation 20-14 \(Reduction of Statewide Limits on Gatherings\)](#)
- [President's and CDC Guidelines for Coronavirus \(COVID-19\)](#)

#### **IV. Background**

In order to help prevent the spread of COVID-19, the President's Office, the Governor's Office, the CDC, and other public health offices have provided guidelines. These guidelines include social distancing and limiting gatherings to no more than 10 individuals. This may affect the ability for employers to provide required training or obtain employee certifications. This is due in part to it not being cost effective for trainers to limit their classroom sizes to no more than 10 students, and employers and employees may be hesitant to attend trainings where social distancing is not possible and the classroom exceeds 11 students. Therefore, during the COVID-19 virus outbreak, DOSH will not cite training and certifications that expired as of February 28, 2020 or later.

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**Employers are required to provide initial training to their employees prior to the start of new tasks.**

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**V. Enforcement Policy**

- A. DOSH compliance staff will exercise enforcement discretion concerning periodic training and certifications that expired as of February 28, 2020 or later. The following are examples of required training and certifications, but it is not an all-inclusive listing:
- Asbestos supervisor and worker certification cards
  - Audiogram certification
  - Flagger certification
  - First aid training
  - Bloodborne pathogen training
- B. When a compliance officer comes across this situation where the employer is unable to provide classes or receive training due to the COVID-19 virus limitations, a violation will not be cited. Instead, a message will be put in the Citation and Notice stating that although the training and certifications are not being cited at this time, the employer must come into compliance as soon as guidelines permit.

This does not pertain to the following situations:

- Initial training and certifications;
  - Training that the employer provides in-house, unless personnel that normally provide the training are unavailable due to being quarantined; or
  - Training and certifications that expired prior to February 28, 2020.
- C. In cases where a violation is issued for training and certifications that expired prior to February 28, 2020 and are not provided by the employer in-house, a long abatement period can be provided and the CSHO will make sure the employer understands the abatement extension process. Supervisors will provide appropriate abatement extensions when requested.

Training that is provided in-house by the employer and is not affected due to staff quarantine, will be cited in the normal manner.

**VI. Point of Contact**

If DOSH staff have questions or need additional guidance or interpretive assistance, they are encouraged to contact Compliance Operations.

**VII. Review and Expiration**

To emphasize, this is an enforcement discretion policy, beginning from the date of this Directive, and applicable where training and certifications are hindered due to the COVID-19 outbreak. This Directive will remain effective until superseded or canceled.

Approved:



L & I Assistant Director

Division of Occupational Safety and Health