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New OSHA Enforcement Guidance on Respiratory Protection

FNGLA

The U.S. Occupational Safety and Health Administration (OSHA) issued “[Enforcement Guidance for Respiratory Protection and the N95 Shortage Due to the Coronavirus Disease 2019 \(COVID-19\) Pandemic](#)” to OSHA regional administrators and state plan designees.

Due to the supply shortage of N95 respirators, this OSHA enforcement guidance is intended to allow discretion in permitting the extended use and reuse of respirators and the use of respirators beyond the manufacturer’s recommended expiration date.

OSHA indicates the enforcement guidance applies to all industries and workplaces where workers are exposed to respiratory hazards. This new guidance does *NOT* apply to employers who are not required to provide respirators under OSHA’s respiratory protection standard (i.e., most employers).

Employers with workers who use respirators (whether or not required) need to know the following:

- OSHA advises where extended use or reuse of N95 respirators becomes necessary due to the supply shortage, “the same worker is permitted to extend use of, or reuse the respirator, as long as the respirator maintains its structural and functional integrity and the filter material is not physically damaged, soiled, or contaminated (e.g., with blood, oil, paint).” Employers are required to address in their written respiratory protection programs (RPPs) under what circumstances a disposable respirator will be considered contaminated or no longer suitable for extended use or reuse.
- OSHA advises the use of a respirator for extended periods of time—rather than reusing the same respirator—is preferred in order to reduce the risk of contact transmission of the virus from repeated donning/doffing.
- OSHA advises employers to “pay particular attention to workers’ proper storage” of respirators between periods of reuse.
- OSHA recommends users perform a seal check each time they don a respirator and discontinue use of the respirator if the seal check is not successful. In addition, OSHA recommends employers train workers to discard respirators if their structural or functional integrity is compromised.
- OSHA recommends use of an [appropriate donning/doffing sequence](#).

- Where N95 masks are not available and after making a good faith effort to acquire respirators or use other alternatives, OSHA advises employers may use expired N95 respirators. However, OSHA states employers should notify workers that the respirators are expired.