



## Department of Energy

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### MEMORANDUM FOR DISTRIBUTION

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ENVIRONMENT, HEALTH, SAFETY AND SECURITY

SUBJECT: Guidance and FAQs for Recording and Reporting  
COVID-19 Cases

Due to the current COVID-19 pandemic, there have been questions regarding the applicable recording and reporting requirements for COVID-19 cases. The Department of Energy (DOE) Order (O) 231.1B, *Environment, Safety and Health Reporting*, adopts certain illness and injury reporting requirements from the Occupational Safety and Health Administration's (OSHA) regulations at 29 C.F.R Part 1904, *Recording and Reporting Occupational Injuries and Illnesses*, and contains additional requirements for reporting work-related injuries and illnesses in the DOE Computerized Accident/Incident Reporting System (CAIRS). These reporting requirements apply to work-related COVID-19 cases, which would be reportable if:

1. The cases are "confirmed" cases of COVID-19 (see Centers for Disease Control and Prevention criteria for confirmed cases at: <https://www.cdc.gov/nndss/conditions/coronavirus-disease-2019-covid-19/case-definition/2020/>);
2. The cases are work-related (as defined by 29 C.F.R. § 1904.5); and
3. The cases involve one or more of the general recording criteria set forth in 29 C.F.R. §1904.7 (e.g., "significant injury or illness diagnosed by a doctor").

The Department recognizes the difficulty in determining whether an illness is work-related, since illnesses may also be contracted as the result of non-occupational exposures. Consistent with OSHA's "Revised Enforcement Guidance for Recording Cases of Coronavirus Disease 2019 (COVID-19)" dated May 19, 2020 (<https://www.osha.gov/memos/2020-05-19/revised-enforcement-guidance-recording-cases-coronavirus-disease-2019-covid-19>), DOE Elements, and DOE contractors subject to the Contractor Requirements Document in DOE O 231.1B, or to 10 C.F.R. Part 851, *Worker Safety and Health Program*, should make reasonable and good faith efforts to determine whether a particular case of COVID-19 is reportable as work-related. According to OSHA's guidance, which identifies applicable considerations to be used in reaching a reasonable determination of work-relatedness, COVID-19 illnesses are *likely work-related*:

- When several cases develop among workers who work closely together and there is no alternative explanation;

- If an employee’s case is contracted shortly after lengthy, close exposure to a particular coworker who has a confirmed case of COVID-19 and there is no alternative explanation; or
- If an employee’s job duties include having frequent, close exposure to the general public in a locality with ongoing community transmission and there is no alternative explanation.

Conversely, according to OSHA’s guidance, an employee's COVID-19 illness is likely *not work-related*:

- If the employee is the only worker to contract COVID-19 in his or her vicinity and the employee’s job duties do not include having frequent contact with the general public, regardless of the rate of community spread; or
- If the employee closely and frequently associates with someone outside the workplace (e.g., a family member, significant other, or close friend) who (1) has COVID-19; (2) is not a coworker; and (3) exposes the employee during the period in which the individual is likely infectious.

OSHA’s guidance provides that “[if], after the reasonable and good faith inquiry described above, the employer cannot determine whether it is more likely than not that exposure in the workplace played a causal role with respect to a particular case of COVID-19, *the employer does not need to record that COVID-19 illness.*” [emphasis added].

This OSHA recording guidance is consistent with DOE’s commitment to Integrated Safety Management. The guidance emphasizes the importance, “as a matter of worker health and safety, as well as public health, for an employer to examine COVID-19 cases among workers and respond appropriately to protect workers, regardless of whether a case is ultimately determined to be work-related.”

Please note that recording and reporting a COVID-19 illness does not, of itself, mean that any DOE or OSHA standard has been violated. This is consistent with OSHA’s guidance and the language found in the note to 29 C.F.R. § 1904.0, *Purpose*, which states: “Recording or reporting a work-related injury, illness, or fatality does not mean that the employer or employee was at fault, that an OSHA rule has been violated, or that the employee is eligible for workers' compensation or other benefits.” Because this is an illness, if an employee voluntarily requests that his or her name not be entered on the OSHA Form 300, *Log of Work-Related Injuries and Illnesses*, the employer must comply, as specified by 29 C.F.R. § 1904.29(b)(7)(vi).

Refer to the attachment for answers to some frequently asked questions regarding recording and reporting of COVID-19 cases. For further information or assistance, please contact Craig Schumann, CAIRS Program Manager, at (630) 252-9176 or [craig.schumann@hq.doe.gov](mailto:craig.schumann@hq.doe.gov).

Attachment

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**ATTACHMENT****Frequently Asked Questions**

**Question:** Do we have to record work-related COVID-19 illnesses on the OSHA Form 300 and report them into the Computerized Accident Incident Reporting System (CAIRS) system?

**Answer:** Yes, pursuant to DOE Order 231.1B, *Environment, Safety and Health Reporting*, DOE and DOE contractors must record all work-related COVID-19 fatalities or illnesses like any other occupational illness on the OSHA Form 300 and report them into the CAIRS system.

**Question:** Do all cases have to be recorded on the OSHA Form 300 and reported into the CAIRS system?

**Answer:** All cases need to be evaluated to determine if they are work-related as defined by 29 C.F.R. § 1904.5. There is no justification for excluding cases simply because they are the first or only case discovered in the workplace. If an employee contracted the disease from contact with a coworker, patient, client, customer or other *work* contact, the case would be work-related, even though it was the first case detected.

**Question:** If one of our employees has been determined to have a work-related COVID-19 illness, what box should we check on the OSHA Form 300?

**Answer:** Consistent with OSHA's regulation at 29 C.F.R. Part 1904, *Recording and Reporting Occupational Injuries and Illnesses* (which has been adopted by DOE in 10 C.F.R. Part 851, *Worker Safety and Health Program*, and DOE Order 231.1B, *Environment, Safety and Health Reporting*), COVID-19 is a respiratory illness, the box found under Column M (3) for "Respiratory condition" should be checked on the OSHA Form 300.

**Question:** If one of our workers has been determined to have a work-related COVID-19 illness, what is the appropriate classification that should be selected under the "OSHA Classification" box when we are completing the CAIRS report?

**Answer:** Consistent with the 29 C.F.R. Part 1904, "Respiratory condition" is the appropriate selection.

**Question:** If one of our workers has been determined to have a work-related COVID-19 illness, what is the appropriate description that should be entered in the "Nature of Injury/Illness" box when we are completing the CAIRS report?

**Answer:** "COVID-19" should be entered in this box.

**Question:** If one of our employees has been determined to have a work-related COVID-19 illness, what is the appropriate code that should be selected under the "Body part injured" box when we are completing the CAIRS report?

**Answer:** The most appropriate code for reporting COVID-19 cases in the "Body part injured" box is: (5001) BODY SYSTEMS.

**Question:** If one of our employees has been determined to have a work-related COVID-19 illness, what is the appropriate code that should be selected under the "Nature of injury" box when we are completing the CAIRS report?

**Answer:** The most appropriate code is: (1044) COVID-19.

**Question:** If one of our employees has been determined to have a work-related COVID-19 illness, what is the appropriate code that should be selected under the “Source” box when we are completing the CAIRS report?

**Answer:** The most appropriate code is: (5403) VIRUS.

**Question:** If one of our employees has been determined to have a work-related COVID-19 illness, what is the appropriate code that should be selected under the “Loss Event Code” box when we are completing the CAIRS report?

**Answer:** The most appropriate code is: (7001) COVID-19.