<<Date>>

The Honorable Loren Sweatt

Principal Deputy Assistant Secretary of Labor Occupational Safety and Health Administration

U.S. Department of Labor

200 Constitution Avenue, NW Washington, DC 20210

Re: OSHA Recordkeeping Requirements per 29 CFR Part 1904 in response to COVID-19 Outbreak

Dear Ms. Sweatt:

I am writing on behalf of <<INSERT COMPANY NAME>> regarding the Occupational Safety and Health Administration’s (“OSHA”) response to the [COVID-19](https://www.osha.gov/SLTC/covid-19/standards.html) outbreak.

<<INSERT COMPANY NAME>> is very concerned with the position taken by OSHA regarding OSHA 300 log recordkeeping requirements with respect to COVID-19 cases. On March 28, 2020, the [Cybersecurity and Infrastructure Security Agency (CISA)](https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce) stated that workers “performing housing construction related activities” and “workers supporting the construction of housing” are deemed to be “Essential Critical Infrastructure Workforce.” COVID-19 is a virus and as such should be treated identically to the common cold virus/flu virus per provisions written in [29 CFR Part 1904.5(b)(2)(viii)](https://www.osha.gov/laws-regs/regulations/standardnumber/1904/1904.5) (i.e., not a recordable illness). The reason to treat COVID-19 in the same manner is because, like the common cold or flu, it is impossible to determine if exposure to COVID-19 is work-related.

<<INSERT COMPANY NAME>> respectfully requests that OSHA reconsider its position in concert with the position taken by the Construction Industry Safety Coalition (CISC), the Structural Building Components Association (SBCA), and the National Framers Council (NFC) in their March 2020 letters to you.

Please carefully reconsider the downstream state and local implementation impact of any change to the OSHA 300 log recordkeeping requirements as they relate to COVID-19. Thank you very much.

Respectfully Yours,

<<INSERT SIGNATURE>>

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cc: The Honorable Eugene Scalia via executivesecretariat@dol.gov

 Scott Ketcham via Ketcham.Scott@dol.gov