OSHA Issues Alert for Retail Pharmacies with Suggestions to Prevent the Spread of COVID-19 in the Workplace

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On May 14, 2020, OSHA issued an "Industry-Specific Alert" for <u>retail pharmacies</u> that provides suggestions employers should implement to prevent the spread of COVID-19. OSHA's Alerts do not have the force of formal regulations, so a failure to implement a specific suggestion cannot automatically serve as a basis for a citation. However, OSHA could use the information in these Alerts to establish that employers know about a hazard in the workplace. Employers that do not implement these specific suggestions could face an OSHA inspection—or citation—for failure to remove a known hazard in the workplace.

Still, the alert generally duplicates recommendations that have previously been suggested by the CDC or already are required under various State Orders. The Alert provides the following suggestions:

Engineering Controls

- Install clear plastic barriers between workers and customers at order/pickup counters.
- Use signage and floor markers to keep waiting customers at least six feet from the counter, other customers, and pharmacy staff.

Administrative Controls

- Encourage workers who are sick to stay at home.
- Encourage drive-through or curbside pickup and home delivery, where feasible.
- Encourage customers to submit prescriptions online or by phone.
- Allow customers to provide their insurance information verbally or virtually (e.g., through mobile apps or the pharmacy's website).

- Specify hours dedicated to vulnerable populations (the elderly, people with underlying health conditions, etc.).
- Increase the use of self-serve checkout to minimize worker interaction with customers.
- Limit the number of customers allowed inside the facility at any point.

Enhanced Cleaning

- Frequently clean and disinfect checkout and customer service counters.
- Provide a place to wash hands and alcohol-based hand rubs containing at least 60 percent alcohol.

Face Masks and PPE

- Allow workers to wear cloth face coverings or surgical masks over their nose and mouth to prevent them from spreading the virus.
- Provide gloves and eye and face protection, as necessary, for workers in the pharmacy.

Pharmacists that work in clinical settings or otherwise provide clinical services to patients likely require additional protections, and OSHA explicitly advises clinical pharmacies to consult OSHA's guidance for healthcare-workers.

Retail pharmacies must also consider relevant state orders, which may implement more stringent requirements and criminal penalties for employers that fail to implement them. As many state orders continue to change (and some expire), OSHA's Alert provides useful minimal requirements that retail pharmacies should consider in order to protect employees, minimize the risk of Covid-19, and avoid a citation.

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