



OSHA NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: 2025-01

SUBJECT: Cancellation of DIR 2021–03 (CPL 03), Revised National Emphasis Program – Coronavirus Disease 2019 (COVID-19)

EFFECTIVE DATE: January 16, 2025

ABSTRACT

- Purpose:** This Notice cancels OSHA Direction DIR 2021–03 (CPL 03), Revised National Emphasis Program – Coronavirus Disease 2019 (COVID-19).
- Scope:** OSHA-wide.
- References:** DIR 2021–03 (CPL 03), Revised National Emphasis Program – Coronavirus Disease 2019 (COVID-19), July 7, 2021.
- Cancellations:** DIR 2021–03 (CPL 03), Revised National Emphasis Program – Coronavirus Disease 2019 (COVID-19), July 7, 2021.
- State Impact:** This Notice describes a Federal Program change for which State Plan adoption is not required.
- Action Offices:** National, Regional, and Area Offices.
- Originating Office:** Directorate of Enforcement Programs.
- Contact:** Directorate of Enforcement Programs
Office of Health Enforcement
200 Constitution Avenue, NW, Room N3119
Washington, DC 20210

By and Under the Authority of

DOUGLAS L. PARKER
Assistant Secretary

Executive Summary

This Notice cancels OSHA Direction DIR 2021–03 (CPL 03), Revised National Emphasis Program – Coronavirus Disease 2019 (COVID-19), July 7, 2021, due to updated public health guidance from the Centers for Disease Control and Prevention and the World Health Organization indicating that the COVID-19 global health emergency has ceased. The cancellation is also based on current OSHA enforcement data showing a consistent decline in complaints and inspections in high-risk workplaces, averaging 4 or fewer, over the past 12 months.

Significant Changes

This Notice cancels OSHA Direction DIR 2021–03 (CPL 03), Revised National Emphasis Program – Coronavirus Disease 2019 (COVID-19), July 7, 2021. Changes are also made to the coding of inspections in the OSHA Information System (OIS).

- I. Purpose. This Notice cancels OSHA Direction DIR 2021–03 (CPL 03), Revised National Emphasis Program – Coronavirus Disease 2019 (COVID-19).
- II. Scope. This Notice applies OSHA-wide.
- III. References.
 - A. DIR 2021–03 (CPL 03), Revised National Emphasis Program – Coronavirus Disease 2019 (COVID-19), July 7, 2021.
 - B. OSHA Trade Release - OSHA extends National Emphasis Program to protect high-risk workers from coronavirus, June 30, 2022.
 - C. OSHA Memorandum, COVID-19 Focused Inspection Initiative in Healthcare, March 2, 2022.
 - D. Federal Register, 86 FR 32376-32628, 29 CFR Part 1910, Occupational Exposure to COVID-19; Emergency Temporary Standard; Interim Final Rule, June 21, 2021.
- IV. Cancellations.
 - A. DIR 2021–03 (CPL 03), Revised National Emphasis Program – Coronavirus Disease 2019 (COVID-19), July 7, 2021.
- V. Action Offices
 - A. Responsible Office. Office of Health Enforcement (OHE), Directorate of Enforcement Programs.
 - B. Action Offices. OSHA National, Regional and Area Offices.
 - C. Information Offices. State Plan Designees.
- VI. Federal Program Change. This Notice describes a Federal Program change for which State Plan adoption is not required.
- VII. Significant Changes. This Notice cancels OSHA Direction DIR 2021–03 (CPL 03), Revised National Emphasis Program – Coronavirus Disease 2019 (COVID-19), July 7, 2021. Changes are also made to the coding of inspections in the OSHA Information System (OIS).
- VIII. Background. On January 31, 2020, the U.S. Department of Health and Human Services declared the novel coronavirus (2019-nCoV or COVID-19) a public health emergency. Approximately one year later, on January 21, 2021, by executive order, the President directed the Secretary of Labor, acting through the Assistant Secretary of Labor for

Occupational Safety and Health, to launch a national program to better focus OSHA enforcement efforts related to COVID-19 on hazardous conditions that put the largest number of workers at serious risk, and on employers that engage in retaliation against employees who complain about unsafe or unhealthful conditions or exercise other rights under the Act.

OSHA issued OSHA Direction, DIR 2021-01 (CPL-03), National Emphasis Program – Coronavirus Disease 2019 (COVID-19), or simply the COVID-19 NEP, on March 12, 2021, to better focus its enforcement efforts nationwide to protect those workers at serious risk. The NEP provided an inspection goal for each Region to continue performing a high percentage (at least 5%) of COVID-19 inspections, as they did during the first year of the pandemic prior to the NEP, in responding to fatalities, complaints, and referrals, amounting to an average of about 5% nationally of federal OSHA's total inspections (programmed and unprogrammed, combined).

On July 7, 2021, OSHA issued a new Direction, updating the COVID-19 NEP to include new enforcement policies under the COVID-19 Emergency Temporary Standard, and to update its targeted industry lists based on enforcement metrics. Additionally, State Plans were also required to adopt an enforcement program at least as effective as this COVID-19 NEP.

To magnify OSHA's presence in high-hazard healthcare facilities OSHA also issued a COVID-19 Focused Inspection Initiative in Healthcare on March 2, 2022, directed at hospitals and skilled nursing care facilities. The three-month initiative supplemented OSHA's targeted enforcement under the COVID-19 NEP, by focusing on follow-up and monitoring inspections of those facilities and only where OSHA had previously conducted inspections or investigations for COVID-19-related hazards.

OSHA announced in a news release on June 30, 2022, that it would extend the COVID-19 NEP, which was set to expire a year after the July 2021 revision, on July 7, 2022. By extending the NEP, OSHA continued to protect high-risk workers from the coronavirus amidst the Centers for Disease Control and Prevention's forecasts that hospitalization rates would increase. OSHA continued to prioritize inspections at workplaces with a higher potential for coronavirus exposures, such as hospitals, assisted living facilities, nursing homes, and other healthcare and emergency response facilities where patients with coronavirus were being treated.

The number of OSHA complaints and inspections in high-risk workplaces has declined over the past 12 months, averaging 4 or fewer. An NEP targeting high-hazard industries is no longer needed. OSHA will therefore cancel the COVID-19 NEP and discontinue conducting programmed inspections, but it will continue to respond to unprogrammed activities related to COVID-19 hazards.

IX. OIS Coding Instructions.

- A. The “COVID-19” NEP OIS Code will no longer be available for federal OSHA inspections.
- B. All unprogrammed activities involving COVID-19 shall be coded “N-16-COVID-19” in the Additional code field.