

# Client Alert: Where is OSHA's COVID-19 ETS? No Where the Ides of March

## Publications

March 18, 2021

On his first full day in office, President Biden issued an Executive Order on *Protecting Worker Health and Safety*, which required OSHA to “consider whether any emergency temporary standards on COVID-19, including with respect to masks in the workplace, are necessary,” and if so, to issue such emergency temporary standards (ETS) by March 15, 2021. Executive Order 13999, § 2(b) (Jan. 21, 2021), 86 FR 7211 (Jan. 26, 2021). An ETS, which skips the initial notice and comment process before it is in effect, can be issued pursuant to Section 6(c) of the OSH Act if OSHA determines that employees are exposed to “grave danger” and that an emergency standard is “necessary” to protect them from the grave danger. 29 USC § 655(c).

To view the full alert, [click here](#).

## Related Capabilities

ESG: Environmental, Social, and Governance

## Related Locations

Chicago

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