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New Mexico Environment Department

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Businesses:

NMED works with all types of businesses in New Mexico to issue permits and licenses for complying with state and federal regulations. We assist businesses to protect the environment, worker safety, and public health. Voluntary assistance programs help businesses to meet and go beyond compliance and also offer leadership recognition.

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Related Web Sites

- [Border 2020](#)
- [Governor Michelle Lujan Grisham](#)
- [New Mexico Department of Health](#)
- [New Mexico Energy, Minerals and Natural Resources Department](#)
- [New Mexico Office of Natural Resources Trustee](#)
- [New Mexico Office of State Engineer](#)
- [New Mexico State Government](#)
- [U.S. Environmental Protection Agency \(Region 6\)](#)

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- [New Mexico Statutes Annotated \(NMSA\)](#)

Federal

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- [Occupational Safety & Health Administration \(OSHA\)](#)
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New Mexico Occupational Health and Safety Bureau COVID-19 Frequently Asked Questions (FAQ)



COVID-19 Occupational Health and Safety FAQ

The following are answers to some of the frequently asked questions that have been received New Mexico OSHA about COVID-19.

Q: What is Coronavirus / COVID-19?

A: According to the Centers for Disease Control (CDC) “CDC is responding to a [pandemic](#) of respiratory disease [spreading](#) from person-to-person caused by a novel (new) [coronavirus](#). The disease has been named “coronavirus disease 2019” (abbreviated “COVID-19”). This situation poses a serious [public health risk](#). The federal government is working closely with state, local, tribal, and territorial partners, as well as public health partners, to [respond](#) to this situation. COVID-19 can cause [mild to severe illness](#); most severe illness occurs in older adults.

More information on how to reduce the risk of exposure to COVID-19 in the workplace is available in OSHA’s [Guidance on Preparing Workplaces for COVID-19](#) The guide is also available in [Spanish here](#).

Q: What is the current Public Health Order (PHO)?

A: On March 23, 2020, New Mexico Department of Health Secretary Kathy Kunkel announced an emergency public health order, calling for the closure of all non-essential businesses and nonprofit entities and also restricting public gatherings to groups of 5 individuals or less. A shelter-in-place like policy has been recommended. Several amendments have been made to the PHO; the most recent PHO can be found [here](#) ([en español](#)).

Q: How can I protect myself and my employees from exposure to COVID-19?

A: According to the New Mexico Department of Health: Just like with many other illnesses, the best way to prevent illness is to avoid being exposed to the virus that causes COVID-19. This requires taking steps to protect yourself and to protect others.

- To protect yourself, clean your hands often and avoid touching your eyes, nose, and mouth with unwashed hands.
- Limit close contact by avoiding other people who are sick and putting distance between yourself and other people.
- Wear a cloth mask when out in public. Learn how to make your own cloth mask [here](#).
- To protect others, stay home if you are sick, cover coughs and sneezes with your elbow and wash your hands regularly. Clean and disinfect frequently touched surfaces daily.
- To help employers determine appropriate precautions, OSHA has divided job tasks into [four risk exposure levels](#): very high, high, medium, and lower risk. Please review the [Guidance on Preparing Workplaces for COVID-19](#) to assess the exposure risk to your employees and actions required to reduce the risk of exposure.

Q: Where can I find information about COVID-19?

A: There are many resources available on the internet that provide information about COVID-19. Unfortunately, there are many sources that do not have reliable information. The following is a list of reliable internet resources:

- [CDC's website on COVID-19](#)
- [NM Dept of Health website on COVID-19](#)
- [OSHA's website on COVID-19](#)
- [NM Occupational Health and Safety Bureau on COVID-19](#)
- [World Health Organization website on COVID-19](#)
- [Johns Hopkins University Coronavirus Resource webpage](#)

Call the Coronavirus Hotline: 1-855-600-3453

Q: What is social distancing and how can it help?

A: [Social distancing protocol](#) requires that individuals maintain at least six-feet of distance from other individuals in an effort to avoid person-to-person contact. The PHO explains that social distancing is the best way New Mexicans can minimize the spread of COVID-19. The PHO mandates that employers implement social distancing protocols for employees and customers.

Q: What is the current list of essential businesses under the PHO?

A: Businesses which provide the following services:

- | | |
|-----------------------------|----------------------|
| • Healthcare/Public Health | • Utilities |
| • Emergency Services | • Shipping |
| • Childcare | • Security |
| • Indigent Care | • Sanitation |
| • Infrastructure Operations | • Legal, Accounting |
| • Food and Agriculture | • Financial Services |
| • Energy | • Media |
| • Manufacture | • Real Estate |
| • Defense Research | • Home-improvement |
| • Transportation | • Funeral Services |

A more exhaustive list can be found [here](#).

Q: What if I'm not sure if my business is essential?

A: The list of essential businesses under the March 23, 2020 Public Health Order is available [here](#). If you are still unsure of the status of your business, please email covid.exemption@state.nm.us. You can also contact New Mexico OSHA at 505-476-8700.

Q: How do I report a business that is not in compliance with the PHO?

A: To report any business that is in violation of the PHO email NMSP.COVID19@state.nm.us or call local law enforcement's non-emergency phone number and provide the following:

- Date and time of the observed violation
- City and County
- Business Name and Address

Q: Do I need to do a hazard assessment for my employees if my business stays open?

A: Yes, COVID-19 exposure risk hazard assessment is critical for businesses that continue to operate during the current COVID-19 pandemic. To help employers determine appropriate precautions, OSHA has divided job tasks into [four risk exposure levels](#): very high, high, medium, and lower risk. Please review the [Guidance on Preparing Workplaces for COVID-19](#) to assess the exposure risk to your employees and for appropriate measures to take to reduce the risk of exposure. A guidance document on preventing worker exposure can be found [here](#) ([en español](#)).

Q: How can I protect my employees that interact with the general public?

A: The New Mexico Occupational Health and Safety Bureau (NM OSHA) has created a list of [employer recommendations](#) to help assist with how to best protect employees during the COVID-19 pandemic.

- Provide a place for employees and visitors to wash their hands and provide hand sanitizer if hand-washing facilities are not available.
- Train employees on handwashing hygiene and cough and sneeze techniques.
- Allow your employees to wear cloth masks.
- Minimize contact by adhering to the six-foot social distancing rule.
- Routinely disinfect surfaces and equipment.
- Encourage workers to stay home or go home if they are sick.

Q: My business is a retail store, how can I protect my employees?

A: Grocery Stores and other high-volume retail settings are categorized by OSHA as [medium risk](#) for transmission of COVID-19.

Medium exposure risk jobs include those that require frequent and/or close contact (within six-feet) with people who may be infected with COVID-19, but who are not known or suspected COVID-19 patients. In areas without ongoing community transmission, workers in this risk group may have frequent contact with travelers who may return from locations with widespread COVID-19 transmission. In areas where there is ongoing community transmission, workers in this category may have contact with the general public (e.g., high-population-density work environments, some high-volume retail settings).

General Measures

- Provide employees and visitors with a place to wash their hands. If soap and running water are not immediately available, provide alcohol-based hand sanitizer containing at least 60% alcohol.
- Encourage workers to stay home if they are sick.
- Encourage respiratory etiquette, including covering coughs and sneezes.
- Provide customers and the public with tissues and trash receptacles.
- Employers should explore whether they can establish policies and practices, such as installing physical barriers and providing flexible work hours (e.g., staggered shifts), to increase the physical distance between individuals.
- Discourage workers from using other workers' phones, desks, offices, or other work tools and equipment, when possible.
- Maintain regular housekeeping practices, including routine cleaning and disinfecting of surfaces and equipment with Environmental Protection Agency (EPA)-approved cleaning chemicals from [List N](#) or that have label claims against the coronavirus

Personal Protective Equipment (PPE)

Employers with medium exposure risk should conduct a PPE assessment. Workers may need to wear some combination of gloves, a gown, a face mask, and/or a face shield or goggles. PPE ensembles for workers in the medium exposure risk category will vary by work task, the results of the employer's hazard assessment and the types of exposures workers have on the job.

Further Recommendations

Click [here](#) for OSHA's Guidance on Preparing Workplaces for COVID-19. Guidance for retail workers can be found [here](#) ([en español](#)). Guidance for package delivery workers can be found [here](#) ([en español](#)).

Q: My business is in healthcare, how can I protect my employees?

A: OSHA and the CDC have interim guidance on protecting healthcare workers that have potential occupational exposure to COVID-19. It is recommended that employers use a combination of standard precautions, contact precautions, airborne precautions, and eye protection to reduce the risk of exposure to COVID-19.

General Measures

Engineering controls are the top line of defense and include physical barriers such as partitions or curtains and the use of airborne infection isolation rooms. Isolating suspected COVID-19 patients and restricting the number of personnel entering the room will also minimize exposure. Always be sure that safe work practices are utilized such as handwashing hygiene, disinfecting procedures and avoid touch contamination. Click [here](#) for further guidance from OSHA.

PPE

Depending on job duties, it is recommended that healthcare workers wear: gowns, gloves, eye/face protection, and masks. Respirators, rated N95 or better, should be worn by anyone working within a six-foot distance of a patient suspected or known to have COVID-19 or those that are performing aerosol-generating procedures. The following links provide more information on OSHA and CDC guidance for respirator use during the pandemic:

- [Temporary Enforcement Guidance on Respiratory Protection Fit-Testing](#)
- [Temporary Enforcement Guidance on Respiratory Protection and N95 Shortages](#)
- [Temporary Enforcement Guidance on Respiratory Protection for Respirators Certified by Other Countries and Jurisdictions](#)
- [Personal Protective Equipment \(PPE\) Donning and Doffing Procedures](#)
- [CDC Recommended Guidance for Extended Respirator Use](#)

Further Recommendations

Click [here](#) for OSHA's Guidance on Preparing Workplaces for COVID-19. The CDC has provided guidance for protecting healthcare workers in facilities where COVID-19 may be present:

- [CDC Interim Guidance for Healthcare Facilities](#)
- [CDC Risk Assessment for Healthcare Providers](#)
- [CDC Strategies to Optimize the Supply of PPE](#)

Q: Should I perform COVID-19 pre-screening at my business?

A: Pre-Screening

Pre-screening has been recommended by the CDC for healthcare facilities. Screen patients and visitors for symptoms of acute respiratory illness (e.g., fever, cough, difficulty breathing) before entering your healthcare facility.

Employees that are exhibiting symptoms of COVID-19, fever, cough, difficulty breathing, should be encouraged to stay home.

COVID-19 Testing

The New Mexico Department of Health is currently reviewing suspected COVID-19 infections in patients throughout the state. Testing will be considered for:

- Patients showing signs of illness but who test negative for more common respiratory illnesses
- Patients hospitalized with a severe respiratory illness, such as pneumonia, without an alternative diagnosis – regardless of travel history, and
- Some specimens from patients around the state with flu symptoms who test negative for influenza.

Healthcare professionals who suspect COVID-19 should immediately notify infection control personnel at their facility and contact the New Mexico Department of Health at: (505) 827-0006.

For more information please visit [New Mexico Department of Health website](#).

Q: What do I do if an OSHA required training expires, will there be an extension?

A: At this time, OSHA is only [temporarily suspending](#) annual fit testing of N95 filtering facepiece respirators to preserve and prioritize the supply of respirators for those situations where their use is required.

- For all other training, the employer should make a good-faith effort to comply with all OSHA standards. It is highly important during this time that employers enforce social distancing of at least six feet during person-to-person interactions when possible. Train employees on handwashing hygiene, sneeze and cough etiquette, and avoid the sharing of personal items between employees. Continue with regular housekeeping and routinely disinfect surfaces to minimize the spread of COVID-19. Follow [OSHA's Guidance on Preparing Workplaces for COVID-19](#) for more information.

Q: What PPE is recommended by the CDC?

A: The type of Personal Protective Equipment (PPE) that the CDC recommends depends on the potential exposure to COVID-19. The CDC recommendations for PPE are available [here](#). These recommendations include:

Respirators

The CDC does not recommend the routine use of respirators outside of workplace settings (in the community). Most often, the [spread](#) of respiratory viruses from person-to-person happens among [close contacts](#) (within six feet). The CDC recommends everyday preventive actions to prevent the spread of respiratory viruses, such as avoiding people who are sick, avoiding touching your eyes or nose, and covering your cough or sneeze with a tissue. People who are sick should [stay home](#) and not go into crowded public places or visit people in hospitals. Workers who are sick should follow CDC guidelines and [stay home when they are sick](#).

The role of facemasks is for patient source control, to prevent contamination of the surrounding area when a person coughs or sneezes. Patients with confirmed or suspected COVID-19 should wear a facemask until they are isolated in a hospital or at home. The patient does not need to wear a facemask while isolated. The CDC is recommending that people wear [cloth facemasks](#) while out in public.

Gloves

Nonsterile disposable patient examination gloves, which are used for routine patient care in healthcare settings, are appropriate for the care of patients with suspected or confirmed COVID-19.

General PPE

Additional PPE such as gowns, face shields, goggles, or other physical barriers may be required to reduce the risk of exposure to COVID-19. Each work process must be assessed, and appropriate measures taken to reduce the risk of exposure to COVID-19. To help employers determine appropriate precautions, OSHA has divided job tasks into four risk exposure levels: very high, high, medium, and lower risk. Please review the [Guidance on Preparing Workplaces for COVID-19](#) to assess the exposure risk to your employees and for appropriate PPE required to reduce the risk of exposure.

Additional resources available to help assess the COVID-19 exposure risk are linked below:

- [CDC Guidance on Risk Assessment](#)
- [CDC Steps to Prepare Healthcare Facilities](#)
- [CDC Resources for Business and Employers](#)

Q: If I work with the general public, what can I do to protect myself from potential exposure to COVID-19?

A: For businesses that are listed as essential and are therefore able to remain open to the public, each job process must be assessed to determine the risk of exposure to COVID-19. The following recommendations will help provide anyone working with the public during the COVID-19 pandemic reduce their risk of exposure. Please also review [OSHA's Guidance on Preparing Workplaces for COVID-19](#) to assess exposure risk.

- Frequently [wash your hands](#) with soap and water for at least 20 seconds or use hand sanitizer that contains at least 60% alcohol.
- Avoid touching your eyes, nose, mouth or any other part of your face without washing your hands first.
- Stay home if you feel sick.
- Practice [coughing and sneezing etiquette](#).
- Disinfect your working area routinely.
- Wear a [cloth facemask](#).
- Maintain, to the extent possible, a six-foot distance from co-workers and customers.
- Wear any [personal protective equipment](#) required by your employer.

Q: If I work in a healthcare setting, what can I do to protect myself from potential exposure to COVID-19?

A: Within the healthcare setting there are different risks associated with different modalities and processes. Each process must be assessed, and appropriate measures taken to reduce the risk of exposure to COVID-19. To help employers determine appropriate precautions, OSHA has divided job tasks into [four risk exposure levels](#): very high, high, medium, and lower risk. Please review the [Guidance on Preparing Workplaces for COVID-19](#) to assess the exposure risk to your employees and for appropriate PPE required to reduce the risk of exposure.

Additional resources available to help assess the COVID-19 exposure risk are linked below:

- [CDC Risk Assessment for Healthcare Providers](#)
- [CDC Training for Healthcare Professionals](#)
- [CDC Strategies to Optimize the Supply of PPE](#)
- [CDC Steps to Prepare Healthcare Facilities](#)

Q: Are there any job-specific PPE requirements?

A: Those workers that fall into the [high or very high risk](#) category should wear a gown, gloves, face shield or goggles and a face mask or respirator. Those in the very high risk category or those performing aerosol-generating procedures should wear a NIOSH approved respirator rated N95 or better.

Employers should complete a [risk hazard assessment](#) to determine which PPE will best protect their employees during the COVID-19 outbreak. Engineering controls, administrative controls and safe-work practices should be used to the greatest extent possible before relying on PPE.

Q: There is a current shortage of commonly used PPE. What can I do if I don't have the correct PPE to do my job?

A: To help reduce the demand for PPE due to shortages, employees should only use PPE that is required based on the level of risk of exposure. To help employers determine appropriate precautions, OSHA has divided job tasks into [four risk exposure levels](#): very high, high, medium, and lower risk. Please review the [Guidance on Preparing Workplaces for COVID-19](#) to assess the exposure risk to your employees and for appropriate PPE required to reduce the risk of exposure.

Additional guidance on preserving available PPE is available through the CDC's [Strategies to Optimize the Supply of PPE and Equipment](#).

Your employer is responsible for conducting a risk assessment and providing appropriate PPE based on the risk of exposure. If appropriate PPE is unavailable, your employer must take appropriate steps through administrative or engineering controls to reduce the risk. If you feel that your employer has not taken these steps, you can notify New Mexico OSHA at (505) 476-8700.

Q: Can I reuse a N95 filtering facepiece respirator (FFR, dust mask rated N95 by NIOSH)?

A: Yes, you can [reuse](#) a N95 FFR providing that you allow for more than 72 hours between each use of the FFR. [Extended use practices](#) should be considered before reuse. [Decontamination and reuse](#) should only be practiced in a crisis capacity strategy. The CDC and NIOSH do not recommend decontamination and subsequent reuse unless an FFR shortage exists.

Q: Do I need a fit test to wear a N95 respirator?

A: The OSHA standard 29 CFR 1910.134 requires annual fit testing for respiratory protection. In recognition of shortages of respiratory protection during the COVID-19 pandemic OSHA has issued temporary guidance for respiratory protection. That temporary guidance is available [here](#).

Make a good-faith effort to comply with 29 CFR 1910.134;

- Use only NIOSH-certified respirators;
- Implement CDC and OSHA strategies for optimizing the supply of N95 filtering facepiece respirators and prioritizing their use, as discussed above.
- Perform initial fit tests for each employee with the same or similar model, style, and size respirator that the worker will be required to wear for protection against COVID-19 (initial fit testing is essential to determine if the respirator properly fits the worker and can provide the expected level of protection);
- Inform workers that the employer is temporarily suspending the annual fit testing of N95 filtering facepiece respirators to preserve and prioritize the supply of respirators for use in situations where they are required to be worn;

- Explain to workers the importance of performing a user seal check (i.e., a fit check) at each donning to make sure they are getting an adequate seal from their respirator, in accordance with the procedures outlined in 29 CFR § 1910.134, Appendix B-1, [User Seal Check Procedures.4](#) See also, OSHA tutorial videos ([English](#), [Spanish](#)).5
- Conduct a fit test if they observe visual changes in the employee's physical condition that could affect respirator fit (e.g., facial scarring, dental changes, cosmetic surgery, or obvious changes in body weight) and explain to workers that, if their face shape has changed since their last fit test, they may no longer be getting a good facial seal with the respirator and, thus, are not being adequately protected; and,
- Remind workers that they should inform their supervisor or their respirator program administrator if the integrity and/or fit of their N95 filtering facepiece respirator is compromised.

Q: Can I use expired PPE?

A: Depending on the job duties being performed, [expired PPE](#) can be used. Components of PPE could degrade over time, limiting the effectiveness of the PPE. Considerations of job duties should be taken when using expired PPE. Those that are working in a very high risk category or those performing aerosol-generating procedures should not use expired PPE.

Due to the N95 respirator shortage that many facilities are experiencing, OSHA has developed guidance for the [use of other NIOSH approved respirators](#) with equal or greater protection compared to N95 respirators. OSHA has also developed guidance for use of respirators [certified by other countries and jurisdictions](#).

Q: When should I use hand sanitizer?

A: The [CDC recommends](#) the use of a hand sanitizer with an alcohol content of 60% or more when handwashing with soap and water is unavailable. The CDC guidance on when to wash your hands includes:

- Before, during, and after preparing food
- Before eating food
- Before and after caring for someone who is sick
- Before and after treating a cut or wound
- After using the bathroom, changing diapers, or cleaning up a child who has used the bathroom
- After blowing your nose, coughing, or sneezing
- After touching an animal, animal food or treats, animal cages, or animal waste
- After touching garbage
- If your hands are visibly dirty or greasy

Q: Can I use expired hand sanitizer?

A: The FDA currently has no data on the [effectiveness of expired hand sanitizer](#). The alcohol within the hand sanitizer may evaporate over time, reducing its effectiveness. It is recommended to use non-expired hand sanitizer if hand washing facilities are not available.

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