



Respirator Use – Alternatives during the COVID-19 Pandemic

With a focus on respirator use and the shortage of N95 type respirators, alternatives to using respirators is an on-going discussion among safety and health personnel. Federal OSHA has issued two separate enforcement memoranda related to the use of respirators.

The first [memoranda](#) gives employers relief to extend the use of National Institute for Occupational Safety and Health (NIOSH)-approved respirators and to permit the reuse of them. The second [memoranda](#) allows employers in certain circumstances to use respirators approved by another country, where NIOSH-approved respirators are not available. These directives are “time-limited to the current public health crisis.”

Use of Expired Respirators and Respirator Reuse

On a limited basis, OSHA permits the extended use and reuse of NIOSH-approved N95 filtering facepiece respirators (FFRs) with an expired shelf life. OSHA states that when alternative respirators are not available, or where their use creates additional safety or health hazards, employers *may* consider the extended use or reuse of N95 FFRs but have since passed the manufacturer’s recommended shelf life.

To that end, OSHA provides the following guidance to employers:

- All employers whose employees are required to use or are permitted to use respiratory protection, must continue to manage their respiratory protection programs in accordance with the OSHA respirator standard.
- All employers should reassess their engineering controls, work practices, and administrative controls to identify any changes they can make to *decrease* the need for N95 FFRs. OSHA does not explain in the memorandum how this assessment differs from an employer’s previous obligations to implement *all* feasible engineering and work-practice controls *before* using respirators. OSHA states that in “some instances, an employer may also consider taking steps to temporarily suspend certain non-essential operations.”
- If respiratory protection *must* be used, employers should consider alternative types of respirators that provide equal or greater protection compared to an N95 FFR.

In the memorandum, OSHA inspectors are specifically directed as follows for “all employers”.

All employers:

Extended use or reuse of N95s – If extended use or reuse of N95 FFRs becomes necessary, the same employee is permitted to extend use of or reuse the respirator, as long as the respirator maintains its structural and functional integrity and the filter material is not physically damaged, soiled, or contaminated. Employers must also address this in their written respiratory protection program and train employees on the procedures.

Use of expired N95s – If N95s are not available and the employer has shown a good-faith effort to acquire the respirators or to use alternative options, CSHOs are instructed to exercise enforcement discretion for the use of N95 FFRs beyond the manufacturer’s recommended shelf life. OSHA notes, however, that employers may use only previously NIOSH-certified expired N95 FFRs.

Use of non-NIOSH Approved Respirators

In the second enforcement memorandum, OSHA permits the use of non-NIOSH approved respirators. OSHA’s respiratory protection standard requires that any respirator required or permitted to be used be approved by NIOSH. As a result of the COVID-19 outbreak, however, OSHA is relaxing those requirements. Specifically, as explained in the second memorandum, OSHA is permitting the use of FFRs and air-purifying elastomeric respirators that are either:

- Certified under certain standards of other countries; or
- Previously certified under the standards of other countries but beyond their manufacturer’s recommended shelf life. This option is available only if equipment certified under standards of other countries is not available.

The enforcement memorandum lists those respirators that OSHA deems acceptable but provides that respirators certified by the Peoples Republic of China be used only *after* respirators from other countries are sought. OSHA states that all employers should prioritize the acquisition and use of equipment in the following order:

1. NIOSH-certified equipment.
2. Equipment certified in accordance with standards of other countries or jurisdictions except the People’s Republic of China, unless equipment certified in accordance with standards of the People’s Republic of China is manufactured by a NIOSH certificate holder.
3. Equipment certified in accordance with standards of the People’s Republic of China, the manufacturer of which is not a NIOSH certificate holder.
4. Facemasks (e.g., medical masks, procedure masks).

Employers may only acquire and use non-NIOSH-certified respirators *after* they have exhausted their supply of NIOSH-approved respirators, including those that are beyond their shelf life.

When using non-NIOSH-approved respirators, all employers are expected to follow the same basic general respiratory protection program and training requirements.

Employers should carefully review the OSHA guidance and adjust their respiratory protection practices accordingly.