

Cal/OSHA Emergency Regulations Quick Reference Guide

Disclaimer: This reference guide should not be taken as legal advice. Statutes and regulations change frequently.

You should consult with an attorney for advice as to your particular case(s).

Case law is constantly changing, as are statutes and regulations.

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Key Terms & Definitions per Cal/OSHA Emergency Regulations (Temporary amendments to LC 3205)

COVID-19 Case (a person)

A person who:

1. Has a positive "COVID-19 test"
2. Is subject to COVID-19 related order to isolate issued by a local or state health official; or
3. Has died due to COVID-19, in the determination of a local health department or per inclusion in the COVID-19 statistics of a county

A person is no longer a "COVID-19 case" when a licensed health care professional determines that the person does not have COVID-19, in accordance with CDPH recommendations or local health department.

COVID-19 Hazard

Exposure to potentially infectious material that may contain COVID-19 including:

- Airborne droplets and their nuclei**
- small particle aerosols

**...most commonly result from a person or persons exhaling, talking or vocalizing, coughing, sneezing or procedures performed on person which may aerosolize saliva or respiratory tract fluids, among other things. This includes objects or surfaces that may be contaminated with COVID-19

COVID-19 Symptoms

Employers should pay attention to the following complaints and conditions, which are identified as symptoms of COVID-19** per the Cal/OSHA emergency regulations:

- Fever of 100.4 degrees or higher
- Chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

**Unless a licensed health care professional determines the person's symptoms were caused by a known condition other than COVID-19

COVID-19 Test

COVID-19 Test

A viral test for COVID-19 that is:

1. Approved by the US FDA or has an Emergency Use Authorization from the FDA to diagnose current infection with the COVID-19; and
2. Administered in accordance with the FDA approval or the FDA Emergency Use Authorization as applicable

Exposed Workplace

LC 3205, Subdivision (b)

Any work location, working area or common area at work used or accessed by a COVID-19 case during the high-risk period

Includes bathrooms, walkways, hallways, aisles, break or eating areas and waiting areas

It does not include buildings or facilities not entered by a COVID-19 case

Effective 1/01/21 per AB 685 this also includes but is not limited to the "worksite" of the COVID-19 case as defined by LC 6409.6(d)(5)

High-Risk Exposure Period - Defined

LC 3205, Subdivision (b) means the following time period:

1. For persons who developed symptoms:
From 2 days before they first develop symptoms until 10 days after symptoms first appeared, and 24 hours have passed with no fever, without use of fever-reducing medications, and Symptoms have improved; or
2. For persons who test positive who never develop COVID-19 symptoms: From 2 days before until 10 days after the specimen for their first positive test for COVID-19 was collected

COVID-19 PREVENTION PROGRAM LC 3205, Subdivision (c)

WRITTEN ELEMENTS

Employers shall establish, implement and maintain an effective written COVID-19 Prevention Plan.

- Can be integrated into IIPP, or it can be maintained in a separate document
- Written elements shall include:
 1. System for communicating in a form readily understandable by employees:
 - (A) Ask employees to report to the employer, without fear of reprisal: COVID-19 symptoms, possible COVID-19 exposures, and possible COVID-19 hazards at the workplace
 - (B) Describe procedures or policies for accommodating employees with medical or other conditions that put them at increased risk of severe COVID-19 illness
 - (C) Provide information about access to COVID-19 testing.**

WRITTEN ELEMENTS (cont'd)

(D) Communicate information about COVID-19 hazards and the employer's COVID-19 policies and procedures to employees and to other employers, persons and entities within or in contact with the employer's workplace (in accordance with subsection (c)(3)(B)3.

**If testing is required under this section, the employer shall inform affected employees of the reason for the COVID-19 testing and the possible consequences of a positive test.

IDENTIFICATION & EVALUATION OF HAZARDS

Employers shall establish, implement and maintain an effective written COVID-19 Prevention Plan. It must include, among other things, Identification and evaluation of COVID-19 hazards.

A) Employer shall allow for employee and authorized employee representative participation in the identification and evaluation of COVID-19 hazards

INVESTIGATING & RESPONDING TO COVID-19 IN THE WORKPLACE

Employers shall establish, implement and maintain an effective written COVID-19 Prevention Plan. It must include, among other things, effective procedures for investigating and responding to COVID-19 in the workplace.

Investigating

A) Employers shall have an effective procedure to investigate COVID-19 cases in the workplace. This includes:

- procedures for verifying COVID-19 case status
- receiving information regarding COVID-19 test results and onset of COVID-19 symptoms, and
- identifying and recording COVID-19 cases

Responding

B) Employer shall take the following actions when there has been a COVID-19 case at the place of employment:

1. Determine the day and time the COVID-19 case was last present and the date of the positive test(s) and/or diagnosis, and date case first had one or more symptoms;

**INVESTIGATING &
RESPONDING TO COVID-19 IN
THE WORKPLACE
(cont'd)**

2. Determine who may have had an exposure: This requires evaluation of activities of the COVID-19 case and all locations at the workplace which may have been visited by the COVID case during the high-risk exposure period. (defined above). * See subsection (c)(10) for exclusion requirements for employees with COVID exposure;
3. Give notice of the potential COVID exposure, within one business day, in a way that does not reveal any personal identifying information, to the employees who may have had exposure and their authorized representatives, and independent contractors and other employers present at the workplace during the high-risk exposure period;
4. Offer COVID-19 testing at no cost to employees during their working hours all employees who had potential exposure in the workplace and provide them with information on benefits (described in subsections (c)(5)(B) and (c)(10)(C));
5. Investigate whether any workplace conditions could have contributed to the risk of exposure and what could be done to reduce exposure.

C) Personal identifying information of COVID cases or person with COVID symptoms shall be kept confidential. All COVID testing or related medical services provided by the employer shall be provided in a manner that ensures the confidentiality of employees. EXCEPTION: Unredacted information shall be provided to the local health department, CDPH, the Division, NIOSH, or otherwise required by law immediately upon request.

D) Employer shall ensure all employee medical records required are kept confidential and are not disclosed or reported without the employee's express written consent to any person within or outside the workplace

- EXCEPTION 1: Unredacted medical records shall be provided to the local health department, CDPH, the Division, NIOSH or as otherwise required by law immediately upon request.
- EXCEPTION 2: This does not apply to records that do not contain individually identifiable medical information or from which individually identifiable medical information has been removed.

CORRECTION OF HAZARDS

Employers shall establish, implement and maintain an effective written COVID-19 Prevention Plan. It must include, among other things, effective procedures for correction of hazards related to COVID-19.

4) Employers shall implement effective policies and/or procedures for correcting unsafe or unhealthy conditions, work practices, policies and procedures in a timely manner based on the severity of the hazard.

This includes but is not limited to implementing controls and/or policies and procedures in response to the evaluations conducted under subsections (c)(2) and (c)(3) and implementing the controls required by subsection (c)(6) thru (c)(8).

TRAINING & INSTRUCTION TO PROTECT AGAINST COVID-19 HAZARDS

Employers shall establish, implement and maintain an effective written COVID-19 Prevention Plan. It must include, among other things, effective training and instruction to protect against and inform employees of hazards related to COVID-19 at the workplace.

5) Employer shall provide effective training and instruction to employees that includes the following:

A) Employer's COVID-19 policies and procedures to protect employees from COVID hazards

B) Information regarding COVID-related benefits the employee may be entitled to under applicable federal, state or local laws

This includes any benefits available under WC law, federal FFCRA, LC 248.1 and 248.5, LC 3212.86 thru 3212.88, local governmental requirements, employer's own leave policies and leave guaranteed by contract

C) The fact that COVID is an infectious disease that can spread through the air when an infectious person talks or vocalizes, sneezes, coughs, or exhales; that COVID may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth, although that is less common; and that an infectious person may have no symptoms

**TRAINING & INSTRUCTION
TO PROTECT AGAINST
COVID-19 HAZARDS
(cont'd)**

D) Methods of physical distancing of at least 6 feet and the importance of physical distancing with the wearing of face coverings

E) The fact that particles containing the virus can travel more than 6 feet, especially indoors, so physical distancing must be comingled with other controls, including face coverings and hand hygiene, to be effective

F) Importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled

G) Proper use of face coverings and the fact that face coverings are not respiratory protective equipment

H) COVID-19 symptoms, and the importance of not coming to work and obtaining a COVID test if the employee has COVID symptoms

PHYSICAL DISTANCING

Employers shall establish, implement and maintain an effective written COVID-19 Prevention Plan. It must include, among other things, a plan for physical distancing at the workplace.

6) A) All employees shall be separated from other persons by at least six feet, except where employer can demonstrate this is not possible or momentary while persons are in movement.

- Methods of distancing include:
- Telework or other remote work arrangements
- Reducing number of persons in an area at one time, including visitors
- Visual cues (eg signs and floor markings to indicate where persons should be located or direction and path of travel)
- Staggered arrival, departure, work and break times
- Adjusted work processes or procedures (eg reducing production speed to allow for distancing)

B) When six feet is not possible, individuals shall be as far apart as possible.

FACE COVERINGS

Employers shall establish, implement and maintain an effective written COVID-19 Prevention Plan. It must include, among other things, policies related to wearing face coverings at the workplace.

**Note special rules for residents of employer-provided housing.

=7) A) Employers shall provide face coverings and ensure they are worn by employees over the nose and mouth when indoors, when outdoors and less than six feet distancing, and where required by CDPH or local health department orders; Employers shall ensure face coverings are clean and undamaged; Face shields are not a replacement for face coverings, but can be worn together for additional protection

EXCEPTIONS TO FACE COVERINGS:

1. When employee is alone in a room
2. While eating and drinking at the workplace, provided employees are at least six feet apart and outside air supply to the area, if indoors, has been maximized to the extent possible
3. Employees wearing respiratory protection in accordance with section 5144 or other Title 8 safety orders
4. Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person
5. Specific tasks which cannot feasibly be performed with a face covering. Exception is limited to the time period for the task being performed, and unmasked person shall be at least six feet away from others unless unmasked employees are tested at least twice weekly for COVID-19

B) Employees exempted from wearing face coverings shall wear an effective non-restrictive alternative (eg face shield with a drape on the bottom)

C) Any employee not wearing a face covering, face shield or other PPE, shall be at least six feet apart from all other persons unless tested twice weekly. Employers may not use testing as an alternative to face coverings.

FACE COVERINGS (cont'd)

D) No employer shall prevent an employee from wearing a face covering when not required, unless it would create a safety hazard (eg interfering with safe operation of equipment).

E) Employers shall implement measures to communicate to non-employees the face covering requirements on their premises.

F) Employer shall develop policies and procedures to minimize employee exposure to COVID hazards originating from any person not wearing a face covering, including a member of the public.

OTHER CONTROLS & PPE

Employers shall establish, implement and maintain an effective written COVID-19 Prevention Plan. It must include, among other things, the following other controls and provisions related to PPE.

8) Other engineering controls, administrative controls and personal protective equipment

A) At fixed work locations where distancing is not possible, employer shall install cleanable solid partitions that effectively reduce aerosol transmission between employees and other persons

B) Buildings with mechanical or natural ventilation, or both, shall maximize the quantity of outside air, except when EPA Air Quality Index is greater than 100 for any pollutant or if opening windows or letting in outdoor air by other means would cause a hazard to employees (eg excessive heat or cold)

C) Employers shall implement cleaning and disinfecting procedures, which require:

1. Identifying and regularly cleaning and disinfecting frequently touched surfaces and objects (eg doorknobs, elevator buttons, equipment, tools, handrails, handles, controls, bathroom surfaces, steering wheels). Employer shall notify employees and authorized representatives of protocols, including planned frequency and scope of regular cleaning and disinfection.

OTHER CONTROLS & PPE (cont'd)

2. Prohibits sharing of PPE and items that employees come in regular physical contact with (eg phones, headsets, desks, keyboards, writing materials, instruments, tools). When not possible to not share, all items shall be disinfected between uses by different people. Sharing of vehicles shall be minimized and high touch points (steering wheel, door handles, seatbelt buckles, armrests, shifter) shall be disinfected between users.
3. Cleaning and disinfection of areas, material and equipment's used by a COVID case during the high-risk exposure period.

D) Employer shall evaluate handwashing facilities, determine need for additional facilities, encourage and allow time for employee handwashing, and provide employees with effective hand sanitizer (use of methyl alcohol is prohibited).

E) PPE (PERSONAL PROTECTIVE EQUIPMENT)

1. Evaluate the need for PPE to prevent exposure to COVID hazards (such as gloves, goggles, and face shields) and provide PPE as needed;
2. Evaluate the need for respiratory protection in accordance with section 5144 when distancing not feasible;
3. Provide and ensure use of respirators in accordance with section 5144 when deemed necessary by the Division.

REPORTING, RECORDKEEPING & ACCESS

Employers shall establish, implement and maintain an effective written COVID-19 Prevention Plan. It must include, among other things, effective procedures for reporting, recordkeeping, and for making records accessible when required.

9) A) Employer shall report information about COVID cases in the workplace to the local health department whenever required by law, along with any related information requested by local health department

B) Employer shall report immediately to the Division any COVID related serious illnesses or death (as defined in section 330(h)) of an employee occurring in a place of employment or in connection with any employment

**REPORTING,
RECORDKEEPING & ACCESS
(cont'd)**

C) Employer shall maintain records of the steps taken to implement the written COVID Prevention Program

D) Written COVID Prevention Program shall be made available at the workplace to employees, authorized employee representatives, and to the Division immediately upon request

E) Employer shall keep a record of and track all COVID cases to include:

- Employee's name
- Contact information
- Occupation
- Location where the employee worked
- Date of the last day at the workplace
- Date of a positive COVID test
- Medical information shall be kept confidential
- Information shall be made available to employees, representatives or otherwise required by law, with personal identifying information removed

**EXCLUSION OF COVID-19
CASES (PERSON INFECTED)
FROM THE WORKPLACE**

Employers shall establish, implement and maintain an effective written COVID-19 Prevention Plan. It must include, among other things, effective policies related to keeping COVID-19 Cases (persons infected) out of the workplace.

10) Purpose is to limit transmission of COVID in the workplace

A) Employers shall ensure COVID cases are excluded from the workplace until the return to work requirements of subsection (c)(11) are met

B) Employer shall exclude employees with COVID exposure from the workplace for 14 days after the last known COVID exposure to a COVID case

C) Employees excluded from work under (c)(10) and otherwise able and available to work, employers shall continue and maintain an employee's earnings, seniority and other employee rights and benefits. Employers may use employer-provided employee sick leave benefits for this purpose and consider benefit payments from public sources in determining how to maintain earnings, rights and benefits, where permitted by law and when not covered by workers' compensation.

**EXCLUSION OF COVID-19
CASES (PERSON INFECTED)
FROM THE WORKPLACE
(cont'd)**

Exception: Does not apply to any period of time where the employee is unable to work for reasons other than protecting persons at the workplace from possible COVID transmission

Exception: Does not apply where employer demonstrates the COVID exposure is not work related

D) Does not limit any other applicable law, employer policy or collective bargaining agreement that provides for greater protections

E) At time of exclusion from the workplace, employer shall provide the employee information on benefits described in (c)(5)(B) and (c)(10)(C)

Exception to (c)(10): Employees who have not been excluded or isolated by local health department need not be excluded by the employer, if they are temporarily reassigned to work where they do not have contact with other persons until the return to work requirements of (c)(11) are met.

RETURN TO WORK CRITERIA

***Symptomatic vs
Asymptomatic**

***May not require a negative
COVID-19 test**

Employers shall establish, implement and maintain an effective written COVID-19 Prevention Plan. It must include, among other things, policies and procedures related to returning a COVID-19 Case to work. Note: the standard is different depending on whether the person was symptomatic or asymptomatic.

11) Return to work criteria

A) COVID-19 Cases with COVID symptoms shall not return to work until:

- 1) At least 24 hours have passed since a fever of 100.4 or higher has resolved without use of fever-reducing medications; and
- 2) COVID symptoms have improved; and
- 3) At least 10 days have passed since COVID symptoms first appeared.

B) COVID Cases who tested positive but never developed COVID symptoms, shall not return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID test.

**RETURN TO WORK CRITERIA
(cont'd)**

C) A negative COVID test shall not be required for an employee to return to work.

D) If an order to isolate or quarantine is issued by a local or state health official, the employee shall not return to work until the period of isolation or quarantine is completed or the order is lifted. If no period was specified, then the period shall be 10 days from the time the order to isolate was effective, or 14 days from the time the order to quarantine was effective

E) If there are no violations of local or state health officer orders, the Division may, upon request, allow employees to return to work on the basis that the removal of an employee would create undue risk to a community's health and safety. In such cases, the employer shall develop, implement and maintain effective control measures to prevent transmission in the workplace including providing isolation for the employee at the workplace, and if isolation is not possible, the use of respiratory protection in the workplace

**Multiple COVID-19 Infections & Outbreaks
(LC 3205.1)**

SCOPE

-
1. Applies to a place of employment if a local health department has identified the location of a COVID outbreak or when there are 3 or more COVID cases in an exposed workplace within a 14 day period
 2. Applies until there are no new COVID cases detected in a workplace for a 14 day period

**COVID-19 TESTING
(DURING OUTBREAK;
MULTIPLE CASES)**

b) COVID-19 testing

1. Employer shall provide COVID testing to all employees at the exposed workplace except for employees who were not present during the period of an outbreak.

COVID testing shall be provided at no cost to employees during employees' working hours. (following an outbreak; multiple cases)

2. COVID testing shall consist of the following:

A) Immediately, all employees in the exposed workplace shall be tested and then tested again one week later. Negative COVID test results of employees with a COVID exposure shall not impact the duration of any quarantine period required by or orders issued by, the local health department.

B) After the first two COVID tests required, employers shall provide continuous COVID testing of employees who remain at the workplace at least once per week, or more frequently if recommended by the local health department, until this section no longer applies (eg no new COVID cases detected for a 14 day period)

C) Employers shall provide additional testing when deemed necessary by the Division through the Issuance of Order to Take Special Action

**EXCLUSIONS OF COVID-19
CASES (PERSONS INFECTED)
FROM THE WORKPLACE**

c) Employers shall ensure COVID cases and employees who had COVID exposure are excluded from the workplace (see LC 3205(c)(10) and (c)(11))

**INVESTIGATION OF
WORKPLACE COVID-19
ILLNESS
(DURING OUTBREAK;
MULTIPLE CASES)**

d) Employer shall immediately investigate and determine possible workplace related factors that contributed to the outbreak

**INVESTIGATION, REVIEW &
HAZARD CORRECTION
(DURING OUTBREAK;
MULTIPLE CASES)**

e) Employer shall immediately perform a review of potentially relevant COVID policies, procedures, and controls and implement changes as needed to prevent further spread of COVID. The investigation and review shall be documented and include:

1. Investigation of new or unabated COVID hazards including the employer's leave policies and practices and whether employees are discouraged from remaining home when sick; the employer's COVID testing policies; insufficient outdoor air; insufficient air filtration; and lack of physical distancing
2. The review shall be updated every 30 days that the outbreak continues, in response to new information or to new or previously unrecognized COVID hazards, or when otherwise necessary
3. Employer shall implement changes to reduce the transmission based on the investigation and review required. Employer shall consider moving indoor tasks outdoors or having them performed remotely, increasing outdoor air supply when work is done indoors, improving air filtration, increasing physical distancing as much as possible, respiratory protection, and other applicable controls

**COVID-19 NOTIFICATIONS
DURING OUTBREAKS**

***To Local Health Department
w/in 48 hours**

f) Notifications to local health department

1. Employer shall contact local health department immediately, but no longer than 48 hours after the employer knows, or with diligent inquiry would have known, of 3 or more COVID cases for guidance on preventing the further spread of COVID within the workplace.
2. Employer shall provide the total number of COVID cases, and for each COVID case, include:
 - Employee's Name and contact information
 - Occupation
 - Workplace location
 - Business address
 - Hospitalization and/or fatality status
 - NAICS code
 - Any other information requested
 - Employer shall continue to give notice to local health department of any subsequent cases at the workplace

**COVID-19 NOTIFICATIONS
DURING OUTBREAKS
(cont'd)**

3. Effective 1/01/21, employer shall provide all information to the local health department required by LC Section 6409.6 (aka AB 685).

**Multiple COVID-19 Infections & Outbreaks
(LC 3205.2)**

SCOPE

a) Scope

1. Applies to a place of employment when there are 20 or more COVID cases in an exposed workplace within a 30 day period
2. Applies until there are no new COVID cases detected in a workplace for a 14 day period

COVID-19 TESTING

b) COVID-19 testing

1. Employer shall provide COVID testing twice a week to all employees at the exposed workplace during the relevant 30 day period(s) and who remain at the workplace.

**EXCLUSION OF "COVID-19
CASES" (INFECTED PERSON)
FROM THE WORKPLACE**

- c) Employers shall ensure COVID cases and employees who had COVID exposure are excluded from the workplace (see LC 3205(c)(10) and (c)(11))

**INVESTIGATION OF
WORKPLACE COVID-19
ILLNESS**

- d) Employer shall comply with requirements of subsection 3205(c)(3) (see main section regarding investigating and responding to COVID cases in the workplace)

**INVESTIGATION (MAJOR
OUTBREAKS)**

- d) Employer shall comply with requirements of subsection 3205(c)(3) re: investigating and responding to COVID-19 Cases in the workplace.

HAZARD CORRECTION

e) In addition to 3205(c)(4) requirements, employer shall take the following actions:

1. In buildings or structures with mechanical ventilation, employers shall filter recirculated air with Minimum Efficiency Reporting Value 13 or higher efficiency filters if compatible with ventilation system.
If MERV-13 or higher filters are not compatible, employers shall use filters with the highest compatible filtering efficiency.
Employers shall also evaluate whether portable or mounted HEPA filtration units, or other air cleaning systems would reduce the risk of transmission and shall implement their use to the degree feasible
2. Employer shall determine the need for a respiratory protection program or changes to an existing one under section 5144 to address hazards
3. Employer shall evaluate whether to halt some or all operations at the workplace until COVID hazards have been corrected
4. Any other control measure deemed necessary by the Division

NOTIFICATION *TO LOCAL PUBLIC HEALTH DEPT.

***W/IN 48 HOURS OF
KNOWLEDGE**

f) Notifications to local health department

1. Employer shall contact local health department immediately, but no longer than 48 hours after the employer knows, or with diligent inquiry would have known, of 3 or more COVID cases for guidance on preventing the further spread of COVID within the workplace
2. Employer shall provide the total number of COVID cases, and for each COVID case, including:
 - Employee's Name
 - Contact information
 - Occupation
 - Workplace location
 - Business address
 - Hospitalization and/or fatality status
 - NAICS code
 - Any other information requested
 Employer shall continue to give notice to local public health department of any subsequent cases at the workplace
3. Effective January 1, 2021, employer shall provide all information to the local public health department required by LC Section 6409.6 (aka AB 685)

NOTIFICATION (cont'd)

Employer shall continue to give notice to local public health department of any subsequent cases at the workplace

3. Effective January 1, 2021, employer shall provide all information to the local public health department required by LC Section 6409.6 (aka AB 685)

COVID-19 Prevention in Employer-Provided Housing (L.C. 3205.3)

SCOPE & DEFINITIONS

a) Employer-provided housing is any place or area of land, any portion of any housing accommodation, or property upon which a housing accommodation is located, consisting of:

- Living quarters
- Dwelling
- Boardinghouse
- Tent
- Bunkhouse
- Maintenance-of-way car
- Mobile home
- Manufactured home
- Recreational vehicle
- Travel trailer
- Other housing accommodations
- Employer-provided housing includes a “labor camp”

Employer-provided housing may be maintained in one or more buildings or one or more sites, including hotels and motels, and the premises upon which they are situated, or the area set aside and provided for parking of mobile homes or camping.

Employer-provided housing is **housing that is arranged for or provided by an employer, other person, or entity to workers, and in some cases to workers and persons in their households, in connection with the worker’s employment, whether or not rent or fees are paid or collected.**

EXCEPTIONS

a) Employer-provided housing exceptions

1. Does not apply to housing provided for the purpose of emergency response, including firefighting, rescue and evacuation, and support activities directly aiding response such as utilities, communications, and medical operations, IF:
 - A) Employer is a government entity; or
 - B) Housing is provided temporarily by a private employer and is necessary to conduct the emergency response operations.
2. Subsections (c)(d)(e)(f)(h) do not apply to occupants who maintained a household together prior to residing in employer-provided housing, such as family members, when no other persons outside the household are present.

ASSIGNMENT OF HOUSING UNITS

b) Employers shall ensure that shared housing unit assignments are prioritized in the following order:

1. Residents who usually maintain a household together outside of work, such as family members, shall be housed in the same housing unit without other persons;
2. Residents who work in the same crew or work together at the same worksite shall be housed in the same housing unit without other persons;
3. Employees who do not usually maintain a common household, work crew, or worksite shall be housed in the same housing unit only if no other alternatives.

PHYSICAL DISTANCING & CONTROLS

c) Physical distancing and controls

1. Employer shall ensure the premises are sufficient size and layout to permit at least 6 feet of physical distancing between residents in housing units, common areas, and other areas of the premises
2. Employer shall ensure beds are spaced at least 6 feet apart in all directions and positioned to maximize the distance between sleepers' heads. For beds positioned next to each other (eg side by side), the beds shall be arranged so that the head of one bed is next to the foot of the next bed. For beds that are positioned across from each other (eg end to end), the beds shall be arranged so that the foot of one bed is closest to the foot of the next bed. Bunk beds shall not be used.

PHYSICAL DISTANCING & CONTROLS (cont'd)

FACE COVERINGS

CLEANING & DISINFECTING

SCREENING

COVID-19 TESTING

ISOLATION OF EXPOSED RESIDENTS

3. In housing units, maximize the quantity and supply of outdoor air and increase filtration efficiency to the highest level compatible with the existing ventilation system.

d) Employers shall provide face coverings to all residents and provide information to residents on when they should be used

e) Cleaning and disinfecting

1. Employers shall ensure that housing units, kitchens, bathrooms, and common areas are effectively cleaned and disinfected at least once a day to prevent the spread of COVID. Cleaning and disinfecting shall be done in a manner that protects the privacy of residents.

2. Employers shall ensure that unwashed dishes, drinking glasses, cups, eating utensils, and similar items are not shared.

f) Employer shall encourage residents to report COVID symptoms to the employer.

g) Employer shall establish, implement and maintain effective policies and procedures for COVID testing of occupants who had a COVID exposure, who have COVID symptoms, or as recommended by the local health department.

i) Isolation of COVID cases and persons with COVID exposure:

1. Employers shall effectively isolate COVID exposed residents from all other occupants. Effective isolation shall include providing COVID exposed residents with a private bathroom, sleeping area, and cooking and eating facility.

2. Employers shall effectively isolate COVID cases from all occupants who are not COVID cases. Effective isolation shall include housing COVID cases only with other COVID cases, and providing COVID case occupants with a sleeping area, bathroom, and cooking and eating facility that is not shared by non-COVID case occupants.

ISOLATION OF EXPOSED RESIDENTS (cont'd)

3. Personal identifying information regarding COVID cases and persons with COVID symptoms shall be kept confidential.
4. Employers shall end isolation in accordance with subsections 3205(c)(10) and (c)(11) and any applicable local or state health officer orders.

Special Rules for COVID-19 Prevention in Employer-Provided Transportation (LC 3205.4)

SCOPE

a) Employer-provided motor vehicle transportation to and from work, which is any transportation of an employee, during the course and scope of employment, provided, arranged for, or secured by an employer including ride-share vans or shuttle vehicles, car-pools, and private charter buses, regardless of the travel distance or duration involved.

EXCEPTIONS

EXCEPTIONS LC 3205.4(a)

1. Does not apply if the driver and all passengers are from the same household outside of work (eg family members)
2. Does not apply to employer-provided transportation when necessary for emergency response, including firefighters, rescue, and evacuation, and support activities directly aiding response such as utilities, communications, and medical operations

ASSIGNMENT OF TRANSPORTATION

- b) Employers shall prioritize shared transportation assignments in the following order:
1. Employees residing in the same housing until shall be transported in the same vehicle
 2. Employees working in the same crew or worksite shall be transported in the same vehicle
 3. Employees who do not share the same household, work crew or worksite shall be transported in the same vehicle only when no other transportation alternatives are possible

PHYSICAL DISTANCING AND FACE COVERINGS

c) Physical distancing and face coverings

1. Employer shall ensure physical distancing and face covering requirements are followed for employees waiting for transportation.
2. Employer shall ensure the vehicle operator and any passengers are separated by at least 3 feet in all directions during the operation of the vehicle, regardless of the vehicle's normal capacity.
3. Employer shall ensure the vehicle operator and any passengers are provided and wear a face covering in the vehicle.

TRANSPORTATION SCREENING

d) Employers shall develop, implement, and maintain effective procedures for screening and excluding drivers and riders with COVID symptoms prior to boarding shared transportation

CLEANING & DISINFECTING

e) Cleaning and disinfecting

1. All high-contact surfaces (eg door handles, seatbelt buckles, armrests, etc) used by passengers are cleaned and disinfected before each trip.
2. All high-contact surfaces used by drivers (eg steering wheel, armrests, seatbelt buckles, door handles and shifter) shall be cleaned and disinfected between different drivers.
3. Employers shall provide sanitizing materials and ensure they are kept in adequate supply.

TRANSPORTATION VENTILATION

f) Employer shall ensure that vehicle windows are kept open, and the ventilation system set to maximize outdoor air and not set to recirculate air. Windows do not have to be kept open if one or more of the following conditions exist:

1. Vehicle has functioning air conditioning in use and the outside temperature is greater than 90 degrees;
2. Vehicle has functioning heating in use and outside temperature is less than 60 degrees;
3. Protection is needed from weather conditions (eg rain or snow);
4. Vehicle has a cabin air filter in use and the US EPA Air Quality Index for any pollutant is greater than 100.

HAND HYGIENE

(g)Employer shall provide hand sanitizer in each vehicle and ensure that all drivers and riders sanitize their hands before entering and exiting the vehicle.

Hand sanitizers with methyl alcohol are prohibited.



KEY RESOURCES AND LEGAL UPDATES ARE AVAILABLE ON OUR WEBSITE:

WWW.HANNABROPHY.COM

HB OFFICES

ORANGE 701 S. Parker St, Ste. 6000, 92868

LOS ANGELES 500 S. Grand Ave, 17th Floor, 90071

VAN NUYS 21650 Oxnard St. Ste 2030, 91367

RIVERSIDE 1500 Iowa Avenue Ste 220, 92507

BAKERSFIELD 1800 30th Street Ste 210, 93301

FRESNO 1141 West Shaw Ave Ste 101, 93711

OAKLAND 180 Grand Avenue Ste 750, 94612

REDDING 2701 Park Marina Dr. First Floor, 96001

SACRAMENTO 2868 Prospect Park Dr., Ste 200,95670

STOCKTON P.O. Box 12488, Oakland, CA 94604-2488

SAN JOSE / SALINAS West Saint John St 1110, 95113

SAN FRANCISCO 251 Rhode Island St. Ste 201, 94103

SANTA ROSA 101 D Street, Santa Rosa, 95404

SAN DIEGO 3530 Camino Del Rio N. Ste 200, 92108

WCAB VENUES COVERED

Anaheim 92806-2141 1065 N. PacificCenter Dr., Ste 170
 Santa Ana 92701-4070 605 W Santa Ana Blvd, Bldg 28, #451
 Long Beach 90802-4304 300 Oceangate Street, Ste 200

Los Angeles 90013-1954 320 W. 4th Street, 9th Floor
 Marina del Rey, CA 90292-6902 4720 Lincoln Blvd. 2nd
 Oxnard, CA 93030-7912 1901 N. Rice Ave., Ste. 200
 Santa Barbara, CA 93101-7538 130 East Ortega Street

Van Nuys 91401-3370 6150 Van Nuys Blvd., Ste 105
 Oxnard, CA 93030-7912 1901 N. Rice Ave., Ste. 200
 Santa Barbara, CA 93101-7538 130 East Ortega Street

Riverside 92501-3337 3737 Main Street, Ste 300
 Pomona 91768-2653 732 Corporate Center Drive
 San Bernardino 92401-1411 464 W. Fourth Street, Ste 239

Bakersfield 93301-1929 1800 30th Street, Ste 100

Fresno 93721-2219 2550 Mariposa Mall, Ste 4078
 San Luis Obispo 95113-1402 4740 Allene Way, Ste 100

Oakland 94612-1519 1515 Clay Street, 6th Floor

Redding 96002- 9040 250 Hemsted Drive, 2nd Floor, Ste. B
 Eureka 95501-0481 100 "H" Street, Ste 202

Sacramento 95834-2962 160 Promenade Circle, Ste 300

Stockton 95202-2314 31 East Channel Street, Room 344

San Jose 95113-1402 100 Paseo de San Antonio, Room 241
 Salinas 93906-2037 1880 North Main Street, Ste 100

San Francisco 94102-7014 455 Golden Gate Avenue, 2nd floor

Santa Rosa 95404-4771 50 "D" Street, Ste 420

San Diego 92108-4424 7575 Metropolitan Drive, Ste 202