

## Pode, Chuck

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**To:** AGENCY DIRECTORS, DEPARTMENT HEADS AND HUMAN RESOURCE REPRESENTATIVES  
**Subject:** Cal/OSHA COVID-19 Prevention Program

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**From:** Holst, Jennifer <Jennifer.Holst@ventura.org> **On Behalf Of** Pode, Chuck  
**Sent:** Friday, January 15, 2021 12:37 PM  
**Subject:** Cal/OSHA COVID-19 Prevention Program

Hello - Cal/OSHA instituted new regulations regarding COVID-19 prevention. Among the requirements is an employer's obligation to institute a written COVID-19 Prevention Plan. Included in this email is a template for the written program. There are a few agencies that are covered under a different OSHA provision requiring an aerosol transmissible disease prevention program, but most of the County is covered under this new section. We have also attached a copy of the OSHA regulations for your reference.

Risk Management has prepared a template that agencies may use to customize to establish the written program. While this is similar to the Agency COVID Worksite Plans developed in May, the OSHA regulations are more specific. We tried to make it easy to incorporate language that would apply across the County and minimize the amount of needed customization. That said, it is vitally important to review and correct the potential COVID-19 exposure hazards in the workplace and work processes, which is the purpose of going through the process of developing and implementing the written COVID-19 Prevention Program. The number of employees who have tested positive for COVID-19 has increased dramatically these past several months, and we have seen instances of workplace spread due to lax protective measures.

You will find that the template includes two required COVID-19 employee notice templates that have been discussed with Human Resources representatives lately: 1) the AB 685 broad notice to employees in the workplace; and 2) the OSHA notice that goes to employees who have had close contact with a COVID positive individual, requiring quarantine from work. The document also includes two provisional "Additional Consideration" chapters that would be incorporated into your agency's written plan only if the agency had a worksite that experienced an outbreak (3 or more positive cases over 14 days) or a major outbreak (20 or more cases over 30 days).

Finally, we have attached a training PowerPoint that contains the bare minimum for required OSHA training. While similar to the PowerPoint training distributed in May, it includes updated information and additional details required by OSHA. It is recommended that the information be provided in a format that would allow discussion and questions, such as a Teams or Zoom departmental meeting, but the PowerPoint can also be distributed to staff via email.

The template contains the monthly inspection checklist that was distributed last May. Your agency should have been performing worksite assessments and inspections at least monthly, and will need to continue such assessments. The purpose of regular worksite inspections or assessments is to ensure that all reasonable protective measures have been taken, and to ensure employee compliance with the protective measures.

Please assign responsibility at a management level individual to prepare/customize the template and prepare a COVID-19 Prevention Plan for your agency. When the document is complete, please forward a copy to [Risk.Management@ventura.Org](mailto:Risk.Management@ventura.Org). The document must be made available for any employee or bargaining unit that requests to review the plan.

We recognize the regulations regarding COVID-19 may be confusing in that there are several overlapping provisions. If you have any questions regarding Cal/OSHA compliance, please direct your questions to Jennifer Peters at (805) 662-6539 or [Jennifer.Peters@ventura.org](mailto:Jennifer.Peters@ventura.org). For questions regarding leaves associated with COVID or workers' compensation, please contact Catherine Laveau at (805) 662-6540 or [Catherine.Laveau@ventura.org](mailto:Catherine.Laveau@ventura.org). If you are unsure where to direct a question, feel free to contact me at (805) 662-6784 or you can direct your inquiry to [Risk.Management@ventura.org](mailto:Risk.Management@ventura.org) and someone in the Risk Management Department will respond.

Thank you.



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**COUNTY** *of*  
**VENTURA**

COVID-19

# Agency Prevention Plan

\_\_\_\_\_ Agency

Date Last Reviewed: \_\_\_\_/\_\_\_\_/\_\_\_\_

Reviewed by: \_\_\_\_\_

Name

Title

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## COVID-19 Prevention Program (CPP) for County of Ventura

**[Enter agency name]**

This CPP is designed to control exposures to the SARS-CoV-2 (COVID-19) virus that may occur in our workplace.

### Authority and Responsibility

**[Enter name or job title of the person(s)]** has overall authority and responsibility for implementing the provisions of this CPP in this agency. In addition, all managers and supervisors are responsible for implementing and maintaining the CPP in their assigned work areas and for ensuring employees receive answers to questions about the program in a language they understand.

Employees will be provided training, a safe and clean environment and personal protective equipment for the risks specific to the employee's position. All employees are responsible for using safe work practices, following all directives, policies and procedures, and assisting in maintaining a safe work environment. County staff are expected to follow the directives and guidelines set forth herein and to follow the health and safety directives provided by management. Failure to do so can promote the spread of COVID-19, endangering co-workers and the public, and can result in disciplinary procedures.

### Definitions

For the purposes of the CPP, the following definitions provided by Cal/OSHA shall apply. Usage of these terms throughout the document will be highlighted.

"COVID-19" means coronavirus disease, an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

"COVID-19 case" means a person who either: (1) has a positive "COVID-19 test" as defined in this section; (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 recommendations made by the California Department of Public Health (CDPH) or the local health department pursuant to authority granted under the Health and Safety Code or title 17, California Code of Regulations to CDPH or the local health department. AB 685 refers this to a "qualifying Individual."

"Close contact COVID-19 exposure" means being within six (6) feet of a **COVID-19 case** for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the **"high-risk exposure period"** as defined here. This definition applies regardless of the use of face coverings.

“COVID-19 hazard” means exposure to potentially infectious material that may contain SARS-CoV-2, the virus that causes COVID-19. Potentially infectious materials include airborne droplets, small particle aerosols, and airborne droplet nuclei, which most commonly result from a person or persons exhaling, talking or vocalizing, coughing, sneezing, or procedures performed on persons which may aerosolize saliva or respiratory tract fluids, among other things. This also includes objects or surfaces that may be contaminated with SARS-CoV-2.

“COVID-19 symptoms” means one of the following: (1) fever of 100.4 degrees Fahrenheit or higher or chills; (2) cough; (3) shortness of breath or difficulty breathing; (4) fatigue; (5) muscle or body aches; (6) headache; (7) new loss of taste or smell; (8) sore throat; (9) congestion or runny nose; (10) nausea or vomiting; or (11) 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” means a viral test for SARS-CoV-2 that is both: (1) approved by the United States Food and Drug Administration (FDA) or has an Emergency Use Authorization from the FDA to diagnose current infection with the SARS-CoV-2 virus; and (2) administered in accordance with the FDA approval or the FDA Emergency Use Authorization as applicable.

“Exposed workplace” means any work location, working area, or common area at work used or accessed by a COVID-19 case during the high-risk period, including bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. This can also include an offsite field location.

The exposed workplace does not include buildings or facilities not entered by a COVID-19 case. Effective January 1, 2021, the “exposed workplace” also includes but is not limited to the “worksite” of the COVID-19 case as defined by Labor Code section 6409.6(d)(5).

“Face covering” means a tightly woven fabric or non-woven material with no visible holes or openings, which covers the nose and mouth.

“High-risk exposure period” means the following time period: (1) For persons who develop COVID-19 symptoms: from two (2) days before they first develop symptoms until ten (10) days after symptoms first appeared, and 24 hours have passed with no fever, without the use of fever-reducing medications, and symptoms have improved; or (2) For persons who test positive who never develop COVID-19 symptoms: from two (2) days before until ten (10) days after the specimen for their first positive test for COVID-19 was collected.

## Identification and Evaluation of COVID-19 Hazards

This agency has implemented and will continue to identify and mitigate COVID-19 hazards in the workplace:

- Conduct and document regular workplace-specific evaluations and inspections at least monthly to identify and correct COVID-19 hazards created by physical conditions or workplace practices. (Appendix A)
- Evaluate mitigation measures to reduce potential workplace exposures to staff and the public.
- Remain abreast of applicable orders and guidance from federal, state and County Public Health related to COVID-19 hazards and prevention.
- Continually evaluate existing COVID-19 prevention controls in the workplace and the need for different or additional controls.

## Employee Participation

Employees are encouraged to participate in the identification of COVID-19 hazards by reporting COVID-19 exposures and hazards to the agency. Recommendations for COVID-19 mitigation measures may be submitted to an employee's supervisor without the fear of reprisal and will be evaluated for efficacy related to severity and frequency of the exposure.

## COVID-19 Prevention Measures

### Employees Exhibiting Possible COVID-19 Symptoms

Employees exhibiting **COVID-19 symptoms** are directed not to come to work. There are a variety of potential sources of benefits, including but not limited to COVID-19 specific leave, sick time and annual leave that may be available should an employee be unable to work remotely or report to work.

### Employee Screening

Employees entering the workplace are screened at each worksite for **COVID-19 symptoms** and exposure history using the following measures:

#### Government Center:

- Limiting entry to the main entrance.
- Staffed monitoring station from 7:00 AM to 5:00 PM at the entrance checking for recent exposure, symptoms and using FLIR thermal camera for temperature evaluation.
- Entry is denied to individuals having a temperature above 100.4 degrees Fahrenheit or exhibiting signs or symptoms consistent of COVID-19, or with a recent history of exposure to COVID-19 positive individuals.
- Face coverings are required by all.
- Advising staff who enter the facility prior to 7:00 AM to pass through the monitoring station as soon as practicable once the monitoring station is open.

#### Other Facilities Possible Screening

- Where personal contact is recommended or required, patient/clients will be screened for symptoms on the telephone at the time of setting the appointment.]
- Individuals wishing to enter the facility shall undergo a temperature and symptom screening.
- Advising staff members to take their temperature before coming to work and stay home and report to their supervisor if symptoms arise or their temperature exceeds 100.4 degrees Fahrenheit.
- Symptom screening through closed glass enclosure, patients/clients will be asked to confirm they have no symptoms and have not been exposed to COVID-19 positive individuals for the prior 14 days. Upon confirmation, they will be temperature screened.
- Self-monitoring for symptoms prior to leaving for work, with direction to notify management if symptoms arise that would exclude the individual from reporting to work.

# Control of COVID-19 Hazards

## Physical Distancing

Where possible, ensure at least six feet of physical distancing in the workplace by:

- Telework opportunities are provided to the extent possible as business needs permit.
- Staggered arrival, departure, work, and break times.
- Informational and warning posters posted throughout the facility.
- Two occupants in an elevator at any given time.
- Reducing the number of persons in an area at one time, including visitors.
- Visual cues such as signs and floor markings to indicate waiting distance and direction of travel.
- Adjusted work processes or procedures to allow sufficient distance between employees and others.
- Avoid in-person meetings by utilizing virtual meeting resources where possible.
- Discontinue nonessential travel.
- Reassign and/or reconfigure office space to maximize separation and physical barriers between staff who are required to report to the workplace.
- Limit occupancy and align conference room furniture to allow separation.
- Close or limit occupancy in common areas such as breakrooms.
- Limit maximum occupancy and reconfigure furniture of client/patient waiting areas to achieve enough social distancing.
- Where possible, allow clients to wait outside or in their car, using cell phone contact to call the next client.
- Respect the health and safety protocol in the workplace and for facilities being visited.

## Face Coverings

Due to increasing COVID-19 infections statewide, while at work employees must wear an appropriate **face covering** over the nose and mouth. An appropriate face covering is a material that covers both the nose and the mouth and extends below the chin, without significant gaps between the covering and the face. It can be secured with ties or straps or simply wrapped around the lower face. Bandannas are not an appropriate face covering and the use of neck gaiters are discouraged.

Face coverings are available to staff. They must be worn properly over the nose and mouth when indoors, and when outdoors and less than six feet away from another person, including non-employees, and where required by orders from the California Department of Public Health (CDPH) or Public Health.

Visitors, clients and patients of County facilities must wear face coverings. Individuals may be denied entry to a County facility if they refuse to wear a face covering, unless they are covered by an exception.

The following are exceptions to the use of face coverings in the workplace:

- When an employee is alone in a room, their office, or seated in a cubicle office with walls at least five feet tall.



- People in adjoining cubicles must not be seated face to face, otherwise a face covering for each is required.
- The individual must be seated; if standing, a face covering is required.
- The face covering must be worn when leaving the individual work area or if another person enters the work area.
- While eating and drinking at the workplace, provided employees are at least six feet apart.
- When in a vehicle alone or solely with members of the employee's own household.
- Employees wearing respiratory protection in accordance with CCR Title 8 section 5144 or other safety regulations.
- 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. Alternatives will be considered on a case-by-case basis.
- Specific tasks that cannot feasibly be performed with a face covering, where employees shall remain at least six feet apart.
- Any employee not wearing a face covering, face shield with a drape or other effective alternative, or respiratory protection, for any reason, shall be at least six feet apart from all other persons unless the unmasked employee is tested at least twice weekly for COVID-19. (reference CCR Title 8 section 3205(c)((7)(C)). COVID-19 testing may not be used as an alternative to face coverings when face coverings are otherwise required.
- For resupply of face coverings, contact County Human Resources at (805) 654-3611.

## Engineering Controls

The following engineering controls may be used to reduce COVID-19 exposure especially where social distance is difficult to achieve. Examples of engineering controls include:

- Installation of cleanable physical barriers, i.e. clear plexiglass panels.
- Maximize the quantity of outside air by opening windows and doors where it does not compromise facility security.
- HVAC system maintenance staff and contractors have adjusted systems to maximize outside air while seeking to maintain indoor comfort and temperature control.

## Cleaning and Disinfecting

The following cleaning and disinfection measures have been implemented:

- Custodial services are provided throughout the County through County staff or contract services. Most custodial services are provided during nighttime hours to avoid workspace disruption, which also accomplishes the goal of social distancing through administrative means. Agency/department management must work with custodial service providers to ensure enough restroom supplies to support frequent handwashing. Custodial services in many facilities have been augmented to provide additional cleaning throughout the day and supply monitoring. Custodial services will continue to provide regular workplace cleaning and nightly work surface cleansing.

- Agency/department work practices must include frequent touch point and counter surface cleaning throughout the workday. This may take the form of assigning the responsibility to designated personnel throughout the day or cleaning between uses by users. Supplies can be ordered through GSA.
- For cubicles, the employee's trash can may be placed upside down in the doorway to signify that it will be unoccupied for a period of teleworking or absence.
- Should the agency receive notice of a **COVID-19 case** in the workplace, the following procedures will be implemented:
  - Close off the areas where there was significant COVID-19 exposure until the area is properly cleaned and disinfected.
  - **Immediately report areas closed off and the need for cleaning to custodial management GSA Special Services at (805) 654-2116 / or where a facility is serviced by contract custodial services, include the contact information.**

## Hand Hygiene/Sanitizing

Restrooms facilities open to employees and the public provide soap and towels or air-drying facilities to accommodate frequent handwashing. Staff should be encouraged to wash hands frequently and properly for at least 20 seconds throughout the day and following contact with others. Where washroom facilities are not available, such as with field staff, provide hand sanitizer that should be used until washroom facilities can be accessed.

Public hand sanitizer distribution machines are available in many public areas. Recommendations for additional facilities can be directed to GSA through agency/department management. However, supplies have been limited throughout the nation.

## Personal Protective Equipment Used to Control Employees' Exposure to COVID-19

Specific job tasks are evaluated for the need for PPE (such as gloves, goggles, and face shields) based on the hazard posed by work requirements. Where PPE is required, supplies will be provided for individual use. PPE must not be shared among employees.

**Face coverings** required in the workplace are not considered a respirator or PPE under Cal OSHA regulations. The need for a respirator and respiratory protection is evaluated in accordance with CCR Title 8 section 5144.

**[Delete if not applicable to your workplace.]** We provide and ensure use of eye protection and respiratory protection in accordance with section 5144 when employees are exposed to procedures that may aerosolize potentially infectious material such as saliva or respiratory tract fluids.

## Investigating and Responding to COVID-19 Cases

Employees that test positive for COVID-19 are requested to notify their agency Human Resources representative of the test result so that appropriate action can be taken to protect the employee's benefits and prevent the spread of COVID-19 in the workplace.

## Investigation and Contact Tracing

Upon receiving notice of a COVID-19 positive test result the agency will undertake contact tracing to evaluate the possibility of **COVID-19 hazard** in the workplace or potential **COVID-19 cases**. Human Resources will require the following information from employees who have tested positive for COVID-19:

- Date of test result.
- Date test specimen taken.
- Date the employee was last in the workplace.
- All locations visited during the **high-risk exposure period**.
- Locations frequented (15 or more minutes) while in the workplace.
- Co-workers, contract employees or members of the public the employee was less than six feet from for 15 or more minutes cumulative over 24 hours while in the workplace to identify potential **COVID-19 exposure** individuals.
- Protective measures and procedures in the workplace that may be improved to prevent the transmission of COVID-19.
- The employee's personal and health information will be kept confidential

Employees and employers of other workers present at the worksite during the **high-risk exposure period** will be provided an AB 685 Notice that a **COVID-19 case** was present in the workplace within one business day. The AB 685 Notice template is attached as Appendix B. AB 685 also requires notification to affected employees bargaining units; see Appendix B.1 for that purpose.

Employees who, through contact tracing, are believed to have had close contact with a **COVID-19 case** and meet the definition of a **COVID-19 exposure** in the workplace will be:

- Notified within one day of the **COVID-19 exposure**. An OSHA COVID-Exposure Notice template is attached as Appendix C.
- Offered COVID-19 testing at no cost during regular working hours.
- Excluded from the workplace for the duration outlined below.
- Informed of benefits that may be available during the exclusionary period.

**Notify custodial services** of areas in the workplace that the **COVID-19 case** employee frequented (i.e. the employee's office, cubicle or conference room where the employee spent in excess of 15 minutes). These areas should be marked off limits until thoroughly cleaned and sanitized by custodial staff unless more than seven days have passed since the COVID-19 exposure. The employee's chair can be placed in the doorway to signify the employee will be absent from work without otherwise identifying the employee. **Custodial staff must be informed of the cubicle and areas identified during contact tracing to be cleaned.**

## Quarantine of COVID-19 Cases

Where the agency receives notice of a **COVID-19 case** in the workplace, the following will be undertaken to limit transmission of the virus:

- Ensure that **COVID-19 case** quarantine requirements are observed until return-to-work criteria are met.

- Exclude employees with **COVID-19 exposure** identified through contact tracing of a **COVID-19 case** from the workplace for the quarantine period outlined below. Appendix C is a template for the OSHA COVID-19 Exposure Notice.
- Continue and maintain an employee's earnings, seniority, and all other employee rights and benefits following a work related **COVID-19 exposure**. This will be accomplished by enlisting telework or remote work opportunities as business needs permit, and where unavailable, paid leave appropriate for the circumstance, which can include Federal, State and County COVID-19 specific benefits, employer-provided sick leave and workers' compensation benefits.
- Provide employees at the time of notification of quarantine with information on available benefits.

## Return-to-Work Criteria

As of December 2020, the following return-to-work criteria have been provided:

- Symptomatic COVID-19 positive case: **COVID-19 cases** with **COVID-19 symptoms** are not permitted to return to work until all the following have occurred:
  - At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications.
  - **COVID-19 symptoms** have improved.
  - At least 10 days have passed since **COVID-19 symptoms** first appeared.
- Asymptomatic COVID-19 positive case: **COVID-19 cases** who tested positive but never developed **COVID-19 symptoms** are not permitted to return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.
- COVID-19 exposure case: Where an employee has been determined through contact tracing or through exposure outside of the workplace to have experienced a **COVID-19 exposure**, the employee will not be permitted to return to the workplace until the quarantine period has expired. The quarantine period for a **COVID exposure** is 14 days from the last exposure during the **COVID-19 case high risk exposure period**. However, as of December 14, 2020, the duration can be shortened from 14 days to 10 days for critical infrastructure employees where staffing is critical, if the following practices are **strictly observed**:
  - All recommended non-pharmaceutical COVID-19 prevention interventions are observed, including face covering worn at all times and maintaining at least 6-feet from all individuals, through the 14<sup>th</sup> day;
  - Self-monitoring for **COVID-19 symptoms** through day 14 and if symptoms occur, immediately self-isolate and contact Human Resources, your healthcare provider and seek COVID-19 testing.
- A negative COVID-19 test will not be required for an employee to return to work unless required pursuant to California Public Health return to work criteria.
- If an order to isolate or quarantine is issued by a local or state health official, the employee will 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 will be 10 days from the time the order to isolate was effective or return to work criteria provided by the California Department of Public Health or the Ventura County Public Health Officer have been met.

## System for Communicating

The County's goal is to ensure two-way communication with employees, in a form they can readily understand, and that it includes at least the following information:

- Employees must not report to work at the workplace if they are experiencing **COVID-19 symptoms** or or has been exposed to someone who has tested positive for COVID-19 for more than 15 minutes during a 24 hour period. The agency's Human Resources representative must be contacted should either of these situations arise.
- Employees should report possible **COVID-19 hazards** to their supervisor or the agency Human Resources representative.
- Employees can report symptoms and hazards without fear of reprisal.
- Procedures for accommodating employees with medical or other conditions that put them at increased risk of severe COVID-19 illness.
- COVID-19 testing availability throughout the County.
- In the event the agency is required to offer testing because of a workplace exposure or outbreak, the employee will be advised of the plan for providing testing and inform affected employees of the reason for the testing and the possible consequences of a positive test.
- Information about **COVID-19 hazards** and agency health and safety policies and procedures that affect employees and others in the workplace, such as vendors and the public.

## Employee Training

Training on COVID-19 has been and will be provided that includes at least:

- The fact that COVID-19 is an infectious disease that can be spread through the air and may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth.
- An infectious person may have no symptoms.
- COVID-19 policies and procedures to protect employees from COVID-19 hazards.
- Information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws.
- Methods of physical distancing of at least six feet and the importance of combining physical distancing with the wearing of face coverings.
- The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective.
- The 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.

- Proper use of face coverings and the fact that face coverings are not respiratory protective equipment - face coverings are intended to primarily protect other individuals from the wearer of the face covering.
- **COVID-19 symptoms**, and the importance of obtaining a COVID-19 test and not coming to work if the employee has COVID-19 symptoms.
- Process and procedures on how to report COVID19 hazards and if the employee tests positive or if they were exposed to someone who tested positive.

A training [template] program is attached which is provided to all agency employees. [The template can be used as the basis for employee training and supplemented with agency or worksite specific material if needed.]

## Reporting, Recordkeeping, and Access

It is the agency's policy to comply with recordkeeping requirements, including:

- Report information about **COVID-19 cases** at the workplace to Public Health whenever required by law and provide any related requested information.
- Report immediately to Cal/OSHA (defined as within 8 hours) any COVID-19-related serious illnesses, hospitalization or death, as defined under CCR Title 8 section 330(h), of an employee occurring in the place of employment or in connection with any employment.
- Maintain records of the steps taken to implement this written COVID-19 Prevention Program in accordance with CCR Title 8 section 3203(b).
- Make the written COVID-19 Prevention Program available at the workplace to employees, authorized employee representatives, and to representatives of Cal/OSHA immediately upon request.
- Record, investigate and contact trace **COVID-19 Cases**. The record will include the following information to the extent it has been provided by the employee: name, contact information, occupation, location(s) where employee worked during the **high-risk infectious period**, date last at workplace and date specimen for the COVID-19 test was collected. The information will be made available to employees, authorized employee representatives, or as otherwise required by law, preserving the employee's right to privacy by removing personal identifying information. Such recording does not require a work-relatedness determination.
- Record **COVID-19 cases** that are believed to be due to workplace transmission on the agency Cal/OSHA 300 Log. The entries are to be listed as confidential cases, excluding personal identifying information from the OSHA Log.



## Appendix A: COVID-19 Inspection Form

[This form is intended to get you started and suggest at a minimum the areas for monthly inspection. Review the information available at [www.dir.ca.gov/dosh/coronavirus/](http://www.dir.ca.gov/dosh/coronavirus/) for additional guidance on what to regularly inspect for, including issues that may be more pertinent to your particular type of workplace. You will need to modify form accordingly.]

Worksite: \_\_\_\_\_



### COVID-19 Work place Evaluation

Month: \_\_\_\_\_

1. ☐ All employees have received COVID-19 training this calendar year.
2. ☐ Appropriate COVID-19 social distancing signage is posted at all worksites.
  - Entrances
  - Breakrooms
  - Other as appropriate
3. ☐ Members of the public and employees are being screened daily upon entrance to the facility.
4. ☐ Personal protective equipment protocols appropriate to the agency/department are adhered to routinely.
5. ☐ Employees who are sick or symptomatic are directed to stay home.
6. ☐ Telework and other alternate work arrangements are provided as a work option to employees, when feasible.
7. ☐ Technology is being utilized appropriate to maximize physical distancing.
8. ☐ Workstations are appropriately physically distanced.
9. ☐ Worksite common areas are sanitized daily by maintenance staff (or other contracted providers).
10. ☐ Designated employees are daily sanitizing common areas that are not cleaned by maintenance staff (or other contracted providers).
11. ☐ Hand sanitizers and other appropriate sanitation supplies are available in common areas.

Name \_\_\_\_\_

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_



# Appendix B – AB 685 Notice of COVID-19 in Workplace

## AB 685 Notification to Employees

Date: \_\_\_\_\_

SPECIFIC WORK LOCATION: \_\_\_\_\_

DATE(S) OF POSSIBLE EXPOSURE: \_\_\_\_\_

Pursuant to California Labor Code section 6409.6, this notice is to advise that you may possibly have been exposed to COVID-19 at the above location. We have determined that you were present at the same worksite as an individual who has received a positive COVID-19 test result. If contact tracing determines that you may have been exposed to the individual for more than 15 minutes over a 24-hour period, you will receive a separate notice with instructions about your work status and COVID-19 testing pursuant to Cal/OSHA regulations.

The individual for whom contact tracing has been conducted is afforded a right to privacy and therefore no additional information regarding the individual will be disclosed. Occupants of the work location are cautioned not to speculate about or discuss the health conditions of co-workers.

You may wish to consult with a healthcare provider and/or seek COVID-19 testing, which can be performed at any one of the many facilities across the County. Test site locations are listed at <https://www.venturacountyrecovers.org/coronavirus-testing/> and the COVID-19 information page of [www.VCEmergency.Org](http://www.VCEmergency.Org). Additional information may be available through your healthcare provider or by calling 2-1-1.

Out of an abundance of caution, cleansing and disinfection protocols recommended by the U.S. Centers for Disease Control will be followed for areas of potential exposure identified through contract tracing. Custodial staff must wait 24 hours following exposure before cleaning and disinfection can take place. Hard surfaces will be cleansed in potentially exposed work areas and common areas. Carpeted surfaces will be vacuumed after regular work hours. Should you encounter areas marked off limits, please honor the cautionary signage. Further information regarding cleaning and sanitizing protocol can be found in the agency/department Worksite Plan available through your agency/department safety coordinator.

It is important that each employee observes safe public health practices for your own protection and that of close-by co-workers and members of the public. This includes diligence in wearing face coverings when in public or common areas, social distancing, and good personal hand hygiene. Further information regarding protective measures can be found at the following page of VCEmergency.Org: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>.

Certain county, state and federal benefits may be available should you become ill and/or be required to miss work due to COVID-19. The benefits that may be available differ for each individual based on their individual circumstances and may include COVID-19 specific paid leave such as County Attestation Time, personal sick leave, leave under federal and state laws, and/or workers'

compensation benefits. As the available benefits differ from person to person, please contact your Human Resources representative for questions about the benefits that may be available to you.

It is unlawful to discriminate against an employee based on disability or a medical condition. The County takes this prohibition seriously. You must not discriminate against an occupant of your worksite, nor will you be discriminated against if you require assistance during this pandemic. Please advise your Human Resources representatives should you have any such concerns.

c: Risk Management  
Industrial Relations

## Appendix B.1 – AB 685 Notification to Bargaining Unit

### AB 685 Notification to Bargaining Unit

Attached is a notice provided to employees of your bargaining unit in accordance with California Labor Code section 6409.6. Pursuant to Labor Code section 6409.6, subdivision (c), the following information concerns members of your bargaining unit(s) who were notified of this potential exposure to a Qualified Individual in the workplace.

Furthermore, the listing below indicates which employees, if any, received a Cal/OSHA notification of a potential “COVID-19 exposure,” defined as exposure to a “COVID-19 case” for 15 minutes or more within 24-hours pursuant to California Code of Regulations, title 8, section 3205, subdivisions (c)(3) and (c)(10).

Personal identifiable information regarding the Qualified Individual will not be provided, respecting the right to privacy of the affected individual(s).

Notification Date (Lab. Code, § 6409.6): \_\_\_\_\_

Worksite Location: \_\_\_\_\_

Description of Circumstance/Illness: \_\_\_\_\_

Employee	Job Title	OSHA Notification

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Attachment: AB 685 Notification to Employee

c: Industrial Relations

## Appendix C – OSHA Notification of COVID-Exposure

### **Cal/OSHA Notification of Worksite Quarantine California Code of Regulations, Title 8, Section 3205**

Date: \_\_\_\_\_

SPECIFIC WORK LOCATION: \_\_\_\_\_

DATE(S) OF POSSIBLE EXPOSURE: \_\_\_\_\_

Pursuant to Cal/OSHA regulations (Cal. Code Regs., title 8, § 3205), this notification is to advise that you may have been exposed to COVID-19 at the location listed above. We have learned through contact tracing of an individual who has been determined to have contracted the COVID-19 virus and that while at work you may have been within six feet of the individual for more than a cumulative total of 15 minutes over a 24-hour period during the infected individual's high-risk exposure period. The potential exposure requires taking protective measures under Cal/OSHA regulations for your health and safety and that of others in the workplace.

The other individual is afforded a right to privacy and therefore no additional information will be disclosed, and occupants of the work location are cautioned not to speculate about or discuss the health condition of others in the workplace.

Under the Cal/OSHA regulation, the County is required to exclude personnel who have had a COVID-19 exposure from the workplace for 14 days following the last exposure. Accordingly, due to your potential exposure, the County is required to exclude you from the workplace for 14 days following the date of your exposure, which in your case will be until \_\_\_\_\_.

Under the Cal/OSHA regulation, the County is required to offer you COVID-19 testing at no cost.

**[IF SPECIFIC TESTING ARRANGEMENTS HAVE BEEN MADE – FILL IN]**

Please coordinate with your supervisor to arrange for testing during your regular work hours. Free testing is available at several locations throughout the County, with several drive-up sites and a walk-up site at the Ventura County Fairgrounds. Current information regarding testing sites is available under the COVID-19 tab located at [www.VCEmergency.Org](http://www.VCEmergency.Org).

Your management will evaluate the availability of remote work opportunities or alternative work to avoid interruption of your regular schedule and benefits. If remote work is not available, County COVID-19-specific benefits, such as Attestation Time, state or federal benefits, sick leave, or regular pay may be applied to ensure your pay and benefits continue during the exclusionary period. You will be contacted by your Human Resources representative to determine the available benefits during this exclusionary period.

It is important that each employee observe safe public health practices for your own protection and that of close-by co-workers and members of the public. This includes diligence in wearing face coverings in compliance with County policies and public health orders, social distancing, and good

personal hand hygiene. Further information about protective measures can be found here:  
<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>.

Should you have any questions, please contact your Human Resources representative at (805)  
\_\_\_\_\_.

c: Specify bargaining units.....  
Industrial Relations

## Additional Consideration #1 - Multiple COVID-19 Infections and COVID-19 Outbreaks

**[This section will need to be added to your CPP if your workplace is identified by a local health department as the location of a COVID-19 outbreak, defined as three or more COVID-19 cases in your workplace within a 14-day period. Reference section 3205.1 for details.]**

This section of CPP will stay in effect until there are no new COVID-19 cases detected in our workplace for a 14-day period.

### **COVID-19 testing**

- The County will provide COVID-19 testing to all employees in the exposed workplace except for employees who were not present during the period of an outbreak identified by a local health department or the relevant 14-day period. COVID-19 testing will be provided at no cost to employees during employees' working hours.
- COVID-19 testing consists of the following:
  - All employees in our exposed workplace will be immediately offered an opportunity to be tested and then tested again one week later. Negative COVID-19 test results of employees with COVID-19 exposure will not impact the duration of any quarantine period required by, or orders issued by, the local health department.
  - After the first two COVID-19 tests, we will continue to provide COVID-19 testing of employees who remain at the workplace at least once per week, or more frequently if recommended by the local health department, until there are no new **COVID-19 cases** detected in our workplace for a 14-day period.
  - We will provide additional testing when deemed necessary by Cal/OSHA or Public Health.

### **Exclusion of COVID-19 cases**

We will ensure **COVID-19 cases** and employees who had **COVID-19 exposure** are excluded from the workplace in accordance with Cal/OSHA regulations and Public Health requirements.

### **Investigation of workplace COVID-19 illness**

We will immediately investigate and determine possible workplace-related factors that contributed to the COVID-19 outbreak in accordance with our CPP **Investigating and Responding to COVID-19 Cases**.

### **COVID-19 investigation, review and hazard correction**

In addition to the CPP **Identification and Evaluation of COVID-19 Hazards** and **Correction of COVID-19 Hazards**, we will immediately perform a review of potentially relevant COVID-19 policies, procedures, and controls and implement changes as needed to prevent further spread of COVID-19.

The investigation and review will be documented and include:

- Investigation of new or unabated **COVID-19 hazards** including:

- Leave policies and practices and whether employees are discouraged from remaining home when sick.
- COVID-19 testing policies.
- Insufficient outdoor air.
- Insufficient air filtration.
- Lack of physical distancing.
- Updating the review:
  - Every thirty days that the outbreak continues.
  - In response to new information or to new or previously unrecognized COVID-19 hazards.
  - When otherwise necessary.
- Implementing changes to reduce the transmission of COVID-19 based on the investigation and review. We will 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.
  - **[describe other applicable controls].**

### **Notifications to Public Health**

- Immediately, but no longer than 48 hours after learning of three or more **COVID-19 cases** in the workplace, the agency will notify Public Health of the outbreak, providing the information required of Public Health.
- Link to Public Health Reporting Process:
  - <https://www.venturacountyrecovers.org/business-info/>

## Additional Consideration #2 - Major COVID-19 Outbreaks

**[This section will need to be added to your CPP should your workplace experience 20 or more COVID-19 cases within a 30-day period. Reference section 3205.2 for details.]**

This section of CPP will stay in effect until there are no new COVID-19 cases detected in our workplace for a 14-day period.

### **COVID-19 testing**

The agency will provide twice a week COVID-19 testing opportunities, or more frequently if recommended by the local health department, to all employees present at the exposed workplace during the relevant 30-day period(s) and who remain at the workplace. COVID-19 testing will be provided at no cost to employees during employees' working hours.

### **Exclusion of COVID-19 cases**

The agency will ensure **COVID-19 cases** and employees with **COVID-19 exposure** are excluded from the workplace in accordance with Cal/OSHA regulations and Public Health requirements.

### **Investigation of workplace COVID-19 illnesses**

The agency will comply with the requirements of the CPP **Investigating and Responding to COVID-19 Cases**.

### **COVID-19 hazard correction**

In addition to the requirements of the CPP **Correction of COVID-19 Hazards**, the following actions will be undertaken:

- The agency will engage building maintenance staff to adjust mechanical ventilation to filter recirculated air with Minimum Efficiency Reporting Value (MERV) 13 or higher efficiency filters if compatible with the ventilation system. If MERV-13 or higher filters are not compatible with the ventilation system, building maintenance will use filters with the highest compatible filtering efficiency. We will also evaluate whether portable or mounted High Efficiency Particulate Air (HEPA) filtration units, or other air cleaning systems would reduce the risk of transmission and implement their use to the degree feasible.
- Agency safety staff will determine the need for a respiratory protection program or changes to an existing respiratory protection program under CCR Title 8 section 5144 to address COVID-19 hazards.
- Agency management will evaluate whether to halt some or all operations at the affected workplace until COVID-19 hazards have been corrected
- Implement any other control measures deemed necessary by Cal/OSHA.

### **Notifications to Public Health**

The agency will comply with the requirements of the **Multiple COVID-19 Infections and COVID-19 Outbreaks-Notifications to Public Health**.



## Additional Consideration #3 - COVID-19 Prevention in Employer-Provided Transportation to and from Work

[This section will need to be added to your CPP if there is 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. Reference section 3205.4 for details.

This section does not apply:

- If the driver and all passengers are from the same household outside of work, such as family members.
- To employer-provided transportation when necessary for emergency response, including firefighting, rescue, and evacuation, and support activities directly aiding response such as utilities, communications and medical operations.]

### Assignment of transportation

We will prioritize shared transportation assignments in the following order:

- Employees residing in the same housing unit will be transported in the same vehicle.
- Employees working in the same crew or worksite will be transported in the same vehicle.
- Employees who do not share the same household, work crew or worksite will be transported in the same vehicle only when no other transportation alternatives are possible.

### Physical distancing and face coverings

We will ensure that the:

- Physical distancing and face covering requirements of our CPP **Physical Distancing** and **Face Coverings** are followed for employees waiting for transportation.
- Vehicle operator and any passengers are separated by at least three feet in all directions during the operation of the vehicle, regardless of the vehicle's normal capacity. Vehicle operator and any passengers are provided and wear a face covering in the vehicle as required by our CPP **Face Coverings**.

### Screening

We will develop, implement, and maintain effective procedures for screening and excluding drivers and riders with **COVID-19 symptoms** prior to boarding shared transportation.

### Cleaning and disinfecting

We will ensure that:

- All high-contact surfaces (door handles, seatbelt buckles, armrests, etc.) used by passengers are cleaned and disinfected before each trip.
- All high-contact surfaces used by drivers, such as the steering wheel, armrests, seatbelt buckles, door handles and shifter, are cleaned and disinfected between different drivers.
- Provide sanitizing materials, training on how to use them properly, and ensure they are kept in adequate supply.

### Ventilation

Vehicle windows will be 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:

- The vehicle has functioning air conditioning in use and the outside temperature is greater than 90 degrees Fahrenheit.
- The vehicle has functioning heating in use and the outside temperature is less than 60 degrees Fahrenheit.
- Protection is needed from weather conditions, such as rain or snow.
- The vehicle has a cabin air filter in use and the U.S. EPA Air Quality Index for any pollutant is greater than 100.

### **Hand hygiene**

Hand sanitizer will be provided 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.

# COVID-19 Training Program

[Attach County training template and/or Agency modified or agency specific COVID-19 training]



**COUNTY**  
**VENTURA** *of*

## COVID 19 Prevention Program Employee Training

January 9, 2021



# Overview

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- COVID-19 Prevention Program (CPP)
- COVID-19 Facts
- COVID-19 Prevention Measures
- Cleaning and Disinfecting
- Quarantine & Return to Work
- COVID-Related Benefits

# COVID-19 Prevention Program (CPP)

The CCP's purpose is to ensure the health and safety of employees in the workplace by preventing COVID-19 exposure and infection spread. It sets forth policies and practices to support and maintain a healthful work environment

## Why is this important?

- Employee training and compliance with safety measures is vital to controlling the spread of COVID-19 in the workplace.
- To ensure maintain safe environment for employees and the public.
- It is not intended to revoke employee rights
- Development of prevention program is required by Cal/OSHA COVID-19 prevention temporary emergency standards effective November 30, 2020



# Agency Specific Plan

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- Regular evaluation of sites for plan compliance and correction of deficiencies to prevent exposure
- Investigation of COVID-19 illness incidents and determination if work-related factors could have contributed to increased risk of infection
- Identification and notification of close contacts (within six feet for cumulative 15 minutes or more in a 24 hour period) of an infected employee, with isolation of COVID-19 positive employee(s) and close contacts
- Employee Training



# COVID-19 Facts - Symptoms



Cough	Chills
Fever over 104	New loss of taste or smell
Difficulty breathing or short of breath	Fatigue
Congestion or runny nose	Muscle or body aches
Headache	Nausea or vomiting
Sore throat	Diarrhea



# COVID-19 – Prevention Measures



- Don't come to work ill or after close contact with COVID-19
- Social distancing of at least six-feet
- Avoid personal contact, i.e. virtual meetings
- Face coverings with cloth mask
- Wash your hands frequently
- Cough or sneeze into your elbow
- Clean and disinfect surfaces

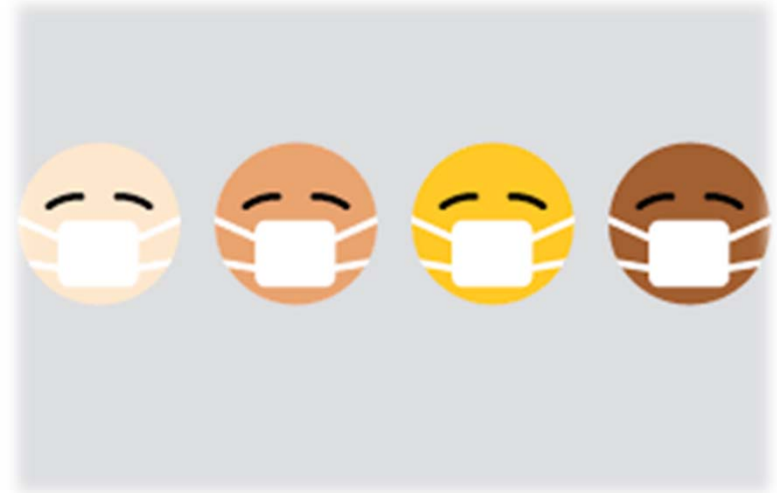
# Prevention Measures

- Seek medical attention if your symptoms become severe, including persistent pain or pressure in the chest, confusion, or bluish lips or face
- Self-screen at home, including temperature and/or symptom checks
- Handwash frequently with soap and water, scrubbing with soap for 20 seconds
- Use hand sanitizer when handwashing is not possible



# Wear Your Face Covering

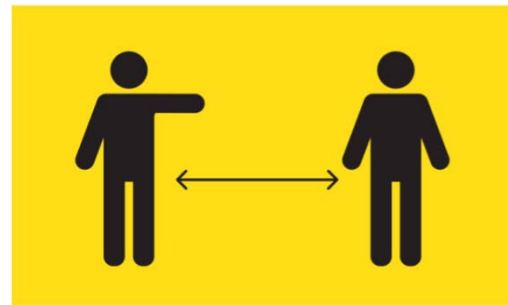
- COVID-19 is spread through the air when an infectious person exhales, talks, coughs, or sneezes.
- Cloth face covering over **nose and mouth** without visible openings
- Required when inside except when alone in a room or seated in personal cubicle not facing adjacent occupants
- Face coverings protect the wearer and others close by
- Employees should wash or sanitize hands before and after using or adjusting face coverings.
- Avoid touching eyes, nose, and mouth
- Face coverings should be washed after each shift



# Physical Distancing at Work Sites



- Maintain physical distancing of at least six feet
- Management and all staff should assess personal and common work spaces to ensure safe distancing is maintained
- Limit the number of individuals riding in an elevator to maintain safe distancing





## Other Physical Distancing Considerations

- Staggering employee breaks
- Limit nonessential travel and encourage virtual meetings
- Avoid handshakes and similar greetings that break physical distance
- Avoid congregating in lobbies, elevators, other common areas



# Site Cleaning and Disinfecting Protocols

Site cleaning staff will clean high traffic areas:

- break rooms and lunch areas
- entries and exits
- stairwells
- escalators
- handrails
- elevator controls
- doorknobs, toilets, and handwashing facilities



# Workspace Cleaning and Disinfecting Protocols

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- Employees should clean and disinfect personal work areas often
- You will be provided time to clean before and after shifts
- Avoid sharing phones, other work supplies, or office equipment wherever possible. Never share PPE



# Cleaning and Disinfecting Shared Work Areas

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Designated Employees should clean the following:

- copiers
- fax machines
- printers
- telephones
- keyboards
- staplers
- surfaces in reception areas
- shared work stations





# Quarantine and Return to Work

- Temperature and/or symptom screenings to exclude ill workers
- Exclude workers who have had close contact to infected individuals at work
- Exclude workers who have had close contact with infected individuals at home
- Return to work criteria established by Public Health and Employee Health Services following CDC and Calif. Dept. of Public Health guidelines



Potential options  
that may be  
available when  
unable to go to  
work due to illness  
or close contact at  
work or home

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Telecommute opportunities

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County Attestation Time

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Sick time

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Regular pay

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Workers' compensation

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# What you can do

- If you are ill or if you have been within 6-feet of someone that has tested positive for COVID-19 for more than 15 minutes over a 24 hour period, notify your Human Resources representative. **Do not come to work ill or if you have had close contact to someone that is COVID positive without checking with HR first.**
- Report potential COVID-19 spread hazards to your supervisor or agency safety coordinator.
-



## Questions?

- Contact your Safety Coordinator or Human Resources representative

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Subchapter 7. General Industry Safety Orders

Amend Section 3205 to read:

§ 3205. ~~“Shall” and “Should.” [Repealed]~~ COVID-19 Prevention.

(a) Scope.

(1) This section applies to all employees and places of employment, with the following exceptions:

(A) Places of employment with one employee who does not have contact with other persons.

(B) Employees working from home.

(C) Employees when covered by section 5199.

(2) Nothing in this section is intended to limit more protective or stringent state or local health department mandates or guidance.

(b) Definitions. The following definitions apply to this section and to sections 3205.1 through 3205.4.

“COVID-19” means coronavirus disease, an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

“COVID-19 case” means a person who:

(1) Has a positive “COVID-19 test” as defined in this section;

(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” in this section when a licensed health care professional determines that the person does not have COVID-19, in accordance with recommendations made by the California Department of Public Health (CDPH) or the local health department pursuant to authority granted under the Health and Safety Code or title 17, California Code of Regulations to CDPH or the local health department.

“COVID-19 exposure” means being within six feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the “high-risk exposure period” defined by this section. This definition applies regardless of the use of face coverings.

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“COVID-19 hazard” means exposure to potentially infectious material that may contain SARS-CoV-2, the virus that causes COVID-19. Potentially infectious materials include airborne droplets, small particle aerosols, and airborne droplet nuclei, which most commonly result from a person or persons exhaling, talking or vocalizing, coughing, sneezing, or procedures performed on persons which may aerosolize saliva or respiratory tract fluids, among other things. This also includes objects or surfaces that may be contaminated with SARS-CoV-2.

“COVID-19 symptoms” means fever of 100.4 degrees Fahrenheit 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, or 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” means a viral test for SARS-CoV-2 that is:

- (1) Approved by the United States Food and Drug Administration (FDA) or has an Emergency Use Authorization from the FDA to diagnose current infection with the SARS-CoV-2 virus; and
- (2) Administered in accordance with the FDA approval or the FDA Emergency Use Authorization as applicable.

“Exposed workplace” means any work location, working area, or common area at work used or accessed by a COVID-19 case during the high-risk period, including bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. The exposed workplace does not include buildings or facilities not entered by a COVID-19 case.

Effective January 1, 2021, the “exposed workplace” also includes but is not limited to the “worksite” of the COVID-19 case as defined by Labor Code section 6409.6(d)(5).

“Face covering” means a tightly woven fabric or non-woven material with no visible holes or openings, which covers the nose and mouth.

“High-risk exposure period” means the following time period:

- (1) For persons who develop COVID-19 symptoms: from two days before they first develop symptoms until 10 days after symptoms first appeared, and 24 hours have passed with no fever, without the use of fever-reducing medications, and symptoms have improved; or
  - (2) For persons who test positive who never develop COVID-19 symptoms: from two days before until ten days after the specimen for their first positive test for COVID-19 was collected.
- (c) Written COVID-19 Prevention Program. Employers shall establish, implement, and maintain an effective, written COVID-19 Prevention Program, which may be integrated into the

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employer's Injury and Illness Program required by section 3203, or be maintained in a separate document. The written elements of a COVID-19 Prevention Program shall include:

- (1) System for communicating. The employer shall do all of the following 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. If testing is required under this section, section 3205.1, or section 3205.2, the employer shall inform affected employees of the reason for the COVID-19 testing and the possible consequences of a positive test.
  - (D) In accordance with subsection (c)(3)(B)3., 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.

NOTE: See subsections (c)(3)(C) and (c)(3)(D) for confidentiality requirements for COVID-19 cases.

- (2) Identification and evaluation of COVID-19 hazards.
  - (A) The employer shall allow for employee and authorized employee representative participation in the identification and evaluation of COVID-19 hazards.
  - (B) The employer shall develop and implement a process for screening employees for and responding to employees with COVID-19 symptoms. The employer may ask employees to evaluate their own symptoms before reporting to work. If the employer conducts screening at the workplace, the employer shall ensure that face coverings are used during screening by both screeners and employees and, if temperatures are measured, that non-contact thermometers are used.
  - (C) The employer shall develop COVID-19 policies and procedures to respond effectively and immediately to individuals at the workplace who are a COVID-19 case to prevent or reduce the risk of transmission of COVID-19 in the workplace.
  - (D) The employer shall conduct a workplace-specific identification of all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards. Employers shall treat all persons, regardless of symptoms or negative COVID-19 test results, as potentially infectious.

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1. This shall include identification of places and times when people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not, for instance during meetings or trainings and including in and around entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.
  2. This shall include an evaluation of employees' potential workplace exposure to all persons at the workplace or who may enter the workplace, including coworkers, employees of other entities, members of the public, customers or clients, and independent contractors. Employers shall consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing fixed work locations.
- (E) For indoor locations, the employer shall evaluate how to maximize the quantity of outdoor air and whether it is possible to increase filtration efficiency to the highest level compatible with the existing ventilation system.
- (F) The employer shall review applicable orders and guidance from the State of California and the local health department related to COVID-19 hazards and prevention, including information of general application and information specific to the employer's industry, location, and operations.
- (G) The employer shall evaluate existing COVID-19 prevention controls at the workplace and the need for different or additional controls. This includes evaluation of controls in subsections (c)(4), and (c)(6) through (c)(8).
- (H) The employer shall conduct periodic inspections as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with employers' COVID-19 policies and procedures.
- (3) Investigating and responding to COVID-19 cases in the workplace.
- (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.
- (B) The 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, to the extent possible, the date of the positive COVID-19 test(s) and/or diagnosis, and the date the



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COVID-19 case first had one or more COVID-19 symptoms, if any were experienced.

2. Determine who may have had a COVID-19 exposure. This requires an evaluation of the activities of the COVID-19 case and all locations at the workplace which may have been visited by the COVID-19 case during the high-risk exposure period.

Note: See subsection (c)(10) for exclusion requirements for employees with COVID-19 exposure.

3. Give notice of the potential COVID-19 exposure, within one business day, in a way that does not reveal any personal identifying information of the COVID-19 case, to the following:
  - a. All employees who may have had COVID-19 exposure and their authorized representatives.
  - b. 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 to all employees who had potential COVID-19 exposure in the workplace and provide them with the 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 COVID-19 exposure and what could be done to reduce exposure to COVID-19 hazards.

- (C) Personal identifying information of COVID-19 cases or persons with COVID-19 symptoms shall be kept confidential. All COVID-19 testing or related medical services provided by the employer under this section and sections 3205.1 through 3205.4 shall be provided in a manner that ensures the confidentiality of employees.

EXCEPTION to subsection (c)(3)(C): Unredacted information on COVID-19 cases shall be provided to the local health department, CDPH, the Division, the National Institute for Occupational Safety and Health (NIOSH), or as otherwise required by law immediately upon request.

- (D) The employer shall ensure that all employee medical records required by this section and sections 3205.1 through 3205.4 are kept confidential and are not disclosed or

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reported without the employee's express written consent to any person within or outside the workplace.

EXCEPTION 1 to subsection (c)(3)(D): 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 to subsection (c)(3)(D): This provision does not apply to records that do not contain individually identifiable medical information or from which individually identifiable medical information has been removed.

- (4) Correction of COVID-19 hazards. 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) through (c)(8).
- (5) Training and instruction. The employer shall provide effective training and instruction to employees that includes the following:
  - (A) The employer's COVID-19 policies and procedures to protect employees from COVID-19 hazards.
  - (B) Information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws. This includes any benefits available under workers' compensation law, the federal Families First Coronavirus Response Act, Labor Code sections 248.1 and 248.5, Labor Code sections 3212.86 through 3212.88, local governmental requirements, the employer's own leave policies, and leave guaranteed by contract.
  - (C) The fact that COVID-19 is an infectious disease that can be spread through the air when an infectious person talks or vocalizes, sneezes, coughs, or exhales; that COVID-19 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.
  - (D) Methods of physical distancing of at least six feet and the importance of combining physical distancing with the wearing of face coverings.
  - (E) The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective.

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- (F) The 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-19 test if the employee has COVID-19 symptoms.
- (6) Physical distancing.
- (A) All employees shall be separated from other persons by at least six feet, except where an employer can demonstrate that six feet of separation is not possible, and except for momentary exposure while persons are in movement. Methods of physical distancing include: telework or other remote work arrangements; reducing the number of persons in an area at one time, including visitors; visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel; staggered arrival, departure, work, and break times; and adjusted work processes or procedures, such as reducing production speed, to allow greater distance between employees.
  - (B) When it is not possible to maintain a distance of at least six feet, individuals shall be as far apart as possible.
- (7) Face coverings.
- (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 away from another person, and where required by orders from the CDPH or local health department. Employers shall ensure face coverings are clean and undamaged. Face shields are not a replacement for face coverings, although they may be worn together for additional protection. The following are exceptions to the face coverings requirement:
    - 1. When an 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.

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5. Specific tasks which cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed, and the unmasked employee shall be at least six feet away from all other persons unless unmasked employees are tested at least twice weekly for COVID-19.

NOTE: CDPH has issued guidance for employers that identifies examples when wearing a face covering is likely not feasible.

- (B) Employees exempted from wearing face coverings due to a medical condition, mental health condition, or disability shall wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if their condition or disability permits it.
  - (C) Any employee not wearing a face covering, face shield with a drape or other effective alternative, or respiratory protection, for any reason, shall be at least six feet apart from all other persons unless the unmasked employee is tested at least twice weekly for COVID-19. Employers may not use COVID-19 testing as an alternative to face coverings when face coverings are otherwise required by this section.
  - (D) No employer shall prevent any employee from wearing a face covering when not required by this section, unless it would create a safety hazard, such as interfering with the safe operation of equipment.
  - (E) Employers shall implement measures to communicate to non-employees the face coverings requirements on their premises.
  - (F) The employer shall develop COVID-19 policies and procedures to minimize employee exposure to COVID-19 hazards originating from any person not wearing a face covering, including a member of the public.
- (8) Other engineering controls, administrative controls, and personal protective equipment.
- (A) At fixed work locations where it is not possible to maintain the physical distancing requirement at all times, the employer shall install cleanable solid partitions that effectively reduce aerosol transmission between the employee and other persons.
  - (B) For buildings with mechanical or natural ventilation, or both, employers shall maximize the quantity of outside air provided to the extent feasible, except when the United States Environmental Protection Agency (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, for instance from 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, such as doorknobs, elevator buttons, equipment, tools, handrails, handles, controls, bathroom surfaces, and steering wheels. The employer shall inform

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- employees and authorized employee representatives of cleaning and disinfection protocols, including the planned frequency and scope of regular cleaning and disinfection.
2. Prohibiting the sharing of personal protective equipment and to the extent feasible, items that employees come in regular physical contact with such as phones, headsets, desks, keyboards, writing materials, instruments, and tools. When it is not feasible to prevent sharing, sharing shall be minimized and such items and equipment shall be disinfected between uses by different people. Sharing of vehicles shall be minimized to the extent feasible, and high touch points (steering wheel, door handles, seatbelt buckles, armrests, shifter, etc.) shall be disinfected between users.
  3. Cleaning and disinfection of areas, material, and equipment used by a COVID-19 case during the high-risk exposure period.

NOTE: Cleaning and disinfecting must be done in a manner that does not create a hazard to employees. See Group 2 and Group 16 of the General Industry Safety Orders for further information.

- (D) To protect employees from COVID-19 hazards, the employer shall evaluate its handwashing facilities, determine the need for additional facilities, encourage and allow time for employee handwashing, and provide employees with an effective hand sanitizer. Employers shall encourage employees to wash their hands for at least 20 seconds each time. Provision or use of hand sanitizers with methyl alcohol is prohibited.
- (E) Personal protective equipment.
1. Employers shall evaluate the need for personal protective equipment to prevent exposure to COVID-19 hazards, such as gloves, goggles, and face shields, and provide such personal protective equipment as needed.
  2. Employers shall evaluate the need for respiratory protection in accordance with section 5144 when the physical distancing requirements in subsection (c)(6) are not feasible or are not maintained.
  3. Employers shall provide and ensure use of respirators in accordance with section 5144 when deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8 section 332.3.
  4. Employers shall provide and ensure use of eye protection and respiratory protection in accordance with section 5144 when employees are exposed to procedures that

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may aerosolize potentially infectious material such as saliva or respiratory tract fluids.

NOTE: Examples of work covered by subsection (c)(8)(E)4. include, but are not limited to, certain dental procedures and outpatient medical specialties not covered by section 5199.

(9) Reporting, recordkeeping, and access.

- (A) The employer shall report information about COVID-19 cases at the workplace to the local health department whenever required by law, and shall provide any related information requested by the local health department.
- (B) The employer shall report immediately to the Division any COVID-19-related serious illnesses or death, as defined under section 330(h), of an employee occurring in a place of employment or in connection with any employment.
- (C) The employer shall maintain records of the steps taken to implement the written COVID-19 Prevention Program in accordance with section 3203(b).
- (D) The written COVID-19 Prevention Program shall be made available at the workplace to employees, authorized employee representatives, and to representatives of the Division immediately upon request.
- (E) The employer shall keep a record of and track all COVID-19 cases with the employee's name, contact information, occupation, location where the employee worked, the date of the last day at the workplace, and the date of a positive COVID-19 test. Medical information shall be kept confidential in accordance with subsections (c)(3)(C) and (c)(3)(D). The information shall be made available to employees, authorized employee representatives, or as otherwise required by law, with personal identifying information removed.

Note: Subsection (c)(9)(E) does not alter the right of employees or their representatives to request and obtain an employer's Log of Work-Related Injuries and Illnesses (Log 300), without redaction, or to request and obtain information as otherwise allowed by law.

- (10) **Exclusion of COVID-19 cases. The purpose of this subsection is to limit transmission of COVID-19 in the workplace.**

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(A) Employers shall ensure that COVID-19 cases are excluded from the workplace until the return to work requirements of subsection (c)(11) are met.

(B) Employers shall exclude employees with COVID-19 exposure from the workplace for 14 days after the last known COVID-19 exposure to a COVID-19 case.

(C) For employees excluded from work under subsection (c)(10) and otherwise able and available to work, employers shall continue and maintain an employee's earnings, seniority, and all other employee rights and benefits, including the employee's right to their former job status, as if the employee had not been removed from their job. 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.

EXCEPTION 1: Subsection (c)(10)(C) does not apply to any period of time during which the employee is unable to work for reasons other than protecting persons at the workplace from possible COVID-19 transmission.

EXCEPTION 2: Subsection (c)(10)(C) does not apply where the employer demonstrates that the COVID-19 exposure is not work related.

(D) Subsection (c)(10) does not limit any other applicable law, employer policy, or collective bargaining agreement that provides for greater protections.

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

EXCEPTION to subsection (c)(10): Employees who have not been excluded or isolated by the 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 subsection (c)(11) are met.

**(11) Return to work criteria.**

(A) COVID-19 cases with COVID-19 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 the use of fever-reducing medications;
2. COVID-19 symptoms have improved; and
3. At least 10 days have passed since COVID-19 symptoms first appeared.

(B) COVID-19 cases who tested positive but never developed COVID-19 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-19 test.

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(C) A negative COVID-19 test shall not be required for an employee to return to work.

(D) If an order to isolate or quarantine an employee 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 for isolation or quarantine, 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.

**Note:** Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.



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Add new section 3205.1 to read:

**§ 3205.1. Multiple COVID-19 Infections and COVID-19 Outbreaks.**

**(a) Scope.**

- (1) This section applies to a place of employment covered by section 3205 if it has been identified by a local health department as the location of a COVID-19 outbreak or when there are three or more COVID-19 cases in an exposed workplace within a 14-day period.
- (2) This section shall apply until there are no new COVID-19 cases detected in a workplace for a 14-day period.

**(b) COVID-19 testing.**

- (1) The employer shall provide COVID-19 testing to all employees at the exposed workplace except for employees who were not present during the period of an outbreak identified by a local health department or the relevant 14-day period(s) under subsection (a), as applicable. COVID-19 testing shall be provided at no cost to employees during employees' working hours.
- (2) COVID-19 testing shall consist of the following:
  - (A) Immediately upon being covered by this section, all employees in the exposed workplace shall be tested and then tested again one week later. Negative COVID-19 test results of employees with COVID-19 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-19 tests required by (b)(2)(A), employers shall provide continuous COVID-19 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 pursuant to subsection (a)(2).
  - (C) Employers shall provide additional testing when deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8 section 332.3.
- (c) Exclusion of COVID-19 cases. Employers shall ensure COVID-19 cases and employees who had COVID-19 exposure are excluded from the workplace in accordance with subsections 3205(c)(10) and (c)(11) and local health officer orders if applicable.
- (d) Investigation of workplace COVID-19 illness. The employer shall immediately investigate and determine possible workplace related factors that contributed to the COVID-19 outbreak in accordance with subsection 3205(c)(3).
- (e) COVID-19 Investigation, review and hazard correction. In addition to the requirements of subsection 3205(c)(2) and 3205(c)(4), the employer shall immediately perform a review of

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potentially relevant COVID-19 policies, procedures, and controls and implement changes as needed to prevent further spread of COVID-19. The investigation and review shall be documented and include:

- (1) Investigation of new or unabated COVID-19 hazards including the employer's leave policies and practices and whether employees are discouraged from remaining home when sick; the employer's COVID-19 testing policies; insufficient outdoor air; insufficient air filtration; and lack of physical distancing.
  - (2) The review shall be updated every thirty days that the outbreak continues, in response to new information or to new or previously unrecognized COVID-19 hazards, or when otherwise necessary.
  - (3) The employer shall implement changes to reduce the transmission of COVID-19 based on the investigation and review required by subsections (e)(1) and (e)(2). The 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.
- (f) Notifications to the local health department.
- (1) The employer shall contact the local health department immediately but no longer than 48 hours after the employer knows, or with diligent inquiry would have known, of three or more COVID-19 cases for guidance on preventing the further spread of COVID-19 within the workplace.
  - (2) The employer shall provide to the local health department the total number of COVID-19 cases and for each COVID-19 case, the name, contact information, occupation, workplace location, business address, the hospitalization and/or fatality status, and North American Industry Classification System code of the workplace of the COVID-19 case, and any other information requested by the local health department. The employer shall continue to give notice to the local health department of any subsequent COVID-19 cases at the workplace.
  - (3) Effective January 1, 2021, the employer shall provide all information to the local health department required by Labor Code section 6409.6.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

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Add new section 3205.2 to read:

§ 3205.2. Major COVID-19 Outbreaks.

(a) Scope.

- (1) This section applies to any place of employment covered by section 3205 when there are 20 or more COVID-19 cases in an exposed workplace within a 30-day period.
- (2) This section shall apply until there are no new COVID-19 cases detected in a workplace for a 14-day period.

(b) COVID-19 testing. Employers shall provide twice a week COVID-19 testing, or more frequently if recommended by the local health department, to all employees present at the exposed workplace during the relevant 30-day period(s) and who remain at the workplace. COVID-19 testing shall be provided at no cost to employees during employees' working hours.

(c) Exclusion of COVID-19 cases. Employers shall ensure COVID-19 cases and employees with COVID-19 exposure are excluded from the workplace in accordance with subsections 3205(c)(10) and (c)(11) and any relevant local health department orders.

(d) Investigation of workplace COVID-19 illnesses. The employer shall comply with the requirements of subsection 3205(c)(3).

(e) COVID-19 hazard correction. In addition to the requirements of subsection 3205(c)(4), the employer shall take the following actions:

- (1) In buildings or structures with mechanical ventilation, employers shall filter recirculated air with Minimum Efficiency Reporting Value (MERV) 13 or higher efficiency filters if compatible with the ventilation system. If MERV-13 or higher filters are not compatible with the ventilation system, employers shall use filters with the highest compatible filtering efficiency. Employers shall also evaluate whether portable or mounted High Efficiency Particulate Air (HEPA) filtration units, or other air cleaning systems would reduce the risk of transmission and shall implement their use to the degree feasible.
- (2) The employer shall determine the need for a respiratory protection program or changes to an existing respiratory protection program under section 5144 to address COVID-19 hazards.
- (3) The employer shall evaluate whether to halt some or all operations at the workplace until COVID-19 hazards have been corrected.
- (4) Any other control measures deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8 section 332.3.

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(f) Notifications to the local health department. Employers shall comply with the requirements of section 3205.1(f).

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

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Add new section 3205.3 to read:

**§ 3205.3. COVID-19 Prevention in Employer-Provided Housing.**

(a) Scope. This section applies to employer-provided housing. 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, or other housing accommodations. Employer-provided housing includes a “labor camp” as that term is used in title 8 of the California Code of Regulations or other regulations or codes. The 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.

The following exceptions apply:

- (1) This section 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) The employer is a government entity; or
    - (B) The housing is provided temporarily by a private employer and is necessary to conduct the emergency response operations.
  - (2) Subsections (c), (d), (e), (f), and (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.
- (b) Assignment of housing units. 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 when no other housing alternatives are possible.

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**(c) Physical distancing and controls. Employers shall:**

- (1) Ensure the premises are of sufficient size and layout to permit at least six feet of physical distancing between residents in housing units, common areas, and other areas of the premises.
- (2) Ensure beds are spaced at least six feet apart in all directions and positioned to maximize the distance between sleepers' heads. For beds positioned next to each other, i.e. 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 positioned across from each other, i.e. 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.
- (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) Face coverings. Employers shall provide face coverings to all residents and provide information to residents on when they should be used in accordance with state or local health officer orders or guidance.**

**(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-19. 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) Screening. The employer shall encourage residents to report COVID-19 symptoms to the employer.**

**(g) COVID-19 testing. The employer shall establish, implement, and maintain effective policies and procedures for COVID-19 testing of occupants who had a COVID-19 exposure, who have COVID-19 symptoms, or as recommended by the local health department.**

**(h) Isolation of COVID-19 cases and persons with COVID-19 exposure.**

- (1) Employers shall effectively isolate COVID-19 exposed residents from all other occupants. Effective isolation shall include providing COVID-19 exposed residents with a private bathroom, sleeping area, and cooking and eating facility.
- (2) Employers shall effectively isolate COVID-19 cases from all occupants who are not COVID-19 cases. Effective isolation shall include housing COVID-19 cases only with other COVID-19 cases, and providing COVID-19 case occupants with a sleeping area,

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bathroom, and cooking and eating facility that is not shared by non-COVID-19 case occupants.

- (3) Personal identifying information regarding COVID-19 cases and persons with COVID-19 symptoms shall be kept confidential in accordance with subsections 3205(c)(3)(C) and 3205(c)(3)(D).
- (4) Employers shall end isolation in accordance with subsections 3205(c)(10) and (c)(11) and any applicable local or state health officer orders.

Note: Authority cited: Section 142.3, Labor Code, Section 1708, Health and Safety Code.  
Reference: Sections 142.3 and 144.6, Labor Code.

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Add new section 3205.4 to read:

§ 3205.4. COVID-19 Prevention in Employer-Provided Transportation to and from Work.

- (a) Scope. This section applies to 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. Subsections (b) through (g) apply to employer-provided transportation. The following exceptions apply:
- (1) This section does not apply if the driver and all passengers are from the same household outside of work, such as family members.
  - (2) This section does not apply to employer-provided transportation when necessary for emergency response, including firefighting, rescue, and evacuation, and support activities directly aiding response such as utilities, communications, and medical operations.
- (b) Assignment of transportation. Employers shall prioritize shared transportation assignments in the following order:
- (1) Employees residing in the same housing unit 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.
- (c) Physical distancing and face coverings. Employers shall ensure that:
- (1) Physical distancing and face covering requirements of subsection 3205(c)(6) and (c)(7) are followed for employees waiting for transportation.
  - (2) The vehicle operator and any passengers are separated by at least three feet in all directions during the operation of the vehicle, regardless of the vehicle's normal capacity.
  - (3) The vehicle operator and any passengers are provided and wear a face covering in the vehicle as required by subsection 3205(c)(7).
- (d) Screening. Employers shall develop, implement, and maintain effective procedures for screening and excluding drivers and riders with COVID-19 symptoms prior to boarding shared transportation.
- (e) Cleaning and disinfecting. Employers shall ensure that:



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- (1) All high-contact surfaces (door handles, seatbelt buckles, armrests, etc.) used by passengers are cleaned and disinfected before each trip.
- (2) All high-contact surfaces used by drivers, such as the 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.
- (f) Ventilation. Employers 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) The vehicle has functioning air conditioning in use and the outside temperature is greater than 90 degrees Fahrenheit.
  - (2) The vehicle has functioning heating in use and the outside temperature is less than 60 degrees Fahrenheit.
  - (3) Protection is needed from weather conditions, such as rain or snow.
  - (4) The vehicle has a cabin air filter in use and the U.S. EPA Air Quality Index for any pollutant is greater than 100.
- (g) Hand hygiene. Employers 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.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.