COVID-19 Prevention Program

An Addendum to the Injury and Illness Program

*In accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention*

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(a) Scope.
(1) This program applies to all employees and all 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, Aerosol Transmissible Diseases.

Colleen Slattery, Assistant Superintendent of Human Resources, has overall authority and responsibility for implementing the provisions of this CPP in our workplace. 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.

All employees are responsible for using safe work practices, following all directives, policies and procedures, and assisting in maintaining a safe work environment.

(b) Definitions. The following definitions apply:

“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.

“Close contact” 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.

   • EXCEPTION: Employees have not had a close contact if they wore a respirator required by the employer and used in compliance with section 5144, whenever they were within six feet of the COVID-19 case during the high-risk exposure period.

“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 the following unless a licensed health care professional determines the person’s symptoms were caused by a known condition other than COVID-19.
- 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,

“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 group” means all employees at a work location, working area, or a common area at work, where an employee COVID-19 case was present at any time during the high-risk exposure period. A common area at work includes bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. The following exceptions apply:

(A) For the purpose of determining the exposed group, a place where persons momentarily pass through while everyone is wearing face coverings, without congregating, is not a work location, working area, or a common area at work.

(B) If the COVID-19 case was part of a distinct group of employees who are not present at the workplace at the same time as other employees, for instance a work crew or shift that does not overlap with another work crew or shift, only employees within that distinct group are part of the exposed group.

(C) If the COVID-19 case visited a work location, working area, or a common area at work for less than 15 minutes during the high-risk exposure period, and the COVID-19 case was wearing a face covering during the entire visit, other people at the work location, working area, or common area are not part of the exposed group.

NOTE: An exposed group may include the employees of more than one employer. See Labor Code sections 6303 and 6304.1.

“Face covering” means a surgical mask, a medical procedure mask, a respirator worn voluntarily, or a tightly woven fabric or non-woven material of at least two layers. A face covering has no visible holes or openings and must, cover the nose and mouth. A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.

“Fully vaccinated” means the employer has documented that the person received, at least 14 days prior, either the second dose in a two-dose COVID-19 vaccine series or a single-dose COVID-19 vaccine. Vaccines must be FDA approved; have an emergency use authorization from the FDA; or, for persons fully vaccinated outside the United States, be listed for emergency use by the World Health Organization (WHO).
“High-risk exposure period” means the following time period:

(A) For COVID-19 cases who develop COVID-19 symptoms, from two days before they first develop symptoms until all of the following are true: it has been 10 days since symptoms first appeared; 24 hours have passed with no fever, without the use of fever-reducing medications; and symptoms have improved.

(B) For COVID-19 cases who never develop COVID-19 symptoms, from two days before until 10 days after the specimen for their first positive test for COVID-19 was collected.

“Respirator” means a respiratory protection device approved by the National Institute for Occupational Safety and Health (NIOSH) to protect the wearer from particulate matter, such as an N95 filtering facepiece respirator.

“Worksite” for the limited purposes of COVID-19 prevention regulations only, means the building, store, facility, agricultural field, or other location where a COVID-19 case was present during the high-risk exposure period. It does not apply to buildings, floors, or other locations of the employer that a COVID-19 case did not enter.

- NOTE: The term worksite is used for the purpose of notice requirements in subsections (c)(3)(B)3. and 4. only.

(c) Written COVID-19 Prevention Program Components.

Placer County Office of Education has developed this written COVID-19 Prevention Program, in accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention.

The County Office’s Prevention Program has been developed in accordance with the issued guidance from the State of California Department of Public Health and Cal/OSHA (Appendix A).

Elements of the COVID-19 Prevention Program include:

1. System for communicating.

The County Office will do all of the following in a form readily understandable by employees:

(A) Employee Reports:

All employees of the County Office are to, without fear of reprisal, report to their Supervisor or Manager any of the following:

1. COVID-19 symptoms: If any employee is experiencing any of the identified symptoms of COVID-19
2. Possible COVID-19 exposures: If any employee has been exposed or possibly exposed to an individual who is positive for, or has been diagnosed with COVID-19.
3. Possible COVID-19 hazards at the workplace: If any employee becomes aware of a possible hazard in the workplace that could increase the likelihood of exposure to COVID-19.

Methods of Reporting:

1. To Whom: Your Supervisor and Mark Williams, Director of Human Resources
2. How: by telephone or by email
3. Where: (530) 889-5916 or mwilliams@ placercoe.k12.ca.us
4. When: as soon as possible if experiencing COVID-19 symptoms, possible COVID-19 exposure, or a possible COVID-19 hazard at the workplace

(B) Procedures for accommodating employees with medical or other conditions that put them at increased risk of severe COVID-19 illness.

Contact Mark Williams, Director of Human Resources at (530) 889-5916 or by email at mwilliams@placercoe.k12.ca.us

Employees who have disabilities or conditions that may place them at risk for serious complications from COVID-19 may request reasonable accommodations prior to returning to work in the physical worksite, regardless of their vaccination status. Such requests should be directed to Mark Williams, Director of Human Resources who will review and consider each request on a case-by-case basis using an individualized interactive process. PCOE will implement reasonable and effective accommodations, provided they do not impose an undue burden on operational continuity, or create an imminent risk of harm to the individual seeking the accommodation or others in the workplace.

Except when objective undue hardship would result, or in circumstances where an accommodation, if made, would present an imminent and substantial risk to the health and safety of the employee or others, PCOE shall provide reasonable accommodation to any qualified employee with a disability to perform the essential functions of the position they hold or to enjoy equal benefits or other terms, conditions, and privileges of employment as other similarly situated employees without disabilities. Reasonable accommodations will be evaluated through PCOE’s established interactive process.

Employees with family members who have disabilities or conditions that may place them at risk for serious complications if exposed to COVID-19 and who wish to discuss their options should address their concerns to the Human Resources Department. While family member disabilities or medical conditions are not governed by law or reasonable accommodation policies, we are receptive to addressing available options as a policy matter with affected employees. PCOE will address these matters on a case-by-case basis.

(C) Access to COVID-19 testing.

If testing is required in accordance with this written program, the County Office shall inform any affected employees of the reason for the COVID-19 testing and the possible consequences of a positive test. On PCOE website is a link to Optumserve which is free for all employees to use for testing.

(D) COVID-19 hazards and the County Office’s COVID-19 policies and procedures to protect employees and other employers, persons, and entities within or in contact with the employer’s workplace.

Health and Safety Information for PCOE Workplace Facilities

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) Identification and evaluation of COVID-19 hazards

The County Office will include opportunities for employee and authorized employee representative participation in the identification and evaluation of COVID-19 hazards as follows;

PCOE Injury & Illness Prevention Program
(B) Employee Symptom Screening
The County Office has implemented a process for screening employees for and responding to employees with COVID-19 symptoms. Staff are to self-screen for symptoms daily prior to arrival on a campus or worksite.

Health and Safety Information for PCOE Workplace Facilities

(C) Response to COVID-19 case
The County Office has developed 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.

The County Office and staff have developed 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.

For confirmed-positive COVID-19 cases in the workplace, the County Office and staff will limit transmission by:

- Ensuring that COVID-19 cases are excluded from the workplace until the return-to-work requirements are met.
- Excluding employees with COVID-19 close contacts from the workplace after the last known COVID-19 close contact to a COVID-19 case.
- Continuing and maintaining an employee’s earnings, seniority, and all other employee rights and benefits whenever we’ve demonstrated that the COVID-19 exposure is work related. This will be accomplished by:
  - Employee cooperates with and complies with contact tracing; and
  - Employee is offered testing on work time at no cost to the employee; and
  - Employee will exhaust leave provided by the California SB 95 Supplemental Paid Sick Leave. This Additional COVID Related Leave can be accessed prior to use of sick leave provided under the applicable bargaining agreement and/or Education Code.
- Providing information on available benefits to employees at the time of exclusion.
- If the workplace has been identified by a local health department as the location of a COVID-19 outbreak or if there are three or more COVID-19 cases in an exposed group within a 14-day period, COVID-19 testing will be offered to staff.

Health and Safety Information for PCOE Workplace Facilities

COVID-19 Response Scenarios in a School Setting for School Nurses and Educational Leaders

(D) Workplace Assessment
The County Office will conduct a workplace-specific assessment to identify all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards.

The County Office will take universal precautions and treat all persons, regardless of symptoms or negative COVID-19 test results, as potentially infectious.

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.

3. The County Office and staff conduct workplace-specific assessments and will conduct periodic inspections to identify all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards.

4. The County Office and staff will take universal precautions and treat all persons, regardless of symptoms or negative COVID-19 test results, as potentially infectious. This includes 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.

5. This includes 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. District and staff shall consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing stationary work.

CDPH Guidance for Physical Distancing Inside and Outside the Classroom (Archived by CDPH)

(E) Ventilation Systems

For indoor locations, the County Office evaluated how to maximize ventilation with outdoor air; to the highest level of filtration efficiency compatible with the existing ventilation system.

The PCOE recognizes the importance of a safe learning environment and providing improvements to the air filtration system with the intent to maximize the indoor air quality. The District’s current HVAC systems function at a high level; however, additional improvements and replacement of units are being completed on a regular basis. The following are the additional planned improvements and implementation measures to the air filtration system to minimize the risk of transmission and infection of COVID-19 through the air.

1. All HVAC units have been thoroughly cleaned and sprayed with a disinfectant. The cleaning of the units consists of removing all dirt and debris from inside the units including cleaning the evaporator and condenser coils and spraying with a disinfectant.

2. MERV 13 filters have been installed in all HVAC units.

3. All HVAC systems at sites operate on the mode which delivers the most fresh air changes per hour, based on engineers’ recommendations, including disabling demand-controlled ventilation and opening outdoor air dampers to maximum extent possible as indoor and outdoor conditions safely permit and to not sacrifice comfort.

4. Programming has been provided to maximize as much outside air exchange as conditions safely permit.

5. Repairs and replacement of some HVAC systems will be implemented based on the age and condition of the units.

All inspections, repairs and services will be completed in coordination and in combination with outside engineers, contractors and vendors.
If an individual tests positive for COVID-19, the District will replace the HVAC filters in the associated classrooms at the school site.

**Ongoing monitoring and review of orders and guidance**
The County Office will monitor and 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.

Health and Safety Information for PCOE Workplace Facilities

**Evaluate existing prevention controls**
The County Office will evaluate existing COVID-19 prevention controls at the workplace and the need for different or additional controls.

Health and Safety Information for PCOE Workplace Facilities

**Periodic Inspections**
The County Office will 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.

Health and Safety Information for PCOE Workplace Facilities

**Investigating and responding to COVID-19 cases in the workplace.**

**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.

**Response to a COVID-19 case in the workplace:**
The County Office will take all of the following steps in response to a COVID-19 case in the workplace.

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 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.
language used in the notice, the employer shall provide verbal notice, as soon as practicable, in a language understandable by the employee.

b. Independent contractors and other employers at the worksite during the high-risk exposure period.

4. Within one business day of the time the employer knew or should have known of the COVID-19 case, the employer shall provide the notice required by Labor Code section 6409.6(a)(2) and (c) to the authorized representative of any employee at the worksite during the high-risk exposure period.

5. Make COVID-19 testing available at no cost during paid time to all employees of the employer who had a close contact in the workplace and provide staff with the information on benefits described in subsections (c)(5)(B) and (c)(9)(C) with the following exceptions:
   a. Employees who were fully vaccinated before the close contact and do not have COVID-19 symptoms.
   b. COVID-19 cases who returned to work pursuant to subsection 3205(c)(10)(A) or (B) and have remained free of COVID-19 symptoms, for 90 days after the initial onset of COVID-19 symptoms or, for COVID-19 cases who never developed symptoms, for 90 days after the first positive test.

6. Investigate whether workplace conditions could have contributed to the risk of COVID-19 exposure and what could be done to reduce exposure to COVID-19 hazards.

7. Site Administrator/Supervisor/Public Health and Safety Team members review the workplace setup and make adjustments, if necessary.

(C) Confidentiality of Personal Identifying Information
Personal identifying information of COVID-19 cases or persons with COVID-19 symptoms, and any employee medical records required by this section or by sections 3205.1 through 3205.4, shall be kept confidential unless disclosure is required or permitted by law. Unredacted information on COVID-19 cases shall be provided to the local health department, CDPH, the Division, and NIOSH immediately upon request, and when required by law.

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) Confidentiality of Employee Medical Records
All employee medical records are kept confidential and are not disclosed or reported without the employee’s express written consent to any person within or outside the workplace.

EXCEPTION 1 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.
PCOE provides correction to any identified hazard in a timely manner. Documentation of correction, repair quotes, purchase orders, etc. are available in the PCOE Work Order System, ESCAPE financial tracking software, and can also be found in project folders in email and on PCOE servers.

A. **Hazards are identified and assessed in the following ways:**
   1. Periodic inspections. The Director of MOT or assignee will inspect PCOE sites and departments annually utilizing checklists as documentation.
   2. Reports by Employees. Employees are required to report any unsafe condition to their Principal or supervisor in writing or work order on the School Dude work order system online. No employee will be disciplined or discharged for reporting a workplace hazard. Employees may make an anonymous report to their manager.

B. **Hazard Assessment & Correction**
   1. The Director of Maintenance or Designee will ensure that safety inspections are routinely conducted at least twice a year, or as often as necessary, by the Lead Custodian or site Custodian.
   2. The Site Administrator, or designee shall conduct a periodic service to identify any unsafe conditions or take action to ensure correction. Corrections may be made by facility staff.
   3. The Site Administrator will ensure that all reported potential safety hazards are identified and documented in the work order system for the purpose of facilitating corrective action.
   4. If employees report a potential chemical, biological or physical exposure, the Lead Custodian or site custodian will assess the situation and determine the need for outside assistance. As appropriate, the Site Administrator may request assistance from the local police and fire.
   5. The Site Administrator will ensure that identified hazards are documented and corrected in a timely manner. When an imminent hazard is identified which cannot be immediately abated without endangering employees, workers and other personnel shall be removed from the affected area and the area secured to prevent reentry except for designated workers. Workers entering the area to correct the unsafe condition shall be properly trained and provided with the appropriate personal protective equipment.
   6. In determining corrective actions, the Site Administrator or designee shall evaluate whether the identified hazard can be eliminated through workplace redesign (i.e. engineering controls) or product substitution. If it is not possible to eliminate the hazard, considerations should be given to reducing the exposure duration or rotating the work assignment among employees. The use of personal protective equipment to control the exposure should be considered as the last resort.
   7. The Director of MOT, or designee shall ensure that identified hazards have been corrected. This should include periodic review of prior inspections, regulatory agency reports, or Facility Inspection Checklists.

C. **ADDRESSING IDENTIFIED HAZARDS**

1. **General Hazards**
   All identified hazards will be addressed in a timely manner. Safety concerns will receive priority over other work orders. Generally, safety hazards needing repair or removal will be reported on a work order and the requested action will be assessed and prioritized.

2. **Hazards Which May Cause Imminent Harm**
   Hazards which give rise to a risk of imminent harm will be abated promptly. When PCOE cannot repair, remove, or otherwise abate such a hazard immediately, all personnel will be removed from the area
except those personnel necessary to correct the hazardous situation. Those personnel will receive or will have received appropriate training and will be provided with necessary safeguards and personal protective equipment, if needed.

3. Newly Discovered Hazards

Any new or newly discovered hazard or hazardous procedure will be promptly investigated and remedied.

4. Anonymous Notification Procedures

Employees may submit an anonymous report in the safety drop box in the Annex and PCOE Main Breakrooms or submit an anonymous memorandum to the Program Coordinator outlining a safety hazard. Anonymous reports will be investigated and acted on in a timely manner.

5. Postings

PCOE will post at each site and department office required safety notices.

(5) Training and instruction.

Health and Safety Information for PCOE Workplace Facilities

The County Office has developed a training program for all employees with instruction to employees including, but not limited to, the following:

- The County Office’s 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. 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.
- 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 COVID19 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.
- 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 some individuals with certain medical disorders or treatment regimens may not be fully immunized against COVID-19 or its variants despite being vaccinated.
- The right of individuals who, due to a condition or treatment regimen, are still at high risk of serious illness or complications from exposure to COVID-19 may request a reasonable accommodation based on their individualized needs, and how to make such request to the Human Resources Department.
- The right to be free from retaliation for requesting a reasonable accommodation, being authorized for a reasonable accommodation, or requesting PPE or enhanced safety measures in our workplace.
- 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 right of employees who are not fully vaccinated to request a NIOSH approved respirator (N95) for voluntary use, without fear of retaliation, and our policies for providing the respirators. Employees voluntarily using respirators will be trained according to section 5144(c)(2) requirements:
  o How to properly wear them.
  o How to perform a seal check according to the manufacturer’s instructions each time a respirator is worn, and the fact that facial hair can interfere with a seal.
• Information on our COVID-19 policies and how to access COVID-19 testing and vaccination, and the fact that vaccination is effective at preventing COVID-19, protecting against both transmission and serious illness or death.
• The efficacy and safety of available vaccines and the benefits of being fully vaccinated.
• The fact that some individuals with certain medical disorders or treatment regimens may not be fully immunized against COVID-19 or its variants despite being vaccinated.
• 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.
• 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 are encouraged to distance indoors, although physical distancing of 6 feet is no longer required. Methods of physical distancing include:

  • Telework or other remote work arrangements, where feasible;
  • 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;
  • Adjusted work processes or procedures, to allow greater distance between employees.
• CDPH Guidance for Physical Distancing Inside and Outside the Classroom (Archived by CDPH)

(7) Face coverings.

(A) For all employees who are not fully vaccinated, the District will provide face coverings and ensure that they are worn when indoors or in vehicles.

(B) Employers shall provide face coverings and ensure they are worn by employees when required by orders from the CDPH.

(C) Employers shall ensure that required face coverings are clean and undamaged, and that they are worn over the nose and mouth. Face shields are not a replacement for face coverings, although they may be worn together for additional protection.

(D) When employees are required to wear face coverings under this section or sections 3205.1 through 3205.4, the following exceptions apply:
1. When an employee is alone in a room or vehicle.
2. While eating or 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 feasible.
3. Employees wearing respirators required by the employer and used in compliance with section 5144.
4. Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person.
5. Specific tasks which cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed.

(E) 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.

(F) Any employee not wearing a face covering, pursuant to the exceptions in subsections (c)(6)(D)4. or 5., and not wearing a non-restrictive alternative when allowed by subsection (c)(6)(E), shall be at least six feet apart from, all other persons unless the unmasked employee is either fully vaccinated or tested at least weekly for COVID-19 during paid time and at no cost to the employee. The District may not use the provisions of subsection (c)(6)(F) as an alternative to face coverings when face coverings are otherwise required by this section.

(G) The County Office will not 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.

(H) When face coverings are not required by this section or by sections 3205.1 through 3205.4, employers shall provide face coverings to employees upon request, regardless of vaccination status.

(I) The County Office will implement the following measures to communicate to non-employees the face coverings requirements on their premises: CDPH Guidance for the Use of Face Masks.

(8) Other engineering controls, administrative controls, and personal protective equipment.
Health and Safety Information for PCOE Workplace Facilities

(A) Partitions
During outbreaks, at fixed work locations where it is not possible to maintain the physical distancing requirement at all times, the County Office will install cleanable solid partitions that effectively reduce aerosol transmission between the employee and other persons.

(B) Maximize Outdoor Air
For buildings with mechanical or natural ventilation, or both, the County Office will 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) Cleaning and Disinfecting
The County Office has implemented 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 County Office will inform employees and authorized employee representatives of cleaning and disinfection protocols, including the planned frequency and scope of regular cleaning and disinfection. All employees receive training on proper cleaning and disinfecting of workspaces after each daily use. Those employees responsible for thorough disinfecting of all workspaces after daily use will be trained. There will be adequate supplies readily accessible for all employees to clean workspaces. If additional supplies are needed, please contact your supervisor. Supervisors are to keep a supply of cleaning supplies on hand ordered through the Maintenance department.

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 will be thoroughly cleaned and disinfected by trained Maintenance personnel as soon as the case is reported to PCOE and staff are deployed to the location. Most regular and deep cleaning will be done by trained PCOE staff, but in the event an outside service is used, they will follow all PCOE safety and protocols.

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) Handwashing Facilities
To protect employees from COVID-19 hazards, the County Office will 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. The County Office will 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. Upon request, employers shall provide respirators for voluntary use in compliance with subsection 5144(c)(2) to all employees who are not fully vaccinated and who are working indoors or in vehicles with more than one person. Whenever an employer makes respirators for voluntary use available, under this section or sections 3205.1 through 3205.4, the employer shall encourage their use and shall ensure that employees are provided with a respirator of the correct size.
   3. The County Office will 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. The County Office will 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.

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) Local Public Health
The County Office will 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 as required by Labor Code section 6409.6.

(B) Cal/OSHA
The County Office will 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) Injury & Illness Prevention Program
The County Office will maintain records of the steps taken to implement the written COVID-19 Prevention Program in accordance with section 3203(b).

(D) Access to the COVID-19 Prevention Program
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) Access to COVID-19 Case Records
The County Office will 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.

Appendix C: Investigating COVID-19 Cases form is used to keep a record of and track all COVID-19 cases. The information will 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.

COVID-19 Response Scenarios in a School Setting for School Nurses and Educational Leaders
The purpose of this section is to limit transmission of COVID-19 in the workplace.
(A) COVID-19 Cases
The County Office will ensure that COVID-19 cases are excluded from the workplace until the return to work requirements in section 11 are met.

(B) COVID-19 Exposure Cases
The County Office will 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) Earnings & Benefits while excluded
For employees excluded from work and otherwise able and available to work, the County Office will continue and maintain the 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.

The District may use employer-provided employee sick leave for this purpose to the extent permitted by law. Wages due under this subsection are subject to existing wage payment obligations and must be paid at the employee’s regular rate of pay no later than the regular pay day for the pay period(s) in which the employee is excluded. Unpaid wages owed under this subsection are subject to enforcement through procedures available in existing law. If an employer determines that one of the exceptions below applies, it shall inform the employee of the denial and the applicable exception.

• EXCEPTION 1: Subsection (c)(9)(C) does not apply where the employee received disability payments or was covered by workers’ compensation and received temporary disability.
• EXCEPTION 2: Subsection (c)(9)(C) does not apply where the employer demonstrates that the close contact is not work related.

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

(E) Information on Benefits & Leaves
At the time of exclusion, the County Office will provide the employee the information on available benefits and leaves as required

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.
COVID-19 Response Scenarios in a School Setting for School Nurses and Educational Leaders

Health and Safety Information for PCOE Workplace Facilities

(A) COVID-19 positive cases with symptoms should:
   (A) Isolate and stay home from work for at least 5 days.
   (B) If symptoms are resolving, isolation can end after day 5 with a negative test result collected on day 5 or later. Wear a well-fitting mask around others for a total of 10 days.
   (C) If unable to test or choosing not to test, and symptoms are not present or are resolving, isolation can end after day 10.

(B) COVID-19 positive cases but never developed symptoms should:
   (A) Isolate and stay home from work for at least 5 days.
If symptoms are not present, isolation can end after day 5 with a negative test result collected on day 5 or later. Wear a well-fitting mask around others for a total of 10 days.

If unable to test or choosing not to test, and symptoms are not present or are resolving, isolation can end after day 10.

Close contacts with no symptoms should:

(A) UNVACCINATED:
   a. Quarantine for at least 5 days after last contact with a person who has COVID-19.
   b. Test on day 5.
   c. If symptoms are not present, quarantine can end after day 5 with a negative test collected on or after day 5.
   d. If unable to test or choosing not to test, and symptoms are not present, quarantine can end after day 10.
   e. Wear a well-fitting mask around others for a total of 10 days.

(B) VACCINATED BOOSTER-ELIGIBLE BUT NOT YET BOOSTED*:
   a. In a workplace setting, asymptomatic employees in this category may remain at work if the following conditions are met:
   b. No quarantine if asymptomatic.
   c. A negative diagnostic test is obtained within 3-5 days after last exposure.
   d. Employees wear a well-fitting mask around others, especially in indoor settings, for a total of 10 days.
   e. Employees continue to have no symptoms.
   f. *Per CDPH Technical Assistance, this group is still subject to the full quarantine recommendations as outlined in the CDPH K-12 Guidance (refer to Table 2 in the original document). However, employees may go to work, but should quarantine from all other places, if they adhere to the workplace setting guidance.

(C) BOOSTED OR VACCINATED NOT BOOSTER-ELIGIBLE:
   a. No quarantine.
   b. Test on day 5.
   c. Employees wear a well-fitting mask around others, especially in indoor settings, for a total of 10 days.

(D) RECENT INFECTION EXCEPTIONS (WITHIN 90 DAYS):
   a. Employees who tested positive, returned to work and have remained asymptomatic AND employees who tested positive but never developed symptoms, do not need to be excluded from the workplace for 90 days after the initial onset of COVID-19 symptoms or first positive test if they wear a face covering and maintain 6 feet of distance from others while at the workplace for 14 days following the last date of close contact.

(E) If an order to isolate or quarantine an employee is issued by local/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
- 10 days from the time the order to quarantine was effective.
- CDPH Guidance for Self-Isolation & Quarantine

Guidance from the California Department of Public Health:
(F) Division approval of return to work
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 County Office will 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.*
§ 3205.1. Multiple COVID-19 Infections and COVID-19 Outbreaks.

(a) Scope.
(1) This section applies to a place of employment covered by section the County Office COVID-19 Prevention Program if:

- The exposed workplace 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.

COVID-19 testing.
Placer County COVID Testing Website

(1) The County Office will 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), The County Office will 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) County Office will 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.

(a) Exclusion of COVID-19 cases.
The County Office will ensure COVID-19 cases and employees who had COVID-19 exposure are excluded from the workplace in accordance with our COVID-19 Prevention Program and local health officer orders if applicable.

(b) Investigation of workplace COVID-19 illness.
The County Office will immediately investigate and determine possible workplace related factors that contributed to the COVID-19 outbreak in accordance with our COVID-19 Prevention Program.

(c) COVID-19 Investigation, review and hazard correction.
In addition to the requirements of our COVID-19 Prevention Program the County Office 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 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 County Office will implement changes to reduce the transmission of COVID-19 based on the investigation and review required by our COVID-19 Prevention Program. The County Office 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, and other applicable controls.

(d) Notifications to the local health department.

(1) The County Office will 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 County Office will 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 County Office will continue to give notice to the local health department of any subsequent COVID-19 cases at the workplace.

(3) Effective January 1, 2021, the County Office will 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.

§ 3205.2. Major COVID-19 Outbreaks.

(a) Scope.

(1) This section applies to any place of employment covered by our COVID-19 Prevention Program 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.

Placer County COVID Testing Website

Employers shall continue to comply with section 3205.1, except that the COVID-19 testing described in section 3205.1(b) shall be made available to all employees in the exposed group, regardless of vaccination status, twice a week, or more frequently if recommended by the local health department.
In addition to the requirements of sections 3205 and 3205.1, the District will take the following actions:

(1) The employer shall provide a respirator for voluntary use in compliance with subsection 5144(c)(2) to employees in the exposed group and 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.

(2) Any employees in the exposed group who are not wearing respirators required by the employer and used in compliance with section 5144 shall be separated from other persons by at least six feet, except where an employer can demonstrate that six feet of separation is not feasible, 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. When it is not feasible to maintain a distance of at least six feet, individuals shall be as far apart as feasible.

(3) At work stations where an employee in the exposed group is assigned to work for an extended period of time, such as cash registers, desks, and production line stations, and where the physical distancing requirement in subsection (c)(2) is not maintained at all times, the employer shall install cleanable solid partitions that effectively reduce transmission between the employee and other persons.

(4) The District will evaluate whether to halt some or all operations at the workplace until COVID-19 hazards have been corrected.

(5) 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. Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.
Appendix A: Guidance

Employers - General Guidance

- COVID19.CA.GOV - Find the status of activities in your county
- Follow the Employer Playbook for a Safe Reopening
- Industry guidance to reduce risk
- Guidance on Returning to Work or School Following COVID-19 Diagnosis
- Responding to COVID-19 in the Workplace for Employers
- Side by Side Comparison of COVID-19 Paid Leave

Guidance Employers – Office Workspaces

- Follow this guidance for office workspaces to create a safer environment for workers.
- Review the guidance, prepare a plan, and post the checklist for office workspaces

Guidance - K-12 Education

- Follow this guidance for schools and school-based programs for the 2021-22 school year.
- Review the guidance, prepare a plan, and post the checklist for schools
- Check the answers to frequently asked questions about guidance for schools.
- See the California Interscholastic Federation statement for information about seasonal sports.
- Some schools may have reopened in 2020-21 based on past guidance from CDPH.
- Elementary education waiver: See the Waiver Process Overview for details.
- Local health officers will need to submit the Waiver Notice Form to CDPH.
- Schools seeking a waiver can use the template Waiver Letter and Cover Form.

Face Covering Information

- CDPH Guidance for the Use of Face Masks
- Face coverings, masks, and respirators – Information & Overview
- Face coverings, masks & respirators - Handout
- Use of Cloth Face Coverings to Help Slow the Spread of COVID-19 – CDC Recommendations
- Voluntary use of N95 masks - Cal/OSHA

California Healthy Schools Act & Integrated Pest Management (IPM)

- Do I need training to use a disinfectant?
- IPM Training for School Staff - Online Training Options
- Reminders for Using Disinfectants for Schools and Child Care
- What About Hand Sanitizers?
- EPA Approved Cleaners
- Disinfecting Fogger Tips
- EPA Supports Healthy Indoor Environments in Schools During COVID-19 Pandemic

Americans with Disabilities Act - U.S. Equal Employment Opportunity Commission

- Pandemic Preparedness in the Workplace and the Americans with Disabilities Act
- What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, & Other EEO Laws

Appendix B: Cal/OSHA Regulations


(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.

“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 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.

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 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 COVID19 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 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 COVID19 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.

(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.

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 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 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.

(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.
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.

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.

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

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.

Return to work criteria.

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.

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.

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

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

§ 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 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:
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.

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.

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.

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.

§ 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.

(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.