

COVID-19 Prevention Program Outline

The employer shall:

(1) System for Communicating with Employees

- a) Ask employees to report COVID-19 symptoms, exposures, and hazards at the workplace (employees should not fear reprisal for reporting).
- b) Provide information regarding accommodations for medical or other conditions that put employees at increased risk of severe COVID-19 illness.
- c) Provide information about access to COVID-19 testing.
- d) Provide information regarding COVID-19 leave benefits.
- e) Communicate information about COVID-19 hazards and COVID-19 policies and procedures.

(2) Identification and Evaluation of COVID-19 Hazards

- a) Allow for employee participation in the identification and evaluation of COVID-19 hazards.
- b) Develop a process for screening employees for and responding to employees with COVID-19 symptoms.
- c) Develop COVID-19 policies and procedures to respond to individuals at the workplace who are a COVID-19 case.
- d) Conduct site-specific evaluations of all interactions, areas, activities, processes, equipment, and materials that could expose employees to COVID-19 hazards.
- e) Review Cal/OSHA, state and local orders and guidance addressing COVID-19 hazards and prevention.
- f) Evaluate existing COVID-19 prevention controls at the workplace.
- g) Conduct periodic inspections as needed to identify unhealthy conditions and to ensure compliance with employers' COVID-19 policies and procedures.

(3) Investigating and Responding to COVID-19 Cases in the Workplace

- a) Have an effective procedure to investigate COVID-19 cases in the workplace.
- b) Take appropriate action when there has been a COVID-19 case in the workplace. For example:
 - ✓ Determine the day and time the COVID-19 positive employee was last present at the worksite, the date of the positive COVID-19 test and/or diagnosis, and the date the COVID-19 positive employee first had one or more COVID-19 symptoms;
 - ✓ Determine which employees may have been exposed;
 - ✓ Give notice of the potential COVID-19 exposure, within one (1) business day, to employees and appropriate parties;
 - ✓ Offer free COVID-19 testing during working hours to all employees who may have been exposed and provide them with the information regarding COVID-19-related benefits;
 - ✓ Provide periodic (frequency depends on magnitude of outbreak) COVID-19 testing to all employees in an "exposed workplace" during an outbreak; and
 - ✓ Investigate whether any workplace conditions could have contributed to the risk of COVID-19 exposure.

- c) Keep personal identifying information of COVID-19 cases or persons with COVID-19 symptoms confidential, unless an exception applies.
- d) Ensure that all employee medical records are kept confidential, unless an exception applies.

(4) Correction of COVID-19 Hazards

- a) Implement effective policies and/procedures for correcting unsafe or unhealthy conditions and work practices.

(5) Training and Instruction

- a) Provide effective training and instruction to employees that includes information regarding the following topics:
 - ✓ COVID-19 policies and procedures;
 - ✓ COVID-19-related benefits;
 - ✓ How COVID-19 spreads and how it is transmitted;
 - ✓ The fact that physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective;
 - ✓ The important of physical distancing, wearing face coverings, and frequent handwashing (for at least 20 seconds) and use of hand sanitizer when handwashing facilities are not available; and
 - ✓ COVID-19 symptoms, and the importance of not coming to work and obtaining a COVID-19 test if the employee has symptoms.

(6) Physical Distancing

- a) Inform employees that everyone should be separated from other persons by at least six (6) feet, except when not possible, and except for momentary exposure while persons are in movement.
 - ✓ Methods include, but are not limited to: telework or other remote work if practical and appropriate; reducing the number of persons in an area at one time; visual cues such as signs and floor markings to indicate direction and path of travel; and staggered work schedules.

(7) Face Coverings

- a) Provide clean and undamaged face coverings and ensure they are worn by employees in an appropriate manner, unless one of the exceptions to wearing a face covering applies.
 - ✓ A few exceptions include: when an employee is alone in a room; when eating or drinking; when an employee cannot use a face covering due to a medical or mental condition and then try and find an alternative; and if hearing impaired or communicating with a hearing impaired person and alternative face covering, if appropriate.
- b) Ensure employees who are not wearing face coverings, or other effective alternative, are at least 6 feet apart from all other persons unless the unmasked employee is tested at least twice weekly for COVID-19.
- c) Develop COVID-19 policies and procedures to minimize employee exposure to COVID-19 hazards originating from any person not wearing a face covering.

(8) Other Engineering Controls, Administrative Controls, and Personal Protective Equipment (PPE)

- a) Install cleanable solid partitions that reduce aerosol transmission between employees and other persons at fixed work locations where it is not possible to maintain physical distancing requirements (such as Plexiglas barriers).
- b) Maximize the amount of outside air to the extent feasible, unless there is poor outside air quality or some other hazard to employees.
- c) Implement cleaning and disinfecting procedures such as:
 - ✓ Identifying and regularly cleaning and disinfecting frequently touched surfaces and objects (e.g. doorknobs, elevator buttons, equipment, tools, handrails, handles, controls, bathroom surfaces, and steering wheels);
 - ✓ Prohibiting the sharing of PPE and items that employees come in regular physical contact with (e.g. phones, headsets, etc.), and if equipment must be shared, disinfecting such items between uses by different people; and
 - ✓ Cleaning and disinfection of areas and equipment used by a COVID-19 case during the high-risk exposure period (must be done in a manner that does not create a hazard to employees).
- d) 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 (without methyl alcohol).
- e) Evaluate the need for PPE, and provide such equipment as needed.

(9) Reporting, Recordkeeping, and Access

- a) Report information about COVID-19 cases at the workplace to the local health department whenever required by law.
- b) Report to Cal/OSHA any COVID-19-related serious illnesses or death of an employee occurring in a place of employment or in connection with any employment.
- c) Maintain records of the steps taken to implement the COVID-19 Prevention Program.
- d) The COVID-19 Prevention Program shall be made available at the workplace to employees, authorized employee representatives, and Cal/OSHA upon request.
- e) Keep a record of and track all COVID-19 cases.

(10) Exclusion of COVID-19 Cases

- a) Ensure that COVID-19 cases are excluded from the workplace until the return to work requirements are met.
- b) Exclude asymptomatic employees with COVID-19 exposure from the workplace for 14 days after the last known COVID-19 exposure.¹

¹ Effective December 14, 2020, Executive Order N-84-20 suspended the exclusion periods required in California Code of Regulations, Title 8, section 3205(c)(10) and the periods for which a worker shall not return to work specified in section 3205(c)(11), to the extent they exceed any applicable quarantine or isolation period recommended by the California Department of Public Health (CDPH), or any applicable quarantine or isolation period recommended or ordered by a local health officer who has jurisdiction over the workplace. Pursuant to the CDPH, asymptomatic close contacts may discontinue quarantine after Day 10 from the date of last exposure with or without testing.

- c) For employees excluded from work 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.
- ✓ Note: This subsection does not apply to (1) any period of time during which the employee is unable to work for reasons other than protecting persons at the workplace from COVID-19 transmission; and (2) where the employer demonstrates that the COVID-19 exposure is not work related.
- d) At the time of exclusion, the employer shall provide the employee with information regarding the employee's rights and benefits.

(11) Return to Work Criteria

- a) COVID-19 cases with COVID-19 symptoms shall not return to work until:
- ✓ At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications;
 - ✓ COVID-19 symptoms have improved; and
 - ✓ At least 10 days have passed since COVID-19 symptoms first appeared.
- b) COVID-19 cases who tested positive but never developed COVID-19 symptoms shall not return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.
- c) A negative COVID-19 test shall not be required for an employee to return to work.
- d) If an order to isolate or quarantine an employee is issued by a local or state health official, the employee shall not return to work until the period of isolation or quarantine is completed or the order is lifted. If no period was specified, then the period shall be 10 days from the time the order to isolate was effective, or 14 days from the time the order to quarantine was effective.

Important Definitions:

- A "COVID-19 hazard" means exposure to potentially infectious material that may contain SARS-CoV-2, the virus that causes COVID-19.
- "Face coverings" means a tightly woven fabric or non-woven material with no visible holes or openings, which covers the nose and mouth.
- A "COVID-19 case" means a person who: (1) Has a positive COVID-19 test; (2) Is subject to COVID-19-related order to isolate issued by a local or state health official; or (3) Has died due to COVID-19.
- "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," regardless of the use of face coverings.
- "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.

- “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.