

# 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*

## District Information

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# COVID-19 Prevention Program

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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](#).

## (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.

**“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 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

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- 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 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 Components.

**SHUSD** (District) 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 District’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 (CalOSHA template page 5)

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

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## (A) Employee Reports:

All employees of the District 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: (CalOSHA template page 2)

#### 1. To Whom:

Chris Heller, Chief Academic/Human Resources Officer

#### 2. How:

By phone at 707-967-5010 or e-mail (cheller@sthelenaunified.org)

#### 3. Where:

SHUSD District Office, Human Resources Department

#### 4. When:

Before reporting to work (if symptomatic), or as soon as possible

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

Insert your district procedure for requesting reasonable accommodation as it relates to high-risk employees.

Per the negotiated Memorandums of Understanding (MOU's) with the District's two bargaining units (the St. Helena Teachers' Association {SHTA} ) and California School Employees Association ({CSEA, #287) employees with medical or other conditions that put them at high risk must notify the Human Resources Department for review and an accommodation plan.

## (C) Access to COVID-19 testing.

If testing is required in accordance with this written program, the District shall inform any affected employees of the reason for the COVID-19 testing and the possible consequences of a positive test.

Insert your district procedures for access to testing, access to results, confidentiality protections and what to expect upon receipt of the results.

SHUSD is providing access to testing for all employees through Valencia Branch Labs (VLB) per guidelines established by the California Department of Public Health, at a cadence of once every two weeks for every staff member. A team lead by the District's Registered Nurse coordinates employee testing and ensures confidentiality protocols. Employees with symptoms may also be referred to other local labs for rapid testing.

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(D) COVID-19 hazards and the District's COVID-19 policies and procedures to protect employees and other employers, persons, and entities within or in contact with the employer's workplace (CalOSHA template page 2)

Insert information regarding where to obtain the District's policies and procedures to protect employees from COVID-19 hazards in the workplace.

District administration has established a shared form and resource bank for all employees where they have access to documents including, but not limited to the following: the most recent guidelines provided by the California Department of Public Health and the Napa County Office of Education (NCOE) COVID-19 guidance documents (including a version of the NCOE guidelines that has been modified to show specific district information that addresses procedures to protect employees in the workplace); the "SHUSD Health and Safety Employee Protocols" document, site facilities readiness checklists, symptom trackers and exposure flow charts, and all Memorandums with the district's bargaining units. Administration also communicates policies and procedures with local partners working in the schools, e.g. the Boys and Girls Club and Up valley Family Center.

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 (CalOSHA template pgs. 2, 8)

(A) identification and evaluation of COVID-19 hazards

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

Insert District methods here

Employees (and local partners working in the schools, e.g., the Boys and Girls Club and UpValley Family Center personnel) are instructed to report COVID-19 hazards to their site supervisor first, for rapid resolution whenever feasible; for example, site supervisors are authorized to purchase additional personal protective equipment when needed, such as student desk barriers, special masks, etc. Site administrators work with district personnel to address hazards that require higher-level intervention, e.g. additional cleaning support, etc. (CalOSHA template page 2)

(B) Employee Symptom Screening

The District has implemented a process for screening employees for and responding to employees with COVID-19 symptoms.

Insert District process here

All employees have been provided with the self-health checker developed by the Napa County Office of Education, based on guidance from the California Department of Public Health. They are advised to self-screen at home and contact their supervisor before reporting for work if they are experiencing symptoms of illness. They are further advised to self-monitor during the work day, and contact their supervisor if they develop symptoms. The COVID-19 response team, led by the district's Registered Nurse, will follow up with the employee right away regarding next steps. Isolation areas have been set up at all sites for sick students and/or staff awaiting pick-up. (CalOSHA template page 2)



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## (C) Response to COVID-19 case

The district 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.

Insert District process here

When a COVID-19 case has been identified, the district's COVID-19 response team (lead by a Registered Nurse) immediately follows contact tracing guidelines to identify next steps and update the community as outlined in guidelines provided by the California Department of Public Health. The Napa County Public Health Department is notified immediately of cases. Internal guidance documents used include the following: "If An Employee Tests Positive for COVID-19," "If An Employee is Exposed to COVID-19" and other flow charts to provide employees and the COVID-19 response team with step-by-step procedures to follow (found in the shared staff "Google" folder). Custodial personnel are notified to perform the necessary cleaning and disinfecting of areas visited by the person(s) testing positive. Information about positive case are posted in a dashboard format on the district's webpage at [www.sthelenauunified.org](http://www.sthelenauunified.org). (CalOSHA template page 5)

## (D) Workplace Assessment (CalOSHA template pages 9-10)

The district 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 District 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.

Insert District process here

Prior to the return of students for in-person instruction on November 2, 2020, district administration conducted a "site validation walk-through" of each building using a comprehensive checklist that was developed based on guidelines provided by the Napa County Department of Education. The validation team looked for workplace hazards and areas of potential exposure, and directed staff to take the appropriate remediation efforts prior to the re-opening of school (e.g. installing additional employee or student desk barriers, adding more physical distancing signage, etc.). All sites were certified as compliant prior to November 2, 2020. School sites were checked again for possible exposure hazards by supervisors prior to the return of more students after winter break, and upon receiving updated guidance from the California Department of Education on 01.14.2021.

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## (E) Ventilation Systems

For indoor locations, the District will 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.

Insert District process here

The entire district ventilation system was checked for air flow efficiency, and air filters were replaced over the summer of 2020 and again in December, 2020 with MERV-13" (higher-grade) filters. Additionally, portable air scrubbers have been deployed across the district, ranging in size from those appropriate for small office spaces of 200 feet to classrooms of 960 square feet and larger areas. Employees have been advised about best practices to maximize air quality, e.g. "cracking" windows versus fully opening them to allow the ventilation system to work optimally.

## (F) Ongoing monitoring and review of orders and guidance

The District 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.

Insert District process here

The SHUSD Executive Cabinet, led by Dr. Marylou Wilson (Superintendent), monitors and reviews all applicable orders and guidance released by the state and local officials. They participate in weekly county-level meetings (some of which include the Napa County Public Health Officer and other officials) to discuss and coordinate implementation of updated guidelines as appropriate. District employees (and local partners, e.g. the Boys and Girls Club, UpValley Family Center, and others) are notified of changes to the guidelines (and subsequent changes to district practices) as soon as possible.

## (G) Evaluate existing prevention controls

The District will evaluate existing COVID-19 prevention controls at the workplace and the need for different or additional controls.

Insert District process here

The SHUSD response team, upon review of updated orders and guidance, evaluates existing prevention controls to identify any possible needed modifications; for example, the most recent guidelines released by the California Department of Public Health states that "frequent disinfection...can pose a health risk to students..." and that "disinfection is recommended ...after a case has been identified...". The district's operations team has subsequently reviewed and updated prevention controls relative to cleaning/disinfecting practices.

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## (H) Periodic Inspections

The District 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.

Insert District process here

School site Principals conduct periodic inspections of their buildings and respond to any identified unhealthy conditions, work practices, or work procedures. These incidents are in turn reported to District administration as information, or for additional support and mitigation as needed. District level administration also periodically inspects buildings/grounds to ensure compliance with the current COVID-19 policies and procedures. The district is using templates provided by CalOSHA for inspections.

## (3) Investigating and responding to COVID-19 cases in the workplace (CalOSHA template pages 5, 11)

### (A) 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) Response to a COVID-19 case in the workplace:

The District 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 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.

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Insert District process here

The SHUSD COVID-19 Response team consists of the Chief Academic/Human Resources Officer, a full-time Registered Nurse (R.N.) who is a certified public health nurse and credentialed school nurse employed by the district, an additional contracted full-time Registered Nurse (R.N.), and clerical staff at each site who have been trained to perform contact tracing. When the response team learns of a positive case (e.g. through notification, reporting or district testing), state contact tracing and response protocols are followed to determine who may have had exposure, release the appropriate communication, notify staff about cleaning needs, and follow up to ensure quarantine requirements are met, etc.

## (C) Confidentiality of Personal Identifying Information

All personally identifying information regarding 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) 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.

The District has implemented 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.

Insert District Policies & Procedures for

Recording hazards

Site supervisors have been educated on state and local guidelines and have been advised on how to identify, respond to, and record hazards. A shared administrator's tracking document has been created for this purpose (utilizing templates provided by CalOSHA), and supervisors contact district administration immediately when additional assistance is needed to resolve the issue. A separate shared document for requesting additional PPE and cleaning/disinfecting supplies exists at each site, to facilitate restocking.

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## Correcting hazards

Site supervisors are directed to correct hazards immediately when feasible, e.g. ordering additional student desk barriers when needed, etc. When higher-level support is needed to correct a hazard, site supervisors have been advised to contact Executive Cabinet members. **(CalOSHA Template page 2).**

## Tracking completion of hazard correction

Person(s) responsible for correcting the hazard, e.g. site supervisors when appropriate, are required to indicate completion of the hazard correction in the shared administrative tracker (templates provided by CalOSHA are utilized for identification and tracking of hazards).

## (5) Training and instruction (CalOSHA template page 5)

### Insert Policies & Procedures to provide training to employees in this section ...

The district's training program includes the following elements: 1) Executive Cabinet meets with site supervisors to review the most recent orders and guidelines, procedures for identifying, recording, and resolving hazards in the work place, reminders about disease transmission, and reminders about COVID-19 prevention practices. 2) Supervisors meet with site employees to review changes go over the same training at the site level; e.g. how to identify and report a workplace hazard. Employees receive reminders via staff bulletins and other communiques.

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

- The District'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.

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- The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective.
- The importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled.
- Proper use of face coverings and the fact that face coverings are not respiratory protective equipment.
- 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 will be separated from other persons by at least six feet (except where it can be demonstrated 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, 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.

(B) When it is not possible to maintain a distance of at least six feet, individuals shall be as far apart as possible.

**Insert Policies & Procedures to protect employees in this section ...**

All district buildings are closed for outside facility use. Visitors are allowed by appointment only, and no volunteers are allowed on campus at this time. Each school site has established routes for safe traffic flow, and signage is posted across the district reminding employees, students, and others about physical distancing/path of travel. School schedules and drop-off/pick-up areas have been adjusted, particularly at the primary and elementary schools where closed cohorts are maintained. Class sizes have been established that reduce the number of persons in classrooms, and individual student desk barriers are provided where physical distancing of at least six feet cannot be maintained. **(CalOSHA template page 3)**

## (7) Face coverings.

(A) The District will:

- Comply with all public health orders regarding face coverings
- Provide face coverings to all employees as needed
- 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.

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- Ensure face coverings are clean and undamaged.
- Ensure face shields are not used as 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. COVID-19 testing cannot be used as an alternative to face coverings when face coverings are otherwise required.

(D) The District will not prevent any employee from wearing a face covering when required, unless it would create a safety hazard, such as interfering with the safe operation of equipment.

(E) The District will implement the following measures to communicate to non-employees the face coverings requirements on their premises:

**Insert your district method of notifying non-employees of the requirement for face coverings on premises.**

Signage provided by the California Department of Public Health is posted on the outside of every building, and inside where appropriate stating that face masks are required on premises. Each school site and the district office maintain a supply of disposable face masks at all times, for both employees and non-employees. The masks are made available in central locations where non-employees check in. Parents/students were provided with a document entitled "SHUSD Health and Safety Procedures & Protocols for Parents/Students" by mass distribution using Blackboard Connect at the beginning of reopening school. Principals also provided webinars for parents reviewing "A Day in the Life" of students on campus. The webinars also included procedures for parents to follow when dropping off their student(s), visiting the campus, etc. **(CalOSHA template page 3)**

# 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*

(F) The District has developed 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. The policies include;

## Insert your district methods

The district's policies and procedures to minimize employee exposure include sending students home if they refuse to wear a face covering at school, and requiring that all employees/non-employees wear a face mask at all times while in district buildings or on the grounds. Further, each school site has a student drop-off plan that minimizes exposure, e.g. parents are asked to remain in cars when dropping off students.

## (8) Other engineering controls, administrative controls, and personal protective equipment (CalOSHA template page 3)

### Insert Policies & Procedures to protect employees in this section ...

Solid partitions have been provided for all fixed work locations, including office spaces, teacher desks, and individual student desks (when 6 feet of distance cannot be maintained). MERV 13 air filters have been installed across the district, and air scrubbers for office spaces, classrooms and large areas have been provided. Facilities personnel have evaluated the ventilation system and determined that it works most effectively with doors closed, windows cracked, the system on, and the MERV 13 filters in place which are replaced on a regular basis. Custodial staff has been trained on COVID-19 cleaning/disinfecting methods, and additional personnel/outside janitorial services have been hired to ensure that protocols are followed. Bathrooms are cleaned three times a day, and all employees have been instructed on how to help clean/disinfect frequently touched surfaces such as door and sink handles. Adequate supplies have been distributed to support these efforts, with stock continually monitored and re-ordered. (CalOSHA template page 3)

### (A) Partitions

At fixed work locations where it is not possible to maintain the physical distancing requirement at all times, the District 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 District 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 (CalOSHA template page 4)

The District 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 District will 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



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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*

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) Handwashing Facilities (CalOSHA template page 4)

To protect employees from COVID-19 hazards, the District 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. (CalOSHA template page 4).

## (E) Personal protective equipment (CalOSHA template page 4)

1. The District 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. The District will 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. The District 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 District 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 (CalOSHA template page 6)

### (A) Local Public Health

The District 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.

### (B) Cal/OSHA

The District 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.

# 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*

## (C) Injury & Illness Prevention Program

The District 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 District 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.

*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 (CalOSHA template page 6)

Insert Policies & Procedures to protect employees in this section ...

The SHUSD COVID-19 response team responds to every COVID-19 case and ensures that employees who test positive or who have been exposed are excluded from the workplace for the required quarantine period, with no impact to earnings or benefits. The school community is notified about cases and exposure as appropriate and allowable under medical privacy laws.

The purpose of this section is to limit transmission of COVID-19 in the workplace.

### (A) COVID-19 Cases

The District 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 District 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 District 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.

# 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*

The District may use employer-provided employee sick leave benefits for this purpose and consider benefit payments from public sources in determining how to maintain earnings, rights and benefits, where permitted by law and when not covered by workers' compensation.

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

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

(D) 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 District 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 (CalOSHA template pages 6-7)

Insert Policies & Procedures to protect employees in this section ...

The district enforces the requirement that COVID-19 cases with COVID-19 symptoms shall not return to work until symptoms have been resolved as described below. Asymptomatic, positive cases shall not return to work until at least 10 days have passed since the date of specimen collection for their first positive test.

### (A) COVID-19 cases with COVID-19 symptoms shall not return to work until:

1. At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications;
2. COVID-19 symptoms have improved; and
3. At least 10 days have passed since COVID-19 symptoms first appeared.

### (B) COVID-19 cases who tested positive but never developed COVID-19 symptoms

Shall not return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.

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

# 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*

(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.

## **Guidance from the California Department of Public Health:**

[Guidance on Returning to Work or School Following COVID-19 Diagnosis](#)

[Self-Quarantine Instructions for Individuals Exposed to COVID-19](#)

[Self-Quarantine Guidance for Individuals Exposed to COVID-19](#) These instructions are for people who have been in close contact with someone who has been diagnosed with COVID-19.

[Self-Isolation Instructions for Individuals Who Have or Likely Have COVID-19](#)

[Self-Isolation Guidance for Individuals Who Have or Likely Have COVID-19](#) These instructions are for people who have or likely have COVID-19. They include information for households, families, caregivers, or close contacts.

(E) 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 District 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.*

# 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*

## § 3205.1. Multiple COVID-19 Infections and COVID-19 Outbreaks (CalOSHA template pages 15-16)

### (a) Scope.

(1) This section applies to a place of employment covered by section the District 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.

### (b) COVID-19 testing.

Insert District testing procedures here

In partnership with Valencia Branch Labs (VBL) and other local providers, the district provides symptomatic testing for staff (and students as required under current guidelines provided by the California Department of Public Health), asymptomatic testing every two weeks for staff, and immediate response testing for students and staff when there are multiple infections (e.g. three or more COVID-19 cases in an exposed work place), or an outbreak in the workplace (with a follow-up test one week later).

(1) The District 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 District 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) District 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.

### (c) Exclusion of COVID-19 cases (CalOSHA template page 6)

The District 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.

## 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*

### (d) Investigation of workplace COVID-19 illness (CalOSHA template page 5)

The District will immediately investigate and determine possible workplace related factors that contributed to the COVID-19 outbreak in accordance with our COVID-19 Prevention Program.

### (e) COVID-19 Investigation, review and hazard correction.

In addition to the requirements of our COVID-19 Prevention Program the District 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 District will implement changes to reduce the transmission of COVID-19 based on the investigation and review required by our COVID-19 Prevention Program. The District 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.

### (f) Notifications to the local health department.

- (1) The District 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 District 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 District 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 District 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.*

# 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*

## § 3205.2. Major COVID-19 Outbreaks (CalOSHA template page 17)

### (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.

Insert District testing procedures here

The District is partnering with Valencia Branch Labs (VLB) and other partners as needed to provide twice a week COVID-19 testing (at no cost to employees during work hours), during a major COVID-19 outbreak as described above.

The District will 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 will be provided at no cost to employees during employees' working hours.

### (c) Exclusion of COVID-19 cases.

The District will ensure COVID-19 cases and employees with COVID-19 exposure are excluded from the workplace in accordance with our COVID-19 Prevention Program and any relevant local health department orders.

### (d) Investigation of workplace COVID-19 illnesses (CalOSHA template page 5)

The District will comply with the investigation procedures in accordance with our COVID-19 Prevention Program.

### (e) COVID-19 hazard correction.

In addition to the requirements of our COVID-19 Prevention Program, the District will 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

## COVID-19 Prevention Program

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air cleaning systems would reduce the risk of transmission and shall implement their use to the degree feasible.

(2) The District will 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 District will 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.*



# 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*

## Appendix A: Guidance

### Employers - General Guidance

- [California Blueprint for a Safer Economy](#) - 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](#)
- Review the guidance, prepare a plan, and post the [checklist for schools](#)
- Check the answers to [frequently asked questions](#) about guidance for schools.
- Follow the [guidance related to cohorts](#) of children and youth.
- See the [California Interscholastic Federation statement](#) for information about seasonal sports.
- Some schools may have reopened based on the [COVID-19 and Reopening In-Person Learning Framework for K-12 Schools](#). These schools should follow the guidance on school closure provided in that framework when determining whether to close due to COVID-19 spread.
- 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

- [Guidance for the Use of Face Coverings](#)
- [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, and Other EEO Laws](#)

# 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*

## Appendix B: Cal/OSHA Regulations

### Subchapter 7. General Industry Safety Orders § 3205. COVID-19 Prevention.

#### (a) Scope.

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

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

(B) Employees working from home.

(C) Employees when covered by section 5199.

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

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

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

“COVID-19 case” means a person who:

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

(2) Is subject to COVID-19-related order to isolate issued by a local or state health official; or

(3) Has died due to COVID-19, in the determination of a local health department or per inclusion in the COVID-19 statistics of a county.

A person is no longer a “COVID-19 case” in this section when a licensed health care professional determines that the person does not have COVID-19, in accordance with recommendations made by the California Department of Public Health (CDPH) or the local health department pursuant to authority granted under the Health and Safety Code or title 17, California Code of Regulations to CDPH or the local health department.

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

“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

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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*

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.

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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*

(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).

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(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.

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EXCEPTION 1 to subsection (c)(3)(D): Unredacted medical records shall be provided to the local health department, CDPH, the Division, NIOSH, or as otherwise required by law immediately upon request.

EXCEPTION 2 to subsection (c)(3)(D): This provision does not apply to records that do not contain individually identifiable medical information or from which individually identifiable medical information has been removed.

(4) Correction of COVID-19 hazards. Employers shall implement effective policies and/or procedures for correcting unsafe or unhealthy conditions, work practices, policies and procedures in a timely manner based on the severity of the hazard. This includes, but is not limited to, implementing controls and/or policies and procedures in response to the evaluations conducted under subsections (c)(2) and (c)(3) and implementing the controls required by subsection (c)(6) through (c)(8).

(5) Training and instruction. The employer shall provide effective training and instruction to employees that includes the following:

(A) The employer's COVID-19 policies and procedures to protect employees from COVID-19 hazards.

(B) Information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws. This includes any benefits available under workers' compensation law, the federal Families First Coronavirus Response Act, Labor Code sections 248.1 and 248.5, Labor Code sections 3212.86 through 3212.88, local governmental requirements, the employer's own leave policies, and leave guaranteed by contract.

(C) The fact that COVID-19 is an infectious disease that can be spread through the air when an infectious person talks or vocalizes, sneezes, coughs, or exhales; that COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth, although that is less common; and that an infectious person may have no symptoms.

(D) Methods of physical distancing of at least six feet and the importance of combining physical distancing with the wearing of face coverings.

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

(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

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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.

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(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.



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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.

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

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

Employers may use employer-provided employee sick leave benefits for this purpose and consider benefit payments from public sources in determining how to maintain earnings, rights and benefits, where permitted by law and when not covered by workers' compensation.

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

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

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

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

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

(11) Return to work criteria.

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

1. At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications;
2. COVID-19 symptoms have improved; and
3. At least 10 days have passed since COVID-19 symptoms first appeared.

(B) COVID-19 cases who tested positive but never developed COVID-19 symptoms shall not return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.

(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.

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

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

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## § 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:

(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.

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(2) The review shall be updated every thirty days that the outbreak continues, in response to new information or to new or previously unrecognized COVID-19 hazards, or when otherwise necessary.

(3) The employer shall implement changes to reduce the transmission of COVID-19 based on the investigation and review required by subsections (e)(1) and (e)(2). The employer shall consider moving indoor tasks outdoors or having them performed remotely, increasing outdoor air supply when work is done indoors, improving air filtration, increasing physical distancing as much as possible, respiratory protection, and other applicable controls.

(f) Notifications to the local health department.

(1) The employer shall contact the local health department immediately but no longer than 48 hours after the employer knows, or with diligent inquiry would have known, of three or more COVID-19 cases for guidance on preventing the further spread of COVID-19 within the workplace.

(2) The employer shall provide to the local health department the total number of COVID-19 cases and for each COVID-19 case, the name, contact information, occupation, workplace location, business address, the hospitalization and/or fatality status, and North American Industry Classification System code of the workplace of the COVID-19 case, and any other information requested by the local health department. The employer shall continue to give notice to the local health department of any subsequent COVID-19 cases at the workplace.

(3) Effective January 1, 2021, the employer shall provide all information to the local health department required by Labor Code section 6409.6.

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

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## § 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.*

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