

CAL/OSHA COVID-19 EMERGENCY TEMPORARY STANDARDS FAQs

Cal/OSHA on November 20, 2020, announced emergency temporary Standards (Standards) relating to COVID 19. The Standards were issued by the Occupational Safety and Health Standards Board, which is a seven-member board that is part of the California Department of Industrial Relations.

Are the Standards Effect Yet?

Not yet, but soon.

The finalized draft was sent to the Office of Administrative Law (OAL) on Friday, November 20, and will remain there while the OAL reviews the draft regulation for 10 days. The draft will then remain open for the next five days during which stakeholders may submit comments to the OAL. Once the OAL adopts a final regulation, it will be codified and enforceable.

Where Can I Find The Standards?

The text of the Standards is available at:

<https://www.dir.ca.gov/oshsb/documents/COVID-19-Prevention-Emergency-txtbrdconsider.pdf>

The Department of Industrial Relations has a press release regarding the Standards at:

<https://www.dir.ca.gov/DIRNews/2020/2020-98.html>

What Will the Standards Require?

The Standards establish detailed requirements covering five areas:

- COVID-19 prevention programs
- COVID-19 infections and COVID-19 outbreaks involving multiple cases
- Major COVID-19 outbreaks
- COVID-19 prevention in Employer-provided housing
- COVID-19 prevention in Employer-provided transportation to and from work

What Are the Requirements Regarding COVID-19 Prevention Programs?

Employers are required establish, implement, and maintain an effective, written COVID-19 Prevention Program, which may be integrated into the Employer's Injury and Illness or be maintained in a separate document. The written elements of a COVID-19 Prevention Program must cover:

1. Communications of COVID-19 policies and procedures
2. Identification and evaluation of COVID-19 hazards
3. Investigating and responding to COVID-19 cases
4. Correction of COVID-19 hazards
5. Training and instruction
6. Physical distancing
7. Face coverings

8. Other engineering controls, administrative controls, and personal protective equipment
9. Reporting, recordkeeping, and access
10. Exclusion of individuals with COVID-19
11. Return to work criteria

For further information, please see the detailed discussion at the end of these FAQs. The requirements for the COVID-19 Prevention Program apply in each of the other sections of the Standards.

What Are the Requirements Concerning Multiple COVID-19 Infections and COVID-19 Outbreaks?

1. These requirements apply to a place of employment:
 - a. Identified by a local health department as the location of a COVID-19 outbreak; or
 - b. When there are three or more COVID-19 cases in an exposed workplace within a 14-day period.

The requirement applies until there are no new COVID-19 cases detected in a workplace for a 14-day period.

2. COVID-19 testing.
 - a. 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,
 - b. COVID-19 testing shall be provided at no cost to employees during employees' working hours.
3. COVID-19 testing shall consist of:
 - a. All employees in the exposed workplace shall immediately 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, 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 requirement no longer applies.
 - c. Employers shall provide additional testing when deemed necessary by Cal OSHA the Issuance of Order to Take Special Action

4. **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 the Standards and local health officer orders if applicable.
5. **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 addition to the other requirements under the Standards, 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:
 - a. 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.
 - b. 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.
 - c. The Employer shall implement changes to reduce the transmission of COVID-19 based on the investigation and review required.
 - i. 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.
6. **Notifications to the local health department.**
 - a. 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.
 - b. 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.
 - c. Effective January 1, 2021, the Employer shall provide all information to the local health department required by Labor Code section 6409.6.

What Are The Requirements For Major COVID-19 Outbreaks?

The Standards define a Major COVID-19 Outbreak as 20 or more COVID-19 cases in an exposed workplace within a 30-day period. The Standard for Major COVID-19 Outbreaks apply until there no new COVID-19 cases detected in a workplace for a 14-day period.

In the event of a Major COVID-19 Outbreak:

1. **Testing.** The Employer 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.
2. **Exclusion of COVID-19 cases.** The Employer shall ensure COVID-19 cases and employees with COVID-19 exposure are excluded from the workplace in accordance the Standards and any relevant local health department orders.
3. **Investigation of workplace COVID-19 illnesses.** The Employer shall comply with the requirements of the Standards regarding investigation.
4. **COVID-19 hazard correction.** In addition to the other requirements of the Standards, the Employer shall take the following actions:
 - a. 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.
 - b. Determine the need for a respiratory protection program or changes to an existing respiratory protection program.
 - c. Evaluate whether to halt some or all operations at the workplace until COVID-19 hazards have been corrected.
 - iv. Implement control measures deemed necessary by Cal OSHA through the Issuance of Order to Take Special Action.
5. The Employer shall notify local health authorities as required under the Standards.

What Are The Requirements For Employer-Provided Housing?

The Standards impose detailed requirements applicable to Employer-Provided Housing, which is defined as “any place or area of land, any portion of any housing accommodation, or property upon which a housing accommodation is located, consisting of: living quarters, dwelling, boardinghouse, tent, bunkhouse, maintenance-of-way car, mobile home, manufactured home, recreational vehicle, travel trailer, or other housing accommodations”, including a labor camp.

Most contractors’ members do not utilize Employer-Provided Housing, which is more common in agricultural and maritime industries. However, if you do furnish housing, you should review the emergency Standards beginning at page 17 (New 8 Cal. Code of Regulations 3205.3), which are available at:

<https://www.dir.ca.gov/oshsb/documents/COVID-19-Prevention-Emergency-txtbrdconsider.pdf>

What Are the Requirements for Employer-Provided Transportation to and from Work?

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

The Standard for Employer-Provided Transportation does not apply:

1. If the driver and all passengers are from the same household outside of work, such as family members.
2. When necessary for emergency response, including firefighting, rescue, and evacuation, and support activities directly aiding response such as utilities, communications, and medical operations.

Employers subject to this Standard shall:

1. **Assignment of transportation.** Employers shall prioritize shared transportation assignments in the following order:
 - a. Employees residing in the same housing unit shall be transported in the same vehicle.
 - b. Employees working in the same crew or worksite shall be transported in the same vehicle.
 - c. Employees who do not share the same household, work crew or worksite shall be transported in the same vehicle only when no other transportation alternatives are possible.
2. **Physical distancing and face coverings.** Employers shall ensure that:

- a. Physical distancing and face covering requirements of the Standards are followed for employees waiting for transportation.
 - b. The vehicle operator and any passengers are separated by at least three feet in all directions during the operation of the vehicle, regardless of the vehicle's normal capacity.
 - c. The vehicle operator and any passengers are provided and wear a face covering in the vehicle as required by the Standards.
3. **Screening.** An Employer shall develop, implement, and maintain effective procedures for screening and excluding drivers and riders with COVID-19 symptoms prior to boarding shared transportation.
4. **Cleaning and disinfecting.** An Employer shall ensure that:
 - a. All high-contact surfaces (door handles, seatbelt buckles, armrests, etc.) used by passengers are cleaned and disinfected before each trip.
 - b. All high-contact surfaces used by drivers, such as the steering wheel, armrests, seatbelt buckles, door handles and shifter, shall be cleaned and disinfected between different drivers.
 - c. The Employer shall provide sanitizing materials and ensure they are kept in adequate supply.
5. **Ventilation.** An Employer shall ensure that vehicle windows are kept open, and the ventilation system set to maximize outdoor air and not set to recirculate air. Windows do not have to be kept open if one or more of the following conditions exist:
 - a. The vehicle has functioning air conditioning in use and the outside temperature is greater than 90 degrees Fahrenheit.
 - b. The vehicle has functioning heating in use and the outside temperature is less than 60 degrees Fahrenheit.
 - c. Protection is needed from weather conditions, such as rain or snow.
 - d. The vehicle has a cabin air filter in use and the U.S. EPA Air Quality Index for any pollutant is greater than 100.
6. **Hand hygiene.** An Employer shall provide hand sanitizer in each vehicle and ensure that all drivers and riders sanitize their hands before entering and exiting the vehicle. Hand sanitizers with methyl alcohol are prohibited.

What are the Specific Requirements for a COVID-19 Prevention Programs?

The following are the eleven requirements that must be met in any COVID-19 Prevention Program.

1. Communications of COVID-19 Policies and Procedures.

The Employer must adopt policies and procedures regarding communications with employees.

An Employer shall:

- 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 the Standards, then the Employer shall inform affected employees of the reason for the COVID-19 testing and the possible consequences of a positive test.
- D. Communicate information about COVID-19 hazards and the Employer's COVID-19 policies and procedures to employees and to other Employers, persons, and entities within or in contact with the Employer's workplace.

2. Identification and evaluation of COVID-19 hazards.

An Employer shall:

- A. Allow for employee and authorized employee representative participation in the identification and evaluation of COVID-19 hazards.
- B. 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. 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. 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, 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. 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 discussed in the Standards.
 - 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.

An Employer shall:

- A. 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. 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

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 required by the Standards.
 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 shall be provided in a manner that ensures the confidentiality of employees.
1. Exception: 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. Ensure that all employee medical records required by the Standards are kept confidential and are not disclosed or reported without the employee's express written consent to any person within or outside the workplace.
1. Exception: Unredacted medical records shall be provided to the local health department, CDPH, the Division, NIOSH, or as otherwise required by law immediately upon request. In addition, this confidentiality requirement 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 under the Standards.
- 5. Training and instruction.**

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

- A. **Employer's COVID-19 policies and procedures** to protect employees from COVID-19 hazards.
- B. **Information regarding COVID-19-related benefits** to which the employee may be entitled under applicable federal, state, or local laws. This includes any benefits available under workers' compensation law, the federal Families First Coronavirus Response Act, Labor Code sections 248.1 and 248.5, Labor Code sections 3212.86 through 3212.88, local governmental requirements, the Employer's own leave policies, and leave guaranteed by contract.
- C. **The fact that COVID-19 is an infectious disease that can be spread** through the air when an infectious person talks or vocalizes, sneezes, coughs, or exhales; that COVID19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth, although that is less common; and that an infectious person may have no symptoms.
- D. **Methods of physical distancing of at least six feet** and the importance of combining physical distancing with the wearing of face coverings.
- E. **The fact that particles containing the virus can travel more than six feet**, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective.
- F. **The importance of frequent hand washing with soap and water** for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled.
- G. **Proper use of face coverings and the fact that face coverings are not respiratory protective equipment.**
- H. **COVID-19 symptoms, and the importance of not coming to work and obtaining a COVID-19 test if the employee has COVID-19 symptoms.**

6. Physical distancing.

- A. All employees shall be separated from other persons by at least six feet, except where an Employer can demonstrate that six feet of separation is not possible, and except for momentary exposure while persons are in movement. Methods of physical distancing include: telework or other remote work arrangements; reducing the number of persons in an area at one time, including visitors; visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel; staggered arrival, departure, work, and break times; and adjusted work processes or procedures, such as reducing production speed, to allow greater distance between employees.

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

7. Face coverings.

- A. Employers shall provide face coverings and ensure they are worn by employees over the nose and mouth when indoors, when outdoors and less than six feet away from another person, and where required by orders from the CDPH or local health department. Employers shall ensure face coverings are clean and undamaged. Face shields are not a replacement for face coverings, although they may be worn together for additional protection. The following are exceptions to the face coverings requirement:

1. When an employee is alone in a room.
2. While eating and drinking at the workplace, provided employees are at least six feet apart and outside air supply to the area, if indoors, has been maximized to the extent possible.
3. Employees wearing respiratory protection in accordance with section 5144 or other title 8 safety orders.
4. Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person.
5. Specific tasks which cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed, and the unmasked employee shall be at least six feet away from all other persons unless unmasked employees are tested at least twice weekly for COVID-19.
 - a. CDPH has issued guidance for Employers that identifies examples when wearing a face covering is likely not feasible.

- B. Employees exempted from wearing face coverings due to a medical condition, mental health condition, or disability shall wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if their condition or disability permits it.
- C. Any employee not wearing a face covering, face shield with a drape or other effective alternative, or respiratory protection, for any reason, shall be at least six feet apart from all other persons unless the unmasked employee is tested at least twice weekly for COVID-19.

Employers may not use COVID-19 testing as an alternative to face coverings when face coverings are otherwise required by this section.

- D. No Employer shall prevent any employee from wearing a face covering when not required by this section, unless it would create a safety hazard, such as interfering with the safe operation of equipment.

- E. Employers shall implement measures to communicate to non-employees the face coverings requirements on their premises.
- F. The Employer shall develop COVID-19 policies and procedures to minimize employee exposure to COVID-19 hazards originating from any person not wearing a face covering, including a member of the public.

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

- A. At fixed work locations where it is not possible to maintain the physical distancing requirement at all times, the Employer shall install cleanable solid partitions that effectively reduce aerosol transmission between the employee and other persons.
- B. For buildings with mechanical or natural ventilation, or both, Employers shall maximize the quantity of outside air provided to the extent feasible, except when the United States Environmental Protection Agency (EPA) Air Quality Index is greater than 100 for any pollutant or if opening windows or letting in outdoor air by other means would cause a hazard to employees, for instance from excessive heat or cold.

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

- 1. Identifying and regularly cleaning and disinfecting frequently touched surfaces and objects, such as doorknobs, elevator buttons, equipment, tools, handrails, handles, controls, bathroom surfaces, and steering wheels.

The Employer shall inform employees and authorized employee representatives of cleaning and disinfection protocols, including the planned frequency and scope of regular cleaning and disinfection.

- 2. Prohibiting the sharing of personal protective equipment and to the extent feasible, items that employees come in regular physical contact with such as phones, headsets, desks, keyboards, writing materials, instruments, and tools. When it is not feasible to prevent sharing, sharing shall be minimized and such items and equipment shall be disinfected between uses by different people.

Sharing of vehicles shall be minimized to the extent feasible, and high touch points (steering wheel, door handles, seatbelt buckles, armrests, shifter, etc.) shall be disinfected between users.

- 3. Cleaning and disinfection of areas, material, and equipment used by a COVID-19 case during the high-risk exposure period.

- D. An Employer shall **evaluate its handwashing facilities**, determine the need for additional facilities, encourage and allow time for employee handwashing, and provide employees with an effective hand sanitizer.

Employers shall encourage employees to wash their hands for at least 20 seconds each time. Provision or use of hand sanitizers with methyl alcohol is prohibited.

- E. **Personal protective equipment.**

1. 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. Evaluate the need for respirators when the physical distancing requirements are not feasible or are not maintained.
3. Provide and ensure use of respirators when deemed necessary by the Division through the Issuance of Order to Take Special Action. 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.

Examples include, but are not limited to, certain dental procedures and outpatient medical specialties.

9. Reporting, recordkeeping, and access. The Employer shall:

- A. 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. Report immediately to Cal OSHA any COVID-19-related serious illnesses or death, as of an employee occurring in a place of employment or in connection with any employment.
- C. Maintain records of the steps taken to implement the written COVID-19 Prevention Program.
- D. Make the written COVID-19 Prevention Program available at the workplace to employees, authorized employee representatives, and to representatives of Cal OSHA immediately upon request.
- E. 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. The information shall be made available to employees, authorized employee representatives, or as otherwise required by law, with personal identifying information removed. Note: Employees or their representatives may still request and obtain an Employer's Log of Work-Related Injuries and Illnesses (Log 300), without redaction, or request and obtain information as otherwise allowed by law.

10. Exclusion of COVID-19 cases.

- A. Employers shall ensure that COVID-19 cases are excluded from the workplace until the return to work requirements are met.
- B. 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 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.
 - 1. Exception. This requirement 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.
 - 2. Exception. This requirement does not apply where the Employer demonstrates that the COVID-19 exposure is not work related.
- D. The above requirement 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.
 - 1. Exception: 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 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.
- E. If there are no violations of local or state health officer orders for isolation or quarantine, Cal OSHA 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.