WORKER PROTECTIONS FROM COVID-19
Cal/OSHA Emergency Temporary Standard 2020
CCR Title 8 Sections 3205, 3205.1, 3205.2, 3205.3, 3205.4

On November 30, 2020, the Cal/OSHA Standards Board approved an emergency temporary standard to prevent the spread of COVID-19 in the workplace. California is now one of the few states with a standard to protect workers from COVID-19. The standard is currently in effect through October 2, 2021, and it could be extended beyond that date.

WHO IS PROTECTED BY THIS STANDARD?
Most workers under Cal/OSHA’s jurisdiction are protected by the new COVID-19 standard.¹ The standard includes specific protections for employers who provide housing and/or transportation to workers. The standard does not apply to workers who are already protected under Cal/OSHA’s Aerosol Transmissible Diseases Standard (i.e., those in healthcare, homeless shelters, correctional facilities, etc.), worksites with one worker, or those working at home.

WHAT MUST EMPLOYERS DO TO PROTECT WORKERS FROM COVID-19?
The standard requires employers to allow for remote work as much as possible. In cases where remote work is not possible, employers must take the following control measures:

Engineering Controls
- Maximize the amount of outside air in indoor work spaces.
- Find ways for employees to maintain physical distances of 6 feet or more from others as much as possible.
- Install solid cleanable partitions (i.e., plexiglass barriers, etc.) in places where it is not possible for workers to maintain physical distancing.

Administrative Controls
- Regularly clean and disinfect frequently touched surfaces, objects, and work areas.
- Minimize the need to share high-contact items such as handheld tools, equipment, and vehicles.
- Encourage and allow time for frequent hand washing, and provide hand sanitizer.

Personal Protective Equipment (PPE)
- Provide face coverings to all workers and ensure employees are wearing them over the nose and mouth. Exceptions apply for workers with medical and/or mental health conditions and/or disabilities. Note that face shields are not a replacement for face coverings but they can be worn together.
- Assess the need for other PPE to prevent exposure to COVID-19 hazards – this may include gloves, goggles, face shields, and/or respiratory protection.

WHAT ARE EMPLOYERS REQUIRED TO DO?
The standard requires employers to take the following actions:

- Establish a written COVID-19 Prevention Plan. The plan must describe all measures employers are taking to reduce exposure to the coronavirus and to address potential causes; the plan must be accessible to all workers and their representatives.
- Identify and correct COVID-19 hazards in the workplace. Hazard control methods must include a full range of engineering controls, administrative controls, and personal protective equipment (see next section).
- Train workers. Training must include how the coronavirus is transmitted, workplace policies and procedures to prevent the spread of COVID-19, the importance of face coverings and physical distancing, and information about federal, state, and local COVID-19-related benefits.
- Encourage communication and reporting without fear of retaliation. Workers should feel safe reporting COVID-19 hazards in the workplace, possible exposures, and test results or COVID-19 symptoms. Employers are prohibited from retaliating against workers for reporting hazards, injuries and illness.

¹ Cal/OSHA jurisdiction includes full-time and part-time employees and those hired by temporary employment agencies, regardless of immigration status. Cal/OSHA jurisdiction does not extend to self-employed workers, those hired as independent contractors, or those hired informally to work in residences.
WHAT IF THERE ARE MULTIPLE CASES OF COVID-19 INFECTIONS AMONG WORKERS?

In addition to complying with all the requirements described for non-outbreak settings:

- **Outbreak:** If 3 or more workers test positive for COVID-19 in a 14-day period, employers must test all employees when the outbreak is identified, then at least once a week while the outbreak continues. Employers must investigate and correct conditions that may have led to COVID-19 transmission when the outbreak is first identified, then every thirty days while the outbreak continues.

- **Major Outbreak:** If 20 or more workers test positive for COVID-19 in a 30-day period, employers must test all employees when the outbreak is identified, then at least twice a week while the outbreak continues. Employers must introduce air filtration in buildings or structures with mechanical ventilation, and they must determine the need for a respiratory protection program or changes to an existing respiratory protection program. They must also consider whether to halt some or all operations at the workplace until COVID-19 hazards have been corrected. In addition, employers must investigate and correct conditions that may have led to COVID-19 transmission when the outbreak is first identified and while the outbreak continues.

WHAT DO I DO IF I HAVE CONCERNS AT MY WORKPLACE?

If you have concerns about COVID-19 hazards at your workplace, first talk with your coworkers about raising the concerns with your employer. You can also contact Cal/OSHA with questions and/or file a workplace safety complaint by calling or emailing the district office in your area. Visit: www.dir.ca.gov/dosh/Complaint.htm and type in the city or zip code to find the nearest office.


or scan the following code: