

# Cal/OSHA's COVID-19 Emergency Temporary Standards (ETS) In Restaurants



On November 30, 2020, the Cal/OSHA Standards Board approved emergency temporary standards to prevent the spread of COVID-19 in the workplace. California is now one of the few states with specific regulations to protect workers from COVID-19. The standards are currently in effect through October 2, 2021, and could be extended beyond that date. This fact sheet does not address all of the requirements of the ETS. Visit <http://saferatwork.ca.gov> for more information.

## Am I covered by these standards?

Workers at restaurants with two or more workers on-site (or one worker on-site that has contact with other persons), are protected by these standards.

The ETS applies to all workers at the restaurant, including full-time and part-time employees, temporary staff, and contractors. Cal/OSHA standards extend to workers regardless of immigration status.

## What are employers required to do under these standards?

The standards require all employers at restaurant facilities to take the following actions:

### Establish a written COVID-19 Prevention Program.

The program must describe all measures employers are taking to prevent the spread of COVID-19 at the workplace. The plans must be accessible to all workers and their authorized representatives.

### Correct COVID-19 hazards in the workplace.

Hazard control methods must include a full range of feasible engineering controls (such as improved ventilation and filtration, use of barriers), administrative controls (such as physical distancing, staggering work schedules), and personal protective equipment (PPE).

### Train workers.

Training must include how COVID-19 is transmitted, workplace policies and procedures to prevent 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

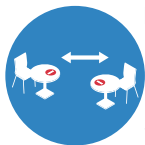
Workers should feel safe reporting COVID-19 hazards in the workplace, possible exposures, and test results (confidentiality maintained) for COVID-19 symptoms. Employers are prohibited from retaliating against workers for reporting hazards, injuries and illness.

## What does this look like in my workplace? Restaurant owners and managers should:



Rearrange the restaurant to maintain physical distancing during customer ordering, pick up, and delivery. This includes using visual cues or markings to remind customers where to stand while waiting to order or pick up food. Be sure to check with local health department requirements, as well.

Use physical barriers, like strip curtains, Plexiglass, or other impermeable dividers or partitions that can be easily cleaned and sanitized to separate workers from customers and customers from each other wherever possible.



Follow local health department guidelines for spacing out tables to maintain distance between customers who might not be wearing masks while eating. Each department has their own guidelines for how far tables should be spaced out.

Encourage at least 6 feet of distance between each worker throughout the facility. This includes staggering workers' arrival, departure, and break times to avoid crowding in communal areas, as well as setting occupancy limits in restrooms, break rooms and other common areas.



Provide face coverings to all workers and ensure they are worn over the nose and mouth. Employers must provide face coverings that are clean and undamaged.

Determine the need for other PPE. For example:



Face shields (in addition to face coverings) for servers who have to interact with customers who aren't wearing a mask when eating.

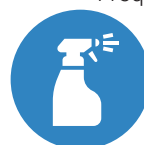


Disposable gloves for workers who have to come in contact with items that have been used by customers. Ensure workers properly wash their hands (20 seconds) immediately after removing gloves.



Aprons and gloves for dishwashers who have to come in contact with dishes and linens that have been used by customers.

Increase the flow of air in indoor areas and workstations. Airflow from outdoor air should be maximized wherever possible (i.e. open windows and doors if it's safe), unless doing so poses an additional hazard such as from wildfire smoke.



Frequently clean and disinfect high touch areas and surfaces like checkout counters and cash registers. Ensure an adequate supply of cleaners and disinfectants approved by EPA for COVID-19 that are used according to the manufacturer's instructions. Workers should be given additional time to disinfect surfaces and tables in between customers.



Encourage hand hygiene by providing workers with supplies and additional time on their shift to properly wash their hands (20 seconds) with soap and water. If possible, use soap and hand sanitizer dispensers that are touch-free. Hand sanitizers should only be used if suitable hand washing facilities are not always accessible.



Create a system to screen workers for symptoms before they come into work. Screenings should include asking workers if they are experiencing COVID-19 symptoms or have come in contact with someone with COVID-19.



## What if there are COVID-19 cases in my workplace?

**If there is a COVID-19 case at the workplace,** employers must notify employees who may have been exposed, their authorized representatives, and any contractors who were present at the same workplace as the COVID-19 case, and offer testing at no cost to those employees. They must also investigate and correct conditions that may have contributed to the risk of COVID-19 exposure.

**It is considered an outbreak if 3 or more workers test positive for COVID-19 in a 14-day period.** Employers must test all employees who might have been exposed when the outbreak is identified. Testing must then continue at least once a week while the outbreak continues, and until there are no new COVID-19 cases detected in the workplace for a 14-day period. Workers who were not present in the window of the identified outbreak do not have to be tested. Employers must investigate and review conditions, policies, procedures, and controls that may have led to COVID-19 transmission when the outbreak is first identified, and implement changes as needed to prevent further spread. This review must be repeated then every thirty days while the outbreak continues.

**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, and until there are no new COVID-19 cases detected in the workplace for a 14-day period. In addition, employers must investigate workplace COVID-19 illnesses and correct conditions that may have led to COVID-19 transmission when the outbreak is first identified and while the outbreak continues. Employers must upgrade 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.

- Local health department needs to be notified of any COVID-19 cases in the workplace.
- It is important for employees to know that if they have, or may be suspected of having COVID-19, they should not come to work.
- Employers must maintain records of all COVID-19 cases, and report outbreaks and other serious illnesses to Cal/OSHA and the local health department, as required.



### Where can I learn more about COVID-19 and how to stop the spread in my community?

Your local public health department has the most up-to-date information about how to protect yourself and others in your community from Covid-19.

- You can also find general information about COVID-19 on the CDC's website at: [www.cdc.gov/coronavirus/2019-ncov/index.html](https://www.cdc.gov/coronavirus/2019-ncov/index.html).
- You can go to <https://covidstraighttalk.org> to answer questions about COVID-19 myths.

### Where can I find more information about my rights to a safe and healthy workplace?

You can find more information about your rights on the Cal/OSHA Website at <https://www.dir.ca.gov/covid/Stay-safe-at-work.html>

- If you wish to report a violation of the ETS in your workplace, you may file a complaint with Cal/OSHA online or by telephone to the Cal/OSHA district office closest to your workplace: <https://www.dir.ca.gov/dosh/Complaint.htm>.
- If you have been exposed to COVID-19 and need support getting sick leave from your employer, call 833-LCO-INFO (833-526-4636).

For additional resources visit the UCLA LOSH page by clicking or scanning the QR Code or, checking out one of these social media sites:

