

COVID-19 Employer Playbook

For a Safe Reopening

July 24, 2020

covid19.ca.gov

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ALL

Your Actions
Save Lives



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Overview

A safe re-opening requires compliance with both state and local public health guidance, and local guidance can come from your county and your city. It is not enough to be familiar with just one of these.

On March 19, 2020, the State Public Health Officer and Director of the California Department of Public Health (CDPH) issued an order requiring most Californians to stay home to disrupt the spread of COVID-19 among the population.

On May 4, 2020, Governor Gavin Newsom issued an [Executive Order](#) that informed local health jurisdictions and industry sectors that they may gradually reopen under new modifications and guidance provided by the state per the May 7, 2020 [Public Health Order](#).

Local Health Officers may require stricter guidelines than those required by the state. Employers should review their County website or consult their county or [local health department \(LHD\)](#) to ensure they have the most up-to-date information about what is allowed within their jurisdiction.

The California [Resilience Roadmap](#) provides guidance on moving through stages of reopening different sectors after the statewide stay-at-home order:

1. Stage 1: Safety and preparedness
2. Stage 2: Lower-risk workplaces
3. Stage 3: Higher-risk workplaces
4. Stage 4: End of Stay Home Order

The information and guidance provided in each stage offers residents and businesses the tools for navigating the requirements to maintain position in the current stage and move into the next. Within Stage 2, retail, related logistics and manufacturing, office workplaces, limited personal services, outdoor museums, child care, and business can open with modifications based on the readiness of their County. Additional guidance for specific industries and business sectors has been provided by the State to help employers navigate reopening their business (see **Appendix A: Resources**).

As California businesses begin their reopening, it is essential that all possible steps be taken to ensure the safety of workers and the public. In addition, it will be critical to have appropriate processes in place to identify new cases of illness in the workplace and, when they are identified, to intervene quickly and work with public health authorities to halt the spread of the virus. These efforts are essential to avoid further shutdowns.

Purpose

This Employer Playbook provides guidance for employers to help them plan and prepare for reopening their business and to support a safe, clean environment for workers and customers. The guidance and links in each section are provided to give employers the tools they need to open safely and mitigate risks associated with COVID-19. The guidance is not intended to revoke or repeal any worker rights, either statutory, regulatory or collectively bargained, and is not exhaustive, as it does not include county health orders, nor is it a substitute for any existing safety and health-related regulatory requirements such as those of Cal/OSHA. Stay current on changes to public health guidance and state/local orders, as the COVID-19 situation continues. Cal/OSHA has also published interim safety and health guidance, [Cal/OSHA General Guidelines on Protecting Workers](#). CDC has additional information on their [guidance](#) for employers.

By following this Employer Playbook, employers will be able to do their part in reducing the risk and spread of COVID-19 in the workplace and ensure California businesses stay open.

How to Open Safely

Businesses and employers can prevent and slow the spread of COVID-19 and lower the impact within their workplace, creating a safer, low-risk environment for workers and customers alike. Business operation decisions should be based on both the level of disease transmission in the community and your readiness to protect the safety and health of your workers and customers.

Businesses and employers are encouraged to coordinate with state and local health officials to obtain timely and accurate information to inform appropriate responses. Local conditions will influence the decisions that public health officials make regarding community-level strategies.

As an employer, if your business operations were interrupted, resuming normal or phased activities presents an opportunity to update your COVID-19 preparedness, response, and control plans. All employers must implement (and update as necessary) a plan that:

- Is specific to your workplace,
- Identifies all areas and job tasks with potential exposures to COVID-19,
- Includes control measures to eliminate or reduce such exposures,
- Maintains healthy business operations,
- Maintains a healthy work environment,

- Provides effective training for workers, and
- Encourages workers to give input into an effective workplace plan.

Talk with your workers about planned changes and seek their input. Additionally, collaborate with workers and unions to effectively communicate important COVID-19 information. All employers need to consider how best to decrease the spread of COVID-19 and lower the impact in your workplace. The following sections of this Employer Playbook provide industry specific guidelines, checklists and case studies to guide employers and businesses on how to safely reopen and stay open.

INDUSTRY-SPECIFIC GUIDANCE AND CHECKLISTS

Before reopening, all facilities must:

1. Perform a detailed risk assessment and create a work site-specific COVID-19 prevention plan
2. Train workers on how to limit the spread of COVID-19. This includes how to screen themselves for symptoms and when to stay home
3. Set up individual control measures and screenings
4. Put disinfection protocols in place
5. Establish physical distancing guidelines
6. Establish universal face covering requirements (with allowed exceptions) in accordance with [CDPH guidelines](#). Additionally, refer to **Appendix A: Resources** for further guidance for employers and workers in enforcing mask requirements.

As California reopens, every business will need to create a safer environment for their workers and customers. CDPH and Cal/OSHA have issued state wide [Industry-Specific Guidance and Checklists](#) to help employers as they reopen their businesses. The guidance is designed to meet the needs of each industry sector but are also customizable to meet individual business needs.

The guidance conveys the topics to be covered in a worksite specific COVID-19 prevention plan that employers and managers will create to outline policies and procedures for their workers and customers to follow. Worksite-specific plans are critical in helping to prevent the spread of COVID-19 throughout the workplace. These plans will contain details and instructions such as how to communicate with the local health department (LHD) regarding COVID-19 outbreaks among workers, training and communication for workers and worker representatives, and what to do if there is an outbreak.

The guidance also contains topics for worker training that should be incorporated into the worksite specific plan. Effective training is critical to helping workers and worker representatives understand their role in preventing the spread of COVID-19. These topics include information on how to self-screen for COVID-19 symptoms at home, which underlying health conditions may make individuals more susceptible to contracting the virus, and the importance of physical distancing, use of face coverings, and handwashing, both at work and off work time.

Along with training, the guidance includes instructions and recommendations for individual control measures. These measures are critical in ensuring workers, vendors, or others who are exhibiting symptoms of COVID-19 do not enter the workplace or establishment. Individual control measures include instructions for how to screen workers as well as how workers can screen themselves for symptoms.

The Industry-Specific Guidance and Checklists also provide employers with directions for effective cleaning and disinfecting protocols as well as physical distancing guidelines. Both of which are essential in slowing and preventing the spread of COVID-19. Implementing measures to properly clean and disinfect the workplace as well as maintaining proper physical distancing should be included in an employer's worksite specific plan.

The business sectors included in the industry-specific guidance and checklists include:

| | | |
|--|---|--|
| Agriculture & livestock | Hotels & lodging | Ports |
| Auto Dealerships | Life sciences | Professional sports (without live audiences) |
| Childcare | Limited services | Public transit & intercity passenger rail |
| Communications infrastructure | Logistics & warehousing Facilities | Real estate transaction |
| Construction | Manufacturing mining & logging | Retail |
| Day camps | Music, film & TV production | Schools |
| Delivery services | Office workspaces | Support for working families |
| Energy & utilities | Outdoor museums | Shopping centers |
| Family friendly practices for employers | Place of worship & cultural ceremonies | Take-out restaurants |
| Food packing | | |

For access to guidance on these individual business sectors, please reference **Appendix A: Resources** for the complete list of references.

If an employer is unsure if a specific activity is allowed, they may seek advice by emailing essentialservicesinquiries@cdph.ca.gov.

What to do if there is a Case of COVID-19 in the Workplace

MANAGING THE OUTBREAK AND RETURNING TO WORK

This [guidance](#) is **not** intended for use in managing or preventing outbreaks in healthcare, congregate living settings, or other workplaces where the California Aerosol Transmissible Diseases (ATD) standard applies.

Cal/OSHA has the following guidance for healthcare facilities:

- [Hazard Alert: COVID-19 PPE Availability](#)
- [Interim Guidance on Severe Respirator Supply Shortages](#)
- [Interim Guidance for Protecting Hospital Workers from Exposure to Coronavirus Disease \(COVID-19\)](#)
- [Interim Guidance for Protecting Workers at Skilled Nursing and Long-term Care Facilities](#)

If an employer discovers a worker who has tested positive for COVID-19 or a worker who has symptoms, they should make sure the worker does not remain at work, and the employer should work with their LHD to follow guidance about isolation or quarantine, possible testing, and when it is appropriate for the worker to return to work. Employers should support the need for workers to be able to be off work for the protection of others by flexible leave policies.

Employers should be proactive and keep in mind that identification of even a single positive case among workers may quickly develop into an outbreak. As outbreak circumstances and work practices vary, employers may need assistance from their [LHD](#) to plan and coordinate a response to the outbreak that meets the needs of the workplace.

Steps to respond to a positive case of COVID-19 or an outbreak should be included in the employer's worksite specific plan. It is the responsibility of every employer to protect the health and wellbeing of their workers and knowing what to do in the event of an outbreak can help slow and stop the spread.

The guidance provides employers with the tools and steps to respond to an outbreak in the workplace including but not limited to:



- What workers should do if they are having symptoms
- The importance of communicating and coordinating with the LHD
- Understanding reporting requirements for reporting to Cal/OSHA
- Testing and Contact Tracing in the Workplace
- What a close contact is
- Confidentiality of workers
- [Cleaning and disinfecting workspaces](#)
- When it is appropriate to return to work
- Re-evaluating the workplace plan to prevent further outbreaks

Employers should also consult (see **Appendix A: Resources** for additional resources):




- CDC guidance for [businesses](#) and [small businesses](#) for information on preventing outbreaks; and
- The California statewide [industry-specific guidance](#) to reduce risk during and after reopening of businesses.

Outbreak Identification Preparedness

The following table provides actions employers must take to prepare for identification of COVID-19 outbreaks in their workplace.

| Outbreak Identification Preparedness Actions | |
|---|--|
|  | Designate a workplace infection prevention coordinator (to the extent one has not already been designated) to implement COVID-19 infection prevention procedures and to manage COVID-related issues among workers. |
|  | Ensure that sick leave policies are sufficiently generous and flexible to enable workers who are sick to stay home without penalty and ensure that workers are aware of such policies. As applicable, employers should also make their workers aware of the following leave entitlements: <ul style="list-style-type: none"> • Private employers with fewer than 500 workers. Through December 31, 2020, the federal Families First Coronavirus Response Act requires such employers to provide up to 80 hours of paid leave to workers for COVID-19-related reasons. Covered employers must provide notice to their workers of this benefit. More information on FFCRA paid |

Outbreak Identification Preparedness Actions






| | |
|---|--|
| | <p>leave benefits is available from the Wage and Hour Division of the U.S. Department of Labor.</p> <ul style="list-style-type: none"> • Employers with 500 or more workers in the food sector. Executive Order N-51-20 requires certain employers to provide paid sick leave to food sector workers. Covered employers must provide notice to their workers of this benefit. More information on Food Sector Worker paid leave benefits is from the Labor Commissioner’s Office. • Employees may be entitled to up to 12 weeks of job-protected leave under the California Family Rights Act for their own serious health condition, or to care for a spouse, parent, or dependent child with a serious health condition. Refer to the following FAQ for more information. |
|  | <p>Instruct workers to stay home and report to the employer if they are having symptoms of COVID-19, were diagnosed with COVID-19, or are awaiting test results for COVID-19.</p> |
|  | <p>Develop mechanisms for tracking suspected and confirmed cases among workers in coordination with your LHD.</p> |
|  | <p>Identify contact information for the local health department in the jurisdiction where the workplace is located and notify the LHD if there is a known or suspected outbreak in the workplace.</p> |

Communication of Identified Cases of COVID-19


The following tables identify the considerations for employers in reporting cases to the LHD and communication with their workers.

Please note, the LHD in the jurisdiction where the workplace is located may have specific criteria for case reporting requirements. Employers should follow the specific instructions of their LHD, if available. See **Reporting COVID-19 Cases to Cal/OSHA** section for more information.








Considerations for Employers to Communicate Identified Cases of COVID-19 to LHD

| | |
|---|--|
|  | LHDs regularly transmit and protect confidential health information. Securely sharing confidential information about workers with COVID-19 is critical for the LHD to provide comprehensive support to the employer and protect the health of the community. |
|  | Workers in a workplace may live in counties/jurisdictions outside of where the workplace is located. When there is an outbreak in a workplace, employers should contact the LHD in any jurisdiction where a COVID-19 positive worker resides and let them know about the outbreak. |
|  | Typically, the LHD in the jurisdiction where the workplace is located gives guidance to the employer on managing the outbreak. |
|  | Communicate with the LHD on how frequently the LHD expects updates from the employer on newly identified cases and symptomatic workers in the workplace. |
|  | Share a roster of all workers with the LHD in the jurisdiction where the workplace is located. <ul style="list-style-type: none">• An employer may be asked by the LHD to provide additional information on the workers, including job description, location, work schedule, city and county of residence, and other details that could help inform the investigation and determine which other workers in the workplace may be at risk of COVID-19 infection. |

Considerations for Employers to Communicate Identified Cases of COVID-19 to Workers









| | |
|---|---|
|  | Employers must make every effort to maintain the confidentiality of workers with suspected or confirmed COVID-19 infection when communicating with other workers. Employers should refer to the guidelines issued by DFEH and EEOC. |
|---|---|

Considerations for Employers to Communicate Identified Cases of COVID-19 to Workers

| | |
|---|---|
|  | <p>Employers must notify all workers who were potentially exposed to the individuals with COVID-19. Employers should work collaboratively with workers to gain access to healthcare necessary to address the workers exposure, which may be especially important for those with high-risk medical conditions (e.g., immune compromise or pregnancy).</p> |
|  | <p>Close contacts of cases should be given instructions on home quarantine and symptom monitoring, information regarding the closest COVID-19 testing sites, referral to their LHD.</p> |
|  | <p>Provide any workers who are sent home before or during a shift with information about what to expect after they are sent home (e.g., instructions to contact their medical provider or LHD about testing, and information regarding sick leave rights under federal, state, and local laws and company policies, return-to-work requirements).</p> |
|  | <p>Include worker representative groups in communicating strategies.</p> |
|  | <p>If the facility uses contract or temporary workers, identify who (host or contractor employer) should communicate information and instructions on the outbreak to these individuals.</p> |
|  | <p>All workers in the workplace should follow all instructions for infection prevention and outbreak management measures from the host employer, the LHD where the workplace is located, and the LHD where they reside.</p> |
|  | <p>In some outbreaks, but not all, workers who were never symptomatic and did not have close contact with any of the laboratory confirmed cases may continue to work, as long as the employer has implemented all control measures as recommended by public health authorities, Cal/OSHA, or other regulatory bodies. The LHD will make this determination based on strategies being used to control the outbreak and identify new cases.</p> |

Preventing Further Spread in the Workplace

The following table provides actions that employers should take in order to prevent the further spread of COVID-19 in the workplace after a case has been identified.

| Actions for Preventing Further Spread in the Workplace | |
|---|---|
|  | Employers should seek guidance from the LHD to develop a testing strategy to determine who needs to be tested. |
|  | If testing is limited, or not recommended, your LHD may recommend alternative methods for controlling the outbreak, including but not limited to tracing all close contacts of confirmed cases and instructing those individuals to quarantine or temporarily closing the workplace and quarantining all workers. |
|  | Employer should provide information to the LHD on the confirmed COVID-19 case workers in the workplace, including job titles, work areas, close contacts in the workplace, dates of symptom onset, and shifts worked while infectious. |
|  | Establish if the employer, LHD, or both will conduct interviews of the cases to determine their close contacts. |
|  | In consultation with the LHD, Interview workers with laboratory-confirmed COVID-19 by phone to determine when their symptoms began, the shifts they worked during their infectious period, and to identify other workers with whom they had close contact during their infectious period. |
|  | A close contact is someone who spent 15 minutes or more within 6 feet of an individual with COVID-19 infection during their infectious period, which includes, at a minimum, the 48 hours before the individual developed symptoms. |
|  | Close contacts should be instructed to quarantine at home for 14 days from their last known contact with the worker with COVID-19 and should be tested for COVID-19. |
|  | Use employment records to verify shifts worked during the infectious period and other workers who may have worked closely with them during that time period. |

Actions for Preventing Further Spread in the Workplace



While at home, close contacts should self-monitor daily for COVID-19 symptoms (e.g., fever, chills, shaking chills, cough, difficulty breathing, sore throat, congestion or runny nose, fatigue, body or muscle aches, loss of taste or smell, nausea or vomiting, diarrhea, loss of appetite).

Returning to Work

Employers should consult with the LHD and most recent [CDC guidance](#) for when a confirmed case may be released from home isolation and return to work. The following table includes the guidance from the CDC for reference. The LHD may recommend a strategy for return to work similar to the following, although some variation may occur by jurisdiction and outbreak.

| Workers | Minimum Criteria for Return to Work <i>(As of July 24, 2020)</i> | CDC Reference Page <i>(Consult the most recent CDC guidance prior to allowing the worker to return to work)</i> |
|--|---|--|
| Symptomatic Positive Workers with symptoms who are laboratory confirmed to have COVID-19 | At least 1 day (24 hours) has passed since last fever, defined as resolution of fever without the use of fever-reducing medications and improvement in symptoms (e.g., cough, shortness of breath); and , at least 10 days have passed since symptoms first appeared. | For worker cases who did not require hospitalization For worker cases who required hospitalizations |
| Asymptomatic Positive Workers who never had symptoms and are laboratory confirmed to have COVID-19 | A minimum of 10 days has passed since the date of their first positive COVID-19 test. If they develop symptoms, then the criteria for laboratory confirmed cases with symptoms apply. | Discontinuation of Isolation |
| Symptomatic Negative | Use the same criteria for return to work as laboratory confirmed cases. | |

| Workers | Minimum Criteria for Return to Work <i>(As of July 24, 2020)</i> | CDC Reference Page <i>(Consult the most recent CDC guidance prior to allowing the worker to return to work)</i> |
|--|--|---|
| Asymptomatic Negative Workers who never had symptoms but were tested due to close contact with a laboratory-confirmed case patient and were negative | Workers should quarantine at home for 14 days after the last known close contact with the case patient. Symptoms can develop even after testing negative within 14 days after exposure. The LHD may consider allowing earlier return to work only for an worker in a critical infrastructure industry in which the essential operations of the workplace would be compromised by quarantine of the worker and no alternate staff can perform the same role.* | |
| Symptomatic Untested Workers who had symptoms of COVID-19 but were not tested | Testing is highly recommended. If the worker cannot be tested, use the same criteria for return to work as laboratory confirmed cases. | |

| Workers | Minimum Criteria for Return to Work <i>(As of July 24, 2020)</i> | CDC Reference Page <i>(Consult the most recent CDC guidance prior to allowing the worker to return to work)</i> |
|--|--|---|
| <p>Asymptomatic Untested</p> <p>Workers who had close contact to a laboratory-confirmed case patient at work, home, or in the community and do not have symptoms.</p> <p>OR</p> <p>Workers who refuse or are unable to be tested after close contact with a laboratory-confirmed case, despite recommendation for testing from LHD or healthcare provider, and do not have symptoms.</p> | <p>Workers should be quarantined at home for 14 days after the last known close contact with the case patient. Testing is highly recommended; if testing has not occurred, the LHD may consider allowing an worker who had close contact to a confirmed case to continue to work only in a critical infrastructure industry in which the essential operations of the workplace would be compromised by quarantine of the worker and no alternate staff can perform the same role.*</p> <p>Workers who develop symptoms of COVID-19 while in quarantine should contact their healthcare provider. Even if they are not tested, the same criteria for return to work should be used as laboratory-confirmed cases.</p> | <p>For worker cases who did not require hospitalization</p> |

***Regarding the following two groups of workers in a critical infrastructure workplace outbreak: (a) asymptomatic workers who tested negative, (b) workers who were close contacts to confirmed cases:**








Where 14-day quarantine would compromise essential operations, the LHD may determine that some workers in these two groups may return to work sooner than 14 days by considering certain criteria specific to the workplace and worker:

- The worker is able to wear a surgical mask throughout the workday, except while eating, and comply with all infection prevention procedures. A cloth face covering may also be used in the event of mask shortage.

- The facility has implemented all best practice infection prevention procedures, as determined by the LHD.
- Pre-screening to assess worker temperature and symptoms prior to starting work has been implemented, ideally before entering the facility.
- Worker is able to self-monitor for temperature and symptoms at home and work.
- Worker is able to maintain a minimum of six feet of distance from other workers in the workplace. Of note, six feet does not prevent all transmission of SARS-CoV-2.
- Physical barriers are in place between fixed worker work locations to supplement distancing.
- Cleaning and disinfection of all areas and shared equipment can be performed routinely in the workplace.

Employers Cleaning Guide

The following table provides cleaning actions employers need to complete after a worker with Covid-19 has been to work. The following are considerations for this disinfection:

| Cleaning Guide for Employers | |
|---|---|
|  | The Work areas of infected workers should not be entered by workers until they have been cleaned and disinfected with products approved by the EPA for COVID-19. Work should be performed by cleaning staff trained on their safe use and supplied with all required and recommended PPE. |
|  | Perform ongoing enhanced cleaning/disinfection of work areas when a worker with COVID-19 is identified, following CDC recommendations . |
|  | Continue to identify and regularly clean and disinfect frequently touched surfaces throughout the workplace, such as doorknobs, equipment, and handrails. |
|  | Workers should not share headsets or other objects that may come into contact with their face, mouth, or nose. |
|  | Minimize sharing of other equipment between workers; for equipment that must be shared, conduct frequent cleaning between worker use. |
|  | Train workers on safe use of cleaners and disinfectants and provide necessary protective equipment. |
|  | Employers should regularly check for and follow new and updated guidance on their specific industry from the following sources in Appendix A: Resources . |

REGULATIONS AND GUIDANCE FOR REPORTING AND PROVIDING SICK LEAVE

Recording Cases of COVID-19

California employers that are required to record work-related fatalities, injuries and illnesses must record a work-related COVID-19 fatality or illness like any other occupational illness. To be recordable, an illness must be work-related and result in one of the following:

- Death,
- Days away from work,
- Restricted work or transfer to another job,
- Medical treatment beyond first aid,
- Loss of consciousness, or
- A significant injury or illness diagnosed by a physician or other licensed health care professional.

If a work-related COVID-19 case meets one of these criteria, then covered employers in California must record the case on their 300, 300A and 301 or equivalent forms.

See California Code of Regulations, title 8, Chapter 7, Subchapter 1, Article 2, [Employer Records of Occupational Injury or Illness](#) for details on which employers are obligated to report and other requirements.

Reporting COVID-19 Cases to Cal/OSHA

In addition to the recordkeeping requirements discussed above, California employers must also report to Cal/OSHA any serious illness, serious injury or death of a worker that occurred at work or in connection with work within eight hours of when they knew or should have known of the illness, see [section 342\(a\)](#) of the Cal/OSHA Regulations pertaining to reporting work-connected injuries for more information. This includes a COVID-19 illness if it meets the definition of serious illness.

A serious illness includes, among other things, any illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, see [section 330\(h\)](#) of Cal/OSHA Regulations for definitions. This means that if a worker becomes ill while at work and is admitted as in-patient at a hospital — regardless of the duration of the hospitalization — the illness occurred in a place of employment, so the employer must report this illness to the nearest Cal/OSHA office. Reportable illnesses are not limited to instances when the worker

becomes ill at work. Serious illnesses include illnesses contracted “in connection with any employment,” which can include those contracted in connection with work but with symptoms that begin to appear outside of work.

Reports must be made immediately, but not longer than eight hours after the employer knows or with diligent inquiry would have known of the serious illness.

For more information on reporting and recording requirements, please visit Cal/OSHA, Recording and Reporting Requirements for COVID-19 Cases [Frequently Asked Questions](#) and Department of Fair Employment and Housing’s [Employment Information on COVID-19](#).

Regulations Involving Providing Information on COVID-19 Positive Individuals

When employers identify a worker who has tested positive for COVID-19 or a worker who has symptoms, they should make sure the worker does not remain at work. The employer should work with their LHD to follow guidance for isolation and quarantine, possible testing, and when it is appropriate for the worker to return to work. Employers should support workers time away from work for the protection of others through flexible leave policies.

Employers should not identify any such workers by name in the workplace to ensure compliance with privacy laws. If a worker tests positive for, or is suspected to have COVID-19, the employer will need to follow the most current local, state, and federal public health recommendations. Employers should take further steps at the direction of the local public health department that may include closing the worksite, deep cleaning, and permitting or requiring telework

Correspondence notifying workers or a COVID-19 positive case or suspected positive case should be written in a way that does not disclose the health status of the worker. Employers **cannot** confirm the health status of workers or communicate about the worker’s health. For example, the employer could speak with workers or send an email or other written communication saying:

[Employer] has learned that a worker at [office location] tested positive for COVID-19. The worker received tested results on [date]. This email is to notify you that you may have been exposed to the novel virus. You should contact your local public health department for guidance and any potential actions to take based on individual circumstances or if you develop COVID-19 symptoms.

California Family Rights Act: Job-Protected Leave

Employees may be entitled to up to 12-weeks of job-protected leave under the [California Family Rights Act](#) (CFRA) for their serious health condition, or to care for a spouse, parent, or dependent child with a serious health condition.

COVID-19 will qualify as a serious health condition if it results in inpatient care or continuing treatment or supervision by a health care provider. It may also qualify as a serious health condition if it leads to conditions such as pneumonia.

Employees are eligible for this form of job-protected leave (CFRA) if they work for an employer with at least 50 workers within 75 miles of their worksite; have worked there for at least a year; and have worked at least 1250 hours in the year before they require time off.

For more information, please refer to [DFEH FAQs \(for answers to frequently asked questions for employers and workers\)](#).

Paid Sick Leave

Employees in California earn paid sick leave from the first day of employment. Employers must provide workers upon hire with a notice that states how paid sick leave will be provided. Additionally, the Governor issued an Executive Order mandating COVID-19 related paid sick leave for food sector workers who work for employers with more than 500 workers. The paid sick leave laws have strong anti-retaliation provisions to protect workers who request and/or use paid sick leave under these laws. For additional information on paid sick leave rights, please see the following:

- **California Paid Sick Leave.** Under California law, workers accrue a minimum one hour for every 30 hours worked, which an employer may cap by a policy at not less than 48 hours of sick leave per year; and may cap use of paid sick leave at a minimum of 3 days or 24 hours of accrued sick leave per year. Employers may also provide policies that allow for greater accrual and use of paid sick leave. Additional information on [California paid sick leave](#) is posted online, as well as [how it applies to COVID-19](#).
- **California COVID-19 Supplemental Paid Sick Leave.** Under [Executive Order N-51-20](#), hiring entities with more than 500 workers must provide up to 80 hours of paid sick leave to food sector workers who work for or through the hiring entity. [Additional information on supplemental paid sick leave](#) is posted on topic-specific FAQs.

In addition, workers may have the right to paid sick leave under federal or local law as follows:

- **Federal paid sick leave up to a possible 80 hours under the Families First Coronavirus Response Act (FFCRA).** This law is enforced by the United States Department of Labor for businesses with less than 500 workers. An worker may be eligible for this leave depending on the size of the employer, among other factors. The United States Department of Labor Wage & Hour Division posted [additional information on FFCRA in its FAQs](#).
- **Local Paid Sick Leave laws.** Certain localities also have paid sick leave laws. If workers are subject to local sick leave ordinances, the employer must comply with both state and local laws, which may differ in some respects. The employer must provide the provision or benefit that is most generous to the worker. Workers should consult with the relevant local enforcement agency for the locality in which they work for more information.

Guidance and Resources on Laws Enforced by the Labor Commissioner's Office

- [Laws Enforced by the Labor Commissioner's Office](#)
- [Update on Essential and Non-essential Workers](#)
- [Guidance on Conditional Suspension of California WARN Act Notice Requirements](#)
- [FAQs on Executive order concerning Supplemental Paid Sick Leave For Food Sector Workers at Companies with 500 or More Employees.](#)
 - [Workplace Poster - Supplemental Paid Sick Leave for Food Sector Workers \(Spanish Version\)](#)
- [COVID-19 sick leave](#) (for side by side comparison of CA Paid Family Leave, CA Paid Sick Leave and Federal Families First Coronavirus Response Act (FFCRA))
- [Benefits for Workers Impacted by COVID-19](#) (chart describing federal, state and local paid leave laws, unemployment and disability benefits, and workers' compensation)

State Disability Insurance and Paid Family Leave

Employees who may not have paid sick leave benefits available may be eligible for Disability Insurance (DI) benefits. DI benefits are available to eligible workers who are unable to work because of being infected with, or a suspicion of being infected with, COVID-19.

In addition, workers without paid sick leave benefits to care for family members may be eligible for Paid Family Leave (PFL) benefits. PFL benefits are available for eligible workers who have lost wages when they need to take time off work to care for a child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner who is seriously ill with COVID-19.

Both DI and PFL require a medical certification to qualify. More information on eligibility for DI and PFL benefits is available from the [Employment Development Department](#).

Regular and Pandemic Unemployment Benefits

Individuals who have lost their job or business or have had their hours reduced for reasons related to COVID-19 may be eligible for partial wage replacement benefits under the regular Unemployment Insurance program or the Pandemic Unemployment Assistance program. The Pandemic Unemployment Assistance Program is available in particular where someone is unable to work due to a reason related to COVID-19, including when an individual has been diagnosed with COVID-19 or has symptoms and is seeking a diagnosis, or where the individual has been advised by a healthcare provider to self-quarantine.

More information on Unemployment Insurance and Pandemic Unemployment Assistance is available from the [Employment Development Department](#).

Workers' Compensation

Employees who contract COVID-19 at work may be eligible for workers' compensation benefits, which are available to provide workers with medical treatment needed to recover from a work-related injury or illness, partially replace the wages they lose while they are recovering, and help them return to work. Under [Executive Order N-62-20](#), certain workers who contracted a COVID-19-related illness between March 19 and July 5, 2020 are presumed to have contracted the illness at work, making them presumptively entitled to workers' compensation benefits.

More information on workers' compensation and the effect of Executive Order N-62-20 is available from the [Division of Workers' Compensation](#).

Enforcement and Compliance

The California Governor's Office of Emergency Services has established the COVID-19 Enforcement Task Force to monitor and enforce violations of State statutes and orders. The State agencies included in the task force are the Department of Alcoholic Beverage Control (ABC), Department of Consumer

Affairs (DCA), Department of Industrial Relations, including the California Division of Occupational Safety and Health (Cal OSHA), and the Division of Labor Standards Enforcement (Labor Commissioner's Office). Other members include agencies that do not have regulatory authority, but have responsibilities focused on outreach and education.

The mission of the COVID-19 Enforcement Task Force is to ensure and maintain a safe environment to protect employers, workers, and customers. The Task Force will be providing assistance and support to employers by helping them navigate compliance of statutes and orders as well as responding to, and enforcing violations related to indoor operations, use of face coverings, social distancing, and administrative actions.

Employers can seek technical assistance or answers to questions pertaining to the COVID-19 statutes and orders from ABC, the Labor Commissioner's Office, and Cal/OSHA. Contacts for these agencies are detailed in **Appendix B: Enforcement** and Compliance Contacts.

Worker Education

UNDERSTANDING COVID-19

Coronavirus (COVID-19) is an illness caused by a virus that can spread from person to person. COVID-19 symptoms can range from mild (or no symptoms) to severe illness. All workers should have a basic understanding of COVID-19, [how the disease spreads](#), [symptoms](#), and ways to prevent or minimize the spread.

PROTECTING YOURSELF AT WORK

Workers should take the following [steps to protect themselves](#) at work:

- Follow the policies and procedures of the employer related to illness, cleaning and disinfecting, and work meetings and travel.
- Stay home if sick, except to get medical care.
- Practice social distancing by keeping at least 6 feet away from fellow co-workers, customers, and visitors when possible, even when in or around break rooms, water coolers and/or non-work areas.
- Wear cloth face coverings, especially when social distancing is not possible. Cloth face coverings are intended to protect other people—not the wearer.
- Workers should inform their supervisor if they or their colleagues develop [symptoms](#) at work. No one with COVID-19 [symptoms](#) should be present at the workplace.

- Wash hands often with soap and water for at least 20 seconds, especially after blowing noses, [coughing, or sneezing](#), or having been in a public place.
 - Use hand sanitizer that contains at least 60% alcohol if soap and water are not available.
 - DO NOT use any hand sanitizer that contains methyl alcohol due to its high toxicity.
- Avoid touching eyes, nose, and mouth.
- To the extent possible, avoid touching high-touch surfaces in public places – elevator buttons, door handles, handrails (to the safest extent possible), etc.
- Where possible, avoid direct physical contact such as shaking hands with people.
- Minimize handling cash, credit cards, and mobile or electronic devices when possible.
- Avoid all non-essential travel.

[Sick workers](#) should follow [CDC-recommended steps to prevent the spread of COVID-19](#). Workers with COVID-19 who have stayed home can stop home isolation and return to work when they have met one of the sets of criteria found [here](#).

Workers who use public transportation, ride sharing, taxis or carpooling to travel to and from work should [protect themselves](#). Always remember to use face coverings, practice social distancing where applicable, and wash their hands with soap and water for at least 20 seconds before and after using such transportation.

PROTECTING YOURSELF AT HOME

[Protecting yourself and others](#) at home is important. Workers who share their household with others should follow [CDC-recommended home guidelines](#) if living in [close quarters](#) or [shared housing](#).

Additionally, you or those you know may experience increased stress during this pandemic. Public health actions, such as social distancing, can make people feel isolated and lonely and can increase stress and anxiety. [Coping with stress in a healthy way](#) will make you, the people you care about, and your community stronger.

Appendix A: Resources

EMPLOYER RESOURCE LINKS

- Interim Guidance for Businesses and Employers Responding to Coronavirus Disease 2019 (COVID-19), May 2020:
<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>
- Coronavirus 2019 (COVID-19) Resources for Employers and Workers:
<https://www.labor.ca.gov/coronavirus2019/>
- Benefits for Workers Impacted by COVID-19:
<https://www.labor.ca.gov/coronavirus2019/#chart>
- Guidance for family friendly practices for employers:
<https://files.covid19.ca.gov/pdf/guidance-familyfriendlypracticesemployers.pdf>

WORKER RESOURCE LINKS

- CDC General Business Frequently Asked Questions (COVID-19):
<https://www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html>
- CDC Symptoms of Coronavirus: <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>
- CDC How to Protect Yourself and Others:
<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>
- CDC What to do if You are Sick: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>
- CDC Coping with Stress and Immediate Crisis Help:
<https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/managing-stress-anxiety.html>

GUIDANCE

| CAL / OSHA | CDC | CDPH |
|--|--|--|
| Cal/OSHA Statewide Industry Guidance | Childcare, Schools, and Youth Programs (Plan, Prepare & Respond) | Industry Guidance to Reduce Risk |
| General Industry Guidance | Employer Information for Office Buildings | Industry-Specific Guidance (to Reduce Risk) |
| Guidance for Specific Industries | Guidance for Businesses and Workers Responding to COVID-19 | Guidance for Other Industries (Considerations for County Variance) |

| CAL / OSHA | CDC | CDPH |
|---|---|--|
| Guidance for Where You Live, Work, Learn, Pray, and Play (Communities, Schools, Workplaces, and Events) | Guidance for Meat and Poultry Processors | Industry-Specific Guidance and Checklists |
| | High-Risk Medical Conditions | Resilience Roadmap |
| | Information for Grocery and Food Retail Workers Interim Guidance for Conserving and Extending Filtering Facepiece Respirator Supply in Non-Healthcare Sectors Interim Guidance for Businesses and Employers | Transportation and Delivery (Plan Prepare & Respond) |
| | Interim Guidance for Businesses and Employers Interim Guidance for Conserving and Extending Filtering Facepiece Respirator Supply in Non-Healthcare Sectors | Guidance for the Use of Face Coverings |
| | Interim Guidance for Conserving and Extending Filtering Facepiece Respirator Supply in Non-Healthcare Sectors | |
| | Landing Page for Industry Specific Worker Safety Guidelines (Plan, Prepare & Respond) | |
| | Landing Page for Workplaces (Plan, Prepare & Respond) | |
| | Worker Safety and Support for Small Businesses | |

RESOURCES REFERENCED IN PLAYBOOK

| Title | Source |
|--|----------|
| Additional Information | |
| Additional Services | CA.gov |
| COVID-19 Sick Leave | CA.gov |
| DFHI FAQs | CA.gov |
| Employer Records of Occupational Injury or Illness | CA.gov |
| Local Health Department (LHD) | CA.gov |
| Pandemic Unemployment Assistance | CA.gov |
| Supplemental Paid Sick Leave for Food Sector Workers | CA.gov |
| Workers' Compensation | CA.gov |
| Self-Screening Guidance | CDC |
| Contact Information | |
| Contact Information for District Offices | Cal/OSHA |
| Cal/OSHA Accident Report inbox | Cal/OSHA |
| Gov. Order | |
| Executive Order | CA.gov |
| Public Health Order | CA.gov |
| Regulation | |
| California Occupational Safety and Health Regulations (CAL/OSHA) - Definitions | Cal/OSHA |
| Reporting Work-Connected Fatalities and Serious Injuries | Cal/OSHA |
| Families First Coronavirus Response Act | DOL.gov |

GUIDANCE FOR EMPLOYERS AND WORKERS IN ENFORCING MASK REQUIREMENTS

Workers should avoid approaching coworkers or members of the public who are not wearing a face covering for the purpose of attempting to enforce any face-covering recommendation or requirement.

In these instances, workers should maintain at least a 6-foot distance from others and raise any concerns to their supervisor.

Supervisors should discuss any concerns with their Human Resources Department for guidance on handling these situations.

Employers should train their workers on what to do in such situations, including how to minimize risk of workplace violence and what to do to get support when de-escalation efforts are unsuccessful in these situations. There may also be limited circumstances where an employer will need to engage in a process with workers and/or customers who claim a disability-related reason for not being able to wear a mask to see if there are accommodations that are effective in maintaining the safety of the workplace.

Consider using the following language:

- “Following the guidelines (on face coverings or distancing) can protect you and everyone else, so we ask that you follow them.”
- “If you don’t have a face covering, we’d be happy to provide one (if available).”
- For customers and visitors to the workplace: “We regret that you’re unwilling to follow the guidelines. Please give us a bit of time to organize the area to allow additional physical distance between you and our fellow workers.”

In all instances, it is important to focus on minimizing risk and to practice de-escalation measures:

- Speak with a calm voice at a normal volume and communicate with posture and expression that the person will be respected.
- Settle on a method for calling in support from security or law enforcement if needed.

Appendix B: Enforcement and Compliance Contacts

Table 1: Alcohol Beverage Control Contacts

| Office | Counties | Contact | Contact Numbers |
|---|---|--|-----------------|
| Southern Division (Executive Office) | All Southern California Counties | Kathleen Barnes Division Chief | 562-677-5235 |
| Bakersfield | Inyo, Kern, Mono | Victoria Wood | 661-395-2734 |
| Cerritos | Central part of Los Angeles | Gerry Sanchez | 562-865-6501 |
| Monrovia | Northeastern part of Los Angeles | Jeannine Peregrina | 626-359-2568 |
| Lakewood | Southwestern part of Los Angeles | Brad Beach | 562-982-1390 |
| Palm Desert | Imperial and desert areas of Riverside and San Bernardino | Eric Burlingame | 760-324-2869 |
| Riverside | Riverside and San Bernardino | Sean Ramos | 951-782-4403 |
| San Diego | Southern part of San Diego | Melissa Ryan | 619-525-4605 |
| San Marcos | Northern part of San Diego | Jennifer Hill | 760-510-1260 |
| Santa Ana | Orange | Truc Vo | 657-205-3479 |
| San Luis Obispo | San Luis Obispo and northern part of Santa Barbara | Nick Sartuche | 805-289-0103 |
| Van Nuys | North and northwester parts of Los Angeles | Enrique Alcala | 818-901-5009 |
| Ventura | Ventura and southern part of Santa Barbara | Nick Sartuche | 805-289-0103 |
| Northern Division (Executive Office) | All Northern California Counties | Joseph McCullough Division Chief | 916-870-2004 |
| Concord | Alameda, Contra Costa, San Francisco, San Mateo, and Solano | Erik Szakacs | 925-602-7712 |
| Eureka | Del Norte and Humboldt | Tony Carrancho | 707-576-2207 |
| Fresno | Fresno, Kings, Madera, and Tulare | Jason Montgomery | 559-243-4030 |
| Redding | Butte, Glenn, Lassen, Modoc, Plumas, Shasta, Siskiyou, Tehama, and Trinity | Luke Blehm | 530-224-4832 |
| Sacramento | Alpine, Amador, El Dorado, Placer, Sacramento, Yolo, Colusa, Nevada, Sierra, Sutter, and Yuba | Luke Blehm | 530-224-4832 |

| Office | Counties | Contact | Contact Numbers |
|------------|--|----------------|-----------------|
| Salinas | Monterey, San Benito, and Santa Cruz | Summer Johst | 831-755-1993 |
| San Jose | Santa Clara and San Mateo | Summer Johst | 408-277-3309 |
| Santa Rosa | Lake, Marin, Mendocino, Napa, and Sonoma | Tony Carrancho | 707-576-2207 |
| Stockton | Calaveras, Mariposa, Merced, San Joaquin, Stanislaus, and Tuolumne | Paul Fuentes | 209-948-7999 |

Table 2: Labor Commissioner's Office Contacts

| Office | Contact | Contact Numbers |
|---------------------|-------------------|---|
| Northern California | Benny Cheng | 408-422-1797 bcheng@dir.ca.gov |
| Southern California | Jesus Covarrubias | 714-715-5065 jcovarrubias@dir.ca.gov |

Table 3: Cal/OSHA Manager Contact

| Region | Contact | Contact Numbers |
|--------------------------------------|---|--|
| Region 1 | Regional Manager: Abigail Fabricante | 415-557-0770 (Direct) 510-604-2240 (Cell) |
| Region 2 | Regional Manager: William Estakhri | 916.263.2828 (Direct) 916-803-5972 (Cell) |
| Region 3 | Regional Manager: Kathy Derham | 619-358-1870 (Direct) 619-318-8469 (Cell) |
| Region 4 | Regional Manager: Hassan Adan | 626-471-9403 (Direct) 818-266-6355 (Cell) |
| Region 5 | Jim Wittry Regional Manager | 818-901-5586 (Direct) 714-815-3685 (Cell) |
| Process Safety Management (PSM) Unit | Manager: Clyde Trombettas | 925-602-0510 (Direct) 925-771-4231 (Cell) |
| Consultation Unit | Manager: Eugene Glendenning | 559-445-6806 (Direct) 559-691-1926 (Cell) |

Figure 1: Cal/OSHA Regions



Appendix C: Case Studies

PACKAGED FOOD COMPANY

A packaged food company in the central valley monitors all workers and vendors with temperature checks, questionnaire, and hand sanitizing upon arriving.

The food production/packaging area has Plexiglas sheets hanging between line workers. The company has directed workers to allow more space between workers on the same side of line. Currently, they have allowed for distancing of 6 feet. The workers are also masked, depending on the production area some wear face shields with masks, and others wear goggles; all workers in production wear a clean lab coat over their clothes. One of the areas the company asked the LHD for recommendations was pertaining to a machine that takes two people to operate. It does not allow people to socially distance 6 feet or have Plexiglas. At this time, workers wear a mask with face shield and the LHD recommended they have fit testing for N95 masking for that area.

The company also discusses with their workers topics including carpooling and risks to their workers outside of work. They have removed seats from break tables to allow for distancing and tables are distanced. Plexiglas is on order for break tables as well. The company is willing to consider termination as a response for noncompliance of a health order.

In summary, the company has taken the following actions within their facility:

- Placed barriers in the areas where it is difficult to maintain social distancing;
- Placed hand sanitizer dispensers in various locations on the site,
- Provided time for workers to clean before and after shifts,
- Provided face coverings and face shields for workers to wear,
- Removed seats from tables to limit the number of people who sit there,
- Posters that the employer provided are placed everywhere, and
- Management is checking to ensure workers are wearing their face coverings properly;
 - Anyone who does not comply can be written up and potentially lose their job if they do not follow the protocols.

Local Public Health Role

Bilingual public health department workers conducted a presentation at the company in Stockton. Topics included:

- Status of county disease transmission

- How the virus spreads
- The importance of social distancing and not social gathering
- Why we need to wear a mask
- How to safely wear a mask and clean it
- Avoiding sharing personal items
- Importance of disinfecting high touched surfaces
- Importance of washing hands frequently
- What sectors are opened vs not opened in SJC
- Provided public health department website and email address for resources
- Question and answer session with workers

SUPERMARKET CHAIN

The Teamsters working with a supermarket chain in the central valley, California identified a number of lessons learned regarding mitigation of COVID-19:

- **Criticality of Job Site:** Will determine the level of involvement needed by County and State partners.
 - Example: The company warehouse is a 1,000-person site that is the central distribution hub for the supermarket chain's stores for half the State.
- **Contact Tracing Plan:** Employer should develop a contact tracing plan. The company had already developed a plan prior to the outbreak, and it was a critical part of the effective resolution.
- **Data:** It is critical to have accurate data to assess the degree of the outbreak and for communication to workers. It may be difficult to assess the number of positive cases. Workers who are out may not always report the reason for their absence.
 - The employer may be better positioned to have accurate data. County public health data may be difficult to use because workers often work and live in different counties and each county has data for their residents only.
- **Communication:** Need to have accurate data and plans to share with workers. Lack of information will lead to confusion, fear and anxiety, and could result in sick-out.
- **Worker Education:** Need to have intentional efforts to educate workers about practices and behaviors to prevent continued infection.
- **Other Critical Components:**
 - Provide adequate personal protective equipment (PPE) for each worker
 - Provide Sanitation Stations on site

- Re-tool operations to ensure social distancing
- **State Agency Partners:**
 - Cal/OSHA played a critical role in enforcement. On-site inspections were critical.
 - CDPH played a critical role in providing technical assistance and communication with the employer. CDPH also provided technical assistance and support to local public health.