

## SIGNIFICANT CHANGES - CAL-OSHA ETS

### Revised Definitions

- “**Close contact**” excludes employees who wore respirator required by employer when within six feet of COVID-19 case during high-risk exposure period.
- “**Exposed group**” (as opposed to “exposed workplace”) excludes workers who are not present at the same time, have no overlap in the workplace, or momentarily pass through a work area.
- “**Face coverings**” specifically excludes scarf, ski mask, balaclava, bandana, turtleneck, collar or single layer of fabric.
- “**Fully-vaccinated**” defined as documentation that evidences the person received, at least 14 days prior, either the second dose in a two-dose vaccine series or a single dose COVID-19 vaccine.

### Fully Vaccinated Employees / Prior COVID-19 Cases

- Employees need not be excluded if:
  - Fully vaccinated before becoming a COVID-19 case and asymptomatic and if local health department rules permit; or
  - Had close contact with a COVID-19 case, but were fully vaccinated before the close contact and asymptomatic
- COVID-19 cases who were already excluded and returned to work who remain symptom-free for 90 days after initially being symptomatic or never developed symptoms for 90 days after testing positive need not be excluded.

### Notice Requirements

- Employers must provide notice within one business day of the time the employer *knew or should have known* of a COVID-19 case.
- Notice must include the disinfection plan required by Labor Code 6409.6(a)(4).
- If the employer reasonably knows an employee has not received the notice or has limited literacy in the language used in the notice, verbal notice *as soon as practicable* must be provided in a language understandable by the employee.

### Physical Distancing / Mask Requirements

- Physical distancing not required at locations at which all employees are fully vaccinated, unless exempt under applicable law (employer must provide N95 masks and test employees who are not fully vaccinated at least once per week, during paid time and at no cost to employees).
- Face coverings not required when all persons in a room are fully vaccinated and do not have COVID-19 symptoms.

### **STARTING JULY 31, 2021**

- Physical distancing requirements sunset.
- Employers must provide N95 respirators for voluntary use to all employees working indoors who are not fully vaccinated.
- Employers must make COVID-19 testing available at no cost to employees with COVID-19 symptoms who are not fully vaccinated, during employees’ paid time.