



PEO Pointers: Rare COVID-19 Win for California Employers, But Keep Your Guard Up

Insights

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Welcome to “PEO Pointers,” a regular series of quick-read alerts to keep PEOs and their client companies up to speed on the latest issues affecting the industry and what they can do to ensure compliance.

California employers got a rare win this month when the state Supreme Court ruled that employers do not owe a duty of care to prevent the spread of COVID-19 to employees’ household members. [You can read our Insight summarizing the decision here](#). But before employers and PEOs dance away from COVID-19 compliance altogether, it is important to recognize the limited nature of this win – and maintain your compliance efforts even if you feel the pandemic has all but ended.

PEOs and Employers Need to Stay Vigilant

While this month’s decision significantly narrows the circumstances under which tort claims from employee family members can be maintained against businesses, it does not completely foreclose them. [Like the See’s Candies cases in 2021](#), the claims in this case were tied to allegations that the employer failed to take adequate measures to stop the spread of the COVID-19 virus in the workplace. And this time around, the court’s decision left open the possibility that the outcome could differ depending on how an applicable local measure may be drafted or other conditions.

This decision sends the message to PEOs and employers that continued vigilance and compliance with COVID-19 related regulations remains a vital step to reduce legal liability. Some further reading to help you achieve this goal:

- [California Changes Definition of COVID-19 “Outbreak” – Easing the Impact on Employer Protocols](#)
- [What Employers Can Expect With the End of the COVID-19 Public Health Emergency: Your 6-Step Plan](#)
- [California Changes COVID-19 Isolation Requirements – What Do Employers Need to Know?](#)
- [Pandemic-versary is Upon Us: The 5 Ways Your Workplace is Different Now Than 3 Years Ago](#)

Conclusion

You can reach out to your Fisher Phillips attorney or any member of our [PEO and Staffing Team](#) if you have further questions. And make sure to [subscribe to our FP Insights](#) to make sure you don't miss our next edition.

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