



California Eases Some COVID-19 Notice Requirements But Others Will Remain

Insights

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While the rest of the nation has largely moved on from COVID-19 workplace regulations, California employers still have some compliance obligations. For instance, a Cal/OSHA non-emergency COVID-19 regulation will remain on the books until February 2025. So, while the new year will bring the expiration of certain statutory COVID-19 notification requirements, other notice obligations under the Cal/OSHA regulation will stay in effect. Here's what you need to know about the COVID-19 workplace rules that will either expire at the end of the month or continue into the new year.

What's Expiring?

In the midst of the COVID-19 pandemic, [California enacted legislation](#) requiring employers to provide specific notices to various individuals when there is a COVID-19 case in the workplace. These notice requirements were modified and extended by the Legislature over the past several years.

Currently, the Labor Code requires employers to **post a notice** in the workplace containing specific information when there is a confirmed COVID-19 case on the worksite during the individual's infectious period. Alternatively, you may provide **individualized written notice** to all employees that were on the premises. In addition, the statute requires you to provide written notice to employee unions regarding COVID-19 cases and close contacts.

However, the statute is only effective until January 1, 2024. The Legislature did not extend the provisions of the statute, so these statutory notice obligations will expire in the new year.

But Not So Fast – Cal/OSHA Notice Requirements Remain in Effect

California employers need to remember, however, that certain notice requirements contained in the Cal/OSHA non-emergency regulation remain in effect until February 2025. These specific notice requirements include the following:

- Upon excluding an employee from the workplace based on COVID-19 or a close contact, employers must give the **employee information regarding COVID-19-related benefits** to which the employee may be entitled under applicable federal, state, or local laws. This includes any benefits available under legally mandated sick leave, if applicable, workers' compensation law,

local governmental requirements, the employer's own leave policies, and leave guaranteed by contract

- Employers are required to ***notify employees and independent contractors who had a close contact***, as well as any employer with an employee who had a close contact, as soon as possible.

Conclusion

Make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information. We are continuing to monitor evolving COVID-19 requirements and will provide updates as appropriate. If you have further questions on how to comply, contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in any one of [our six California offices](#).

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