# Model COVID-19 Prevention Procedures (CPP)

Screen reader settings.

The worker to ensure compliance with the COVID-19 Emergency Temporary Rules can fill out this fill-in template. Instructions in red font in parentheses indicate where to enter workplace-specific information. Additional editing will be warranted, as necessary, to ensure that the written program is adapted to actual workplace conditions and characteristics. There are four Additional Considerations at the end of the document that may need to be incorporated into the CPP, where appropriate.

In California, all employers are required to establish, implement, and maintain an effective, written Injury and Illness Prevention (IIPP) program that meets the requirements of California Code of Regulations (CCR), Title 8, section 3203. COVID-19 is considered a workplace hazard and most employers must address COVID-19 prevention under their workplace IIPP. COVID-19 prevention procedures must be addressed either in the written IIPP or maintained in a separate document.

Cal/OSHA has developed this model COVID-19 CPP to assist employers that choose to address their written COVID-19 hazard control procedures in a document separate from their IIPP. Employers are not required to use this CPP. Instead, they may create their own or use another CPP template. Cal/OSHA encourages employers to engage with employees in the design, implementation, and evolution of their CPP.

Using this model alone does not ensure compliance with the Cal/OSHA COVID-19 Prevention standard. To use this model CPP effectively, and ensure it meets the COVID-19 standard requirements, the person(s) responsible for implementing the CPP should carefully review:

* Elements that may be required in the following CCR, Title 8 sections:
  + **[3205, COVID-19 Prevention](https://www.dir.ca.gov/oshsb/documents/COVID-19-Prevention-Non-Emergency-txtbrdconsider.pdf)**
  + **[3205.1, COVID-19 Outbreaks](https://www.dir.ca.gov/oshsb/documents/COVID-19-Prevention-Non-Emergency-txtbrdconsider.pdf)**
  + **[3205.2, COVID-19 Prevention in Employer-Provided Housing](https://www.dir.ca.gov/oshsb/documents/COVID-19-Prevention-Non-Emergency-txtbrdconsider.pdf)**
  + **[3205.3, COVID-19 Prevention in Employer-Provided Transportation](https://www.dir.ca.gov/oshsb/documents/COVID-19-Prevention-Non-Emergency-txtbrdconsider.pdf)**
  + The three Additional Considerations provided at the end of this CPP to see if they are applicable to their workplace.
* Additional guidance and resources are available at [**www.dir.ca.gov/dosh/coronavirus/**](http://www.dir.ca.gov/dosh/coronavirus/)

CCR, Title 8 sections 3205 through 3205.3 apply until two years after February 3, 2023, except for the recordkeeping subsections 3205(j)(2) through (3), which apply until three years after February 3, 2023.



Cal/OSHA Publications Unit

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# COVID-19 Prevention Procedures (CPP) for Barstow Community College

This CPP is designed to control employees’ exposures to the SARS-CoV-2 virus (severe acute respiratory syndrome coronavirus 2) that causes COVID-19 (Coronavirus Disease 2019) that may occur in our workplace.

**Date: 4/26/2023**

## Authority and Responsibility

All managers and supervisors are responsible for implementing and maintaining the CPP in their assigned work areas and for ensuring employees receive answers to questions about the procedures in a language they understand.

All employees are responsible for using safe work practices, following all directives, policies and procedures, and assisting in maintaining a safe work environment.

**Application of the Barstow Community College Injury & Illness Prevention Program (IIPP)**

COVID-19 is a recognized hazard in our workplace that is addressed through our IIPP, which will be effectively implemented and maintained to ensure the following:

1. When determining measures to prevent COVID-19 transmission and identifying and correcting COVID-19 hazards in our workplace:
   1. All persons in our workplace are treated as potentially infectious, regardless of symptoms, vaccination status, or negative COVID-19 test results.
   2. COVID-19 is treated as an airborne infectious disease. Applicable State of California and San Bernardino County Health Department orders and guidance will be reviewed when determining measures to prevent transmission and identifying and correcting COVID-19 hazards. COVID-19 prevention controls include:
      1. Remote work.
      2. Physical distancing.
      3. Reducing population density indoors.
      4. Moving indoor tasks outside.
      5. Implementing separate shifts and/or break times.
      6. Restricting access to work areas.
      7. Adjustment to room occupancy
2. Training and instruction on COVID-19 prevention is provided:
   1. When this CPP was first established.
   2. To new employees.
   3. To employees given a new job assignment involving COVID-19 hazards and they have not been previously trained.
   4. Whenever new COVID-19 hazards are introduced.
   5. When we are made aware of new or previously unrecognized COVID-19 hazards.
   6. For supervisors to familiarize themselves with the COVID-19 hazards to which employees under their immediate direction and control may be exposed.

Appendix A COVID-19 Training Roster will be used when in person training is needed to document any training.

1. Procedures to investigate COVID-19 illnesses at the workplace include:
   1. Determining the day and time a COVID-19 case was last present; the date of the positive COVID-19 tests or diagnosis; and the date the COVID-19 case first had one or more COVID-19 symptoms. Appendix B Investigating COVID-19 Cases will be used to document this information.
   2. Effectively identifying and responding to persons with COVID-19 symptoms at the workplace.
2. **All employees and students are required to report symptoms via the Self-Health-Check in Ready Education.**
3. **Human Resources follows up with employees regarding next steps.**
4. **The Contact Tracer follows up with students regarding next steps.** 
   1. Encouraging employees to report COVID-19 symptoms and to stay home when ill.
5. **Employees and students will report COVID-19 symptoms through Self-Health-Check in Ready Education.**
6. **Employees should also report symptoms to supervisor and Human Resources.**
7. **Students should report symptoms to Contact Tracer.**
8. Effective procedures for responding to COVID-19 cases at the workplace include:
   1. Immediately excluding COVID-19 cases (including employees excluded under CCR, Title 8, section 3205.1) according to the following requirements:
9. COVID-19 cases who do not develop COVID-19 symptoms will not return to work during the infectious period.
10. COVID-19 cases who develop COVID-19 symptoms will not return to work during the shorter of either of the following:
    1. The infectious period.
    2. Through 10 days after the onset of symptoms and at least 24 hours have passed since a fever of 100.4 degrees Fahrenheit or higher has resolved without the use of fever-reducing medication.
11. Regardless of vaccination status, previous infection, or lack of COVID-19 symptoms, a COVID-19 case must wear a face covering in the workplace until 10 days have passed since the date that COVID-19 symptoms began or, if the person did not have COVID-19 symptoms, from the date of their first positive COVID-19 test.
12. Elements i. and ii. apply regardless of whether an employee has been previously excluded or other precautions were taken in response to an employee’s close contact or membership in an exposed group.
13. Reviewing current [**California Department of Public Health (CDPH)**](https://www.cdph.ca.gov/) guidance for persons who had close contacts, including any guidance regarding quarantine or other measures to reduce transmission.
14. The following effective policies will be developed, implemented, and maintained to prevent transmission of COVID-19 by persons who had close contacts.
15. Employees and Students should report close contact through Self-Health-Check in Ready Education and to supervisor or Contact Tracer. If:
    1. The close contact happened outside of the workplace or campus environment.
    2. They were made aware of the close contact by a colleague and not from a supervisor, the contact tracer, or Human Resources.
    3. Students should report close contact for any incident:
       1. Unrelated to campus.
       2. Any close contacts for which notification did not occur from an instructor, BCC employee, or contact tracer.
       3. If employee or student are made aware of close contact and they are not experiencing symptoms, they may remain on campus if:
          1. Current California Department of Public Health (CDPH) is followed as advised.
       4. If employee or student are experiencing symptoms, they will be excluded from campus and will need to follow guidelines for experiencing COVID-19 symptoms.
16. If an order to isolate, quarantine, or exclude an employee is issued by a local or state health official, the employee will not return to work until the period of isolation or quarantine is completed or the order is lifted.
17. Upon excluding an employee from the workplace based on COVID-19 or a close contact, Barstow Community College will provide excluded employees 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, workers' compensation law, local governmental requirements, and Barstow Community College leave policies and leave guaranteed by contract.
    1. Employees who need to take time off due to a COVID-19 related situation may use their available sick leave and vacation.
    2. Remote work may be available when an employee is feeling well enough to work from home. Employees should work with their supervisors to see if remote work is an option. For some classifications remote work may not be available. Any remote work policy implemented may also apply.

**Testing of Close Contacts**

COVID-19 tests are available at no cost, during paid time, to all of our employees who had a close contact in the workplace. These employees will be provided with the information outlined in paragraph (4)(f), above.

Exceptions are returned cases as defined in CCR, Title 8, section 3205(b)(11).

**Notice of COVID-19 cases**

Employees and independent contractors who had a close contact, as well as any employer with an employee who had a close contact, will be notified as soon as possible, and in no case longer than the time required to ensure that the exclusion requirements of paragraph (4)(a) above, are met.

When Labor Code section 6409.6 or any successor law is in effect, Barstow Community College will:

* Provide notice of a COVID-19 case, in a form readily understandable to employees. The notice will be given to all employees, employers, and independent contractors at the worksite.
* Provide the notice to the authorized representative, if any of:
* The COVID-19 case and of any employee who had a close contact.
* All employees on the premises at the same worksite as the COVID-19 case within the infectious period.

**Using Appendix B for documentation purposes, in accordance with the applicable law.**

**Face Coverings**

Employees will be provided face coverings and required to wear them when required by a CDPH regulation or order. This includes spaces within vehicles when a CDPH regulation or order requires face coverings indoors. Face coverings will be clean, undamaged, and worn over the nose and mouth.

The following exceptions apply:

1. When an employee is alone in a room or vehicle.
2. While eating or drinking at the workplace, provided employees are at least six feet apart and, if indoors, the supply of outside or filtered air has been maximized to the extent feasible.
3. While employees are wearing respirators required by the employer and used in compliance with CCR, Title 8 section 5144.
4. Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing- impaired person. Such employees shall wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if the condition or disability permits it.
5. During specific tasks which cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed.

If an employee is not wearing a face covering due to exceptions (4) and (5), above, the COVID-19 hazards will be assessed, and action taken as necessary.

Employees will not be prevented from wearing a face covering, including a respirator, when not required by this section, unless it creates a safety hazard.

**Respirators**

Respirators will be provided for voluntary use to employees who request them and who are working indoors or in vehicles with more than one person. Employees who request respirators for voluntary use will be:

* Encouraged to use them.
* Provided with a respirator of the correct size.
* Trained on:
  + How to properly wear the respirator provided.
  + How to perform a user seal check according to the manufacturer’s instructions each time a respirator is worn.
  + The fact that facial hair interferes with a seal.

The requirements of CCR, Title 8 section 5144(c)(2) will be complied with according to the type of respirator (disposable filtering face piece or elastomeric re-usable) provided to employees.

**Ventilation**

For our indoor workplaces we will:

* Review CDPH and Cal/OSHA guidance regarding ventilation, including the CDPH [**Interim Guidance for Ventilation, Filtration, and Air Quality in Indoor Environments**.](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Interim-Guidance-for-Ventilation-Filtration-and-Air-Quality-in-Indoor-Environments.aspx)Barstow Community Collegewill develop, implement, and maintain effective methods to prevent transmission of COVID-19, including one or more of the following actions to improve ventilation:
  + Maximize the supply of outside air to the extent feasible, except when the United States Environmental Protection Agency (EPA) Air Quality Index is greater than 100 for any pollutant or if opening windows or maximizing outdoor air by other means would cause a hazard to employees, for instance from excessive heat or cold.
  + In buildings and structures with mechanical ventilation, filter circulated air through filters at least as protective as Minimum Efficiency Reporting Value (MERV)-13, or the highest level of filtration efficiency compatible with the existing mechanical ventilation system.
  + Use High Efficiency Particulate Air (HEPA) filtration units in accordance with manufacturers’ recommendations in indoor areas occupied by employees for extended periods, where ventilation is inadequate to reduce the risk of COVID-19 transmission.
  + **BCC has implemented bipolar ionization units in buildings to increase air quality and protection.**
* Determine if our workplace is subject to CCR, Title 8 section 5142 Mechanically Driven Heating, Ventilating and Air Conditioning (HVAC) Systems to Provide Minimum Building Ventilation, or section 5143 General Requirements of Mechanical Ventilation Systems, and comply as required.

In vehicles, we will maximize the supply of outside air to the extent feasible, except when doing so would cause a hazard to employees or expose them to inclement weather.

**Reporting and Recordkeeping**

Appendix B **Investigating COVID-19 Cases** will be used to keep a record of and track all COVID-19 cases. These records will be kept by Human Resources and Contact Tracer and retained for two years beyond the period in which it is necessary to meet the requirements of CCR, Title 8, sections 3205, 3205.1, 3205.2, and 3205.3.

The notices required by subsection 3205(e) will be kept in accordance with Labor Code section 6409.6 or any successor law.

**[Type Title of owner or top management representative formally approving these procedures and have them sign and date]**

# Appendix A: COVID-19 Training Roster

**Date training completed: [enter date]**

**Person that conducted the training: [enter name(s)]**

| **Employee Name** | **Signature** |
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# Appendix B: Investigating COVID-19 Cases

All personal identifying information of COVID-19 cases or persons with COVID-19 symptoms, and any employee required medical records will be kept confidential unless disclosure is required or permitted by law. Unredacted information on COVID-19 cases will be provided to the local health department, CDPH, Cal/OSHA, the National Institute for Occupational Safety and Health (NIOSH) immediately upon request, and when required by law.

**Employee COVID-19 Intake Form**

Communication with your supervisor and Human Resources is **REQUIRED** during this time. Please fill and return this form to Kim Young at kyoung@barstow.edu in Human Resources for further guidance.

***If any of the below fields do not apply to your situation, please enter N/A.***

**Check all that apply to your situation:**

Tested positive: Exposure: Symptoms:

1. Name:
2. Department: Supervisor:
3. Date of potential exposure: Location of potential exposure:
4. Date symptoms started (if no symptoms, enter N/A):
5. Date test physically taken (NOT the date results were received):
6. Results:

**Please include picture of test results and/or any lab documentation .**

1. Last date on campus:
2. If last date on campus was within 48 hours of symptom start (or date test was taken if no symptoms), please list all location on campus you visited. Include the section number of classes you taught, as well as any buildings, rooms, offices, common areas, etc. that you might have visited***. Please make sure to indicate what date you were in each location, and approximately how long you were at each.***
3. If last date on campus was within 48 hours of symptom start (or date test was taken if no symptoms), please list any close contacts you had (close contacts are anyone that may have shared the same airspace as you for 15 minutes or longer over a 24-hour period, regardless of face covering status). ***Please make sure to indicate what date each close contact occurred on, and approximately how long each contact lasted.***

[**Appendix C: Title 8 Section 3205**](https://www.dir.ca.gov/oshsb/documents/COVID-19-Prevention-Non-Emergency-txtbrdconsider.pdf)

# §3205. COVID-19 Prevention.

(a) Scope.

(1) This section shall apply until February 3, 2025, except for the recordkeeping subsection 3205(j), which shall apply until February 3, 2026.

(2) This section applies to all employees and places of employment, with the following exceptions:

(A) Work locations with one employee who does not have contact with other persons.

(B) Employees working from home.

(C) Employees with occupational exposure as defined by section 5199, when covered by that section.

(D) Employees teleworking from a location of the employee's choice, which is not under the control of the employer.

(3) Nothing in this section or sections 3205.1 through 3205.3 is intended to limit more protective or stringent state or local health department orders or guidance.

(b) Definitions. The following definitions apply to this section and to sections 3205.1 through 3205.3.

(1) “Close contact” means the following, unless otherwise defined by regulation or order of the California Department of Public Health (CDPH), in which case the CDPH definition shall apply:

(A) In indoor spaces of 400,000 or fewer cubic feet per floor, a close contact is defined as sharing the same indoor airspace as a COVID-19 case for a cumulative total of 15 minutes or more over a 24-hour period during the COVID-19 case's infectious period, as defined by this section, regardless of the use of face coverings.

(B) In indoor spaces of greater than 400,000 cubic feet per floor, a close contact is defined as being within six feet of the COVID-19 case for a cumulative total of 15 minutes or more over a 24-hour period during the COVID-19 case's infectious period, as defined by this section, regardless of the use of face coverings.

(C) Offices, suites, rooms, waiting areas, break or eating areas, bathrooms, or other spaces that are separated by floor-to-ceiling walls shall be considered distinct indoor spaces.

Exception: Employees have not had a close contact if they wore a respirator required by the employer and used in compliance with section 5144 whenever they would otherwise have had a close contact under subsections 3205(b)(1)(A) or (b)(1)(B).

(2) “COVID-19” (Coronavirus Disease 2019) means the disease caused by SARS-CoV-2 (severe acute respiratory syndrome coronavirus 2).

(3) “COVID-19 case” means a person who:

(A) Has a positive COVID-19 test; or

(B) Has a positive COVID-19 diagnosis from a licensed health care provider; or

(C) Is subject to a COVID-19-related order to isolate issued by a local or state health official; or

(D) Has died due to COVID-19, in the determination of a local health department or per inclusion in the COVID-19 statistics of a county.

(4) “COVID-19 hazard” means potentially infectious material that may contain SARS-CoV-2, the virus that causes COVID-19. Potentially infectious materials include airborne droplets, small particle aerosols, and airborne droplet nuclei, which most commonly result from a person or persons exhaling, talking or vocalizing, coughing, or sneezing, or from procedures performed on persons which may aerosolize saliva or respiratory tract fluids.

(5) “COVID-19 symptoms” means fever of 100.4 degrees Fahrenheit or higher, chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea, unless a licensed health care professional determines the person's symptoms were caused by a known condition other than COVID-19.

(6) “COVID-19 test” means a test for SARS-CoV-2 that is:

(A) Cleared, approved, or authorized, including in an Emergency Use Authorization (EUA), by the United States Food and Drug Administration (FDA) to detect current infection with the SARS-CoV-2 virus (e.g., a viral test); and

(B) Administered in accordance with the authorized instructions.

(C) To meet the return to work criteria set forth in subsection 3205(c)(5), a COVID-19 test may be both self-administered and self-read only if another means of independent verification of the results can be provided (e.g., a time-stamped photograph of the results).

(7) “Exposed group” means all employees at a work location, working area, or a common area at work, within employer-provided transportation covered by section 3205.3, or residing within housing covered by section 3205.2, where an employee COVID-19 case was present at any time during the infectious period. A common area at work includes bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. The following exceptions apply:

(A) For the purpose of determining the exposed group, a place where persons momentarily pass through, without congregating, is not a work location, working area, or a common area at work.

(B) If the COVID-19 case was part of a distinct group of employees who are not present at the workplace at the same time as other employees, for instance a work crew or shift that does not overlap with another work crew or shift, only employees within that distinct group are part of the exposed group.

(C) If the COVID-19 case visited a work location, working area, or a common area at work for less than 15 minutes during the infectious period, and the COVID-19 case was wearing a face covering during the entire visit, other people at the work location, working area, or common area are not part of the exposed group.

Note: An exposed group may include the employees of more than one employer. See Labor Code sections 6303 and 6304.1.

(8) “Face covering” means a surgical mask, a medical procedure mask, a respirator worn voluntarily, or a tightly woven fabric or non-woven material of at least two layers that completely covers the nose and mouth and is secured to the head with ties, ear loops, or elastic bands that go behind the head. If gaiters are worn, they shall have two layers of fabric or be folded to make two layers. A face covering is a solid piece of material without slits, visible holes, or punctures, and must fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face. A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.

This definition includes clear face coverings or cloth face coverings with a clear plastic panel that otherwise meet this definition and which may be used to facilitate communication with people who are deaf or hard-of-hearing or others who need to see a speaker's mouth or facial expressions to understand speech or sign language respectively.

(9) “Infectious period” means the following time period, unless otherwise defined by CDPH regulation or order, in which case the CDPH definition shall apply:

(A) For COVID-19 cases who develop COVID-19 symptoms, from two days before the date of symptom onset until :

(1) Ten days have passed after symptoms first appeared, or through day five if testing negative on day five or later; and

(2) Twenty-four hours have passed with no fever, without the use of fever-reducing medications, and symptoms have improved.

(B) For COVID-19 cases who never develop COVID-19 symptoms, from two days before the positive specimen collection date through 10 days (or through day five if testing negative on day five or later) after the date on which the specimen for their first positive test for COVID-19 was collected.

(10) “Respirator” means a respiratory protection device approved by the National Institute for Occupational Safety and Health (NIOSH) to protect the wearer from particulate matter, such as an N95 filtering facepiece respirator.

(11) “Returned case” means a COVID-19 case who was excluded from work but returned pursuant to subsection 3205(c)(5)(A) and did not develop any COVID-19 symptoms after returning. A person shall only be considered a returned case for 30 days after the initial onset of COVID-19 symptoms or, if the person never developed COVID-19 symptoms, for 30 days after the first positive test. If a period of other than 30 days is required by a CDPH regulation or order, that period shall apply.

(12) “Worksite,” for the limited purposes of this section and section 3205.1, means the building, store, facility, agricultural field, or other location where a COVID-19 case was present during the infectious period. It does not apply to buildings, floors, or other locations of the employer that a COVID-19 case did not enter.

(c) Application of section 3203. COVID-19 is a workplace hazard and shall be addressed under section 3203, which requires employers to establish, implement, and maintain an effective Injury and Illness Prevention Program. The employer's COVID-19 procedures shall either be addressed in the written Injury and Illness Prevention Program or maintained in a separate document.

(1) When determining measures to prevent COVID-19 transmission and to identify and correct COVID-19 hazards, employers shall consider all persons to be potentially infectious, regardless of symptoms, vaccination status, or negative COVID-19 test results.

(2) When determining measures to prevent COVID-19 transmission and to identify and correct COVID-19 hazards, employers shall review applicable orders and guidance related to COVID-19 from the State of California and the local health department with jurisdiction over the workplace and shall treat COVID-19 as an airborne infectious disease. COVID-19 prevention controls include remote work, physical distancing, reducing the density of people indoors, moving indoor tasks outdoors, implementing separate shifts and/or break times, restricting access to the work area, and other prevention measures, in addition to the requirements of this section.

(3) Employees shall receive training regarding COVID-19 in accordance with subsection 3203(a)(7).

(4) The employer's procedure to investigate COVID-19 illness at the workplace, as required by subsection 3203(a)(5), shall include the following:

(A) The employer shall determine the day and time a COVID-19 case was last present and, to the extent possible, the date of the positive COVID-19 test(s) and/or diagnosis, and the date the COVID-19 case first had one or more COVID-19 symptoms, if any were experienced.

(B) The employer shall effectively identify and respond to persons with COVID-19 symptoms at the workplace. Employees shall be encouraged to report COVID-19 symptoms and to stay home when ill.

(5) Employers shall have effective methods and/or procedures for responding to a COVID-19 case at the workplace, including the following:

(A) Employers shall immediately exclude from the workplace all COVID-19 cases and employees excluded under section 3205.1. The employer shall demonstrate it has met the applicable requirements below:

1. COVID-19 cases who do not develop COVID-19 symptoms shall not return to work during the infectious period;

2. COVID-19 cases who develop COVID-19 symptoms shall not return to work during the shorter of the following: the infectious period; or through 10 days after the onset of symptoms and at least 24 hours have passed since a fever of 100.4 degrees Fahrenheit or higher has resolved without the use of fever-reducing medication.

3. Regardless of vaccination status, previous infection, or lack of COVID-19 symptoms, a COVID-19 case shall wear a face covering in the workplace until 10 days have passed since the date that COVID-19 symptoms began or, if the person did not have COVID-19 symptoms, from the date of their first positive COVID-19 test.

4. The requirements in subsections 3205(c)(5)(A)1. and (c)(5)(A)2. apply regardless of whether an employee has previously been excluded or other precautions were taken in response to an employee's close contact or membership in an exposed group.

(B) Employers shall review current CDPH guidance for persons who had close contacts, including any guidance regarding quarantine or other measures to reduce transmission. Employers shall develop, implement, and maintain effective policies to prevent transmission of COVID-19 by persons who had close contacts.

(C) If an order to isolate, quarantine, or exclude an employee is issued by a local or state health official, the employee shall not return to work until the period of isolation or quarantine is completed or the order is lifted.

(D) If no violations of local or state health official orders for isolation, quarantine, or exclusion would result, the Division may, upon request, allow employees to return to work on the basis that the removal of an employee would create undue risk to a community's health and safety. In such cases, the employer shall develop, implement, and maintain effective control measures to prevent transmission in the workplace including providing isolation for the employee at the workplace and, if isolation is not feasible, the use of respirators in the workplace.

(E) Upon excluding an employee from the workplace based on COVID-19 or a close contact, the employer shall 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.

(d) Testing of close contacts. Employers shall make COVID-19 tests available at no cost, during paid time, to all employees of the employer who had a close contact in the workplace, with the exception of returned cases as defined in subsection 3205(b)(11), and provide them with the information on benefits described in subsection 3205(c)(5)(E).

(e) Notice of COVID-19 cases.

(1) The employer shall notify employees and independent contractors who had a close contact, as well as any employer with an employee who had a close contact. Notice shall be provided as soon as possible, and in no case longer than the time required to ensure that the exclusion requirements of subsection 3205(c)(5)(A) are met.

(2) When Labor Code section 6409.6 or any successor law is in effect, the employer shall provide notice of a COVID-19 case, in a form readily understandable to employees. Notice shall be given to all employees, employers, and independent contractors at the worksite in accordance with the applicable law.

(3) When Labor Code section 6409.6 or any successor law is in effect, the employer shall provide notice in accordance with the applicable law to the authorized representative, if any, of the COVID-19 case and of any employee who had a close contact. The employer shall also provide notice in accordance with the applicable law to the authorized representative, if any, of all employees on the premises at the same worksite as the COVID-19 case within the infectious period.

(f) Face coverings.

(1) Employers shall provide face coverings and ensure they are worn by employees when required by a CDPH regulation or order. When a CDPH regulation or order requires face coverings indoors, that includes spaces within vehicles. Face coverings shall be clean, undamaged, and worn over the nose and mouth.

(2) When employees are required to wear face coverings under this section or sections 3205.1 through 3205.3, the following exceptions apply:

(A) When an employee is alone in a room or vehicle.

(B) While eating or drinking at the workplace, provided employees are at least six feet apart and, if indoors, the supply of outside or filtered air has been maximized to the extent feasible.

(C) While employees are wearing respirators required by the employer and used in compliance with section 5144.

(D) Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person. Such employees shall wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if the condition or disability permits it.

(E) During specific tasks which cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed.

(3) If an employee is not wearing a face covering pursuant to the exceptions in subsections 3205(f)(2)(D) and (f)(2)(E) the employer shall assess COVID-19 hazards and take action as necessary based on subsection 3205(c) and on section 3203.

(4) No employer shall prevent any employee from wearing a face covering, including a respirator, when not required by this section, unless it would create a safety hazard.

(g) Respirators. Upon request, employers shall provide respirators for voluntary use in compliance with subsection 5144(c)(2) to all employees who are working indoors or in vehicles with more than one person. Whenever an employer makes respirators for voluntary use available, the employer shall encourage their use and shall ensure that employees are provided with a respirator of the correct size and that employees are trained how to properly wear the respirator provided; how to perform a user seal check according to the manufacturer's instructions each time a respirator is worn; and the fact that facial hair interferes with a seal.

(h) Ventilation.

(1) For indoor workplaces, employers shall review CDPH and the Division guidance regarding ventilation, including “Interim Guidance for Ventilation, Filtration, and Air Quality in Indoor Environments.” Employers shall develop, implement, and maintain effective methods to prevent transmission of COVID-19 including one or more of the following actions to improve ventilation:

(A) Maximize the supply of outside air to the extent feasible, except when the United States Environmental Protection Agency (EPA) Air Quality Index is greater than 100 for any pollutant or if opening windows or maximizing outdoor air by other means would cause a hazard to employees, for instance from excessive heat or cold.

(B) In buildings and structures with mechanical ventilation, filter circulated air through filters at least as protective as Minimum Efficiency Reporting Value (MERV)-13, or the highest level of filtration efficiency compatible with the existing mechanical ventilation system.

(C) Use High Efficiency Particulate Air (HEPA) filtration units in accordance with manufacturers' recommendations in indoor areas occupied by employees for extended periods, where ventilation is inadequate to reduce the risk of COVID-19 transmission.

(2) Employers subject to section 5142 or 5143 shall review and comply with those sections, as applicable.

Note: Section 5142 requires heating, ventilating, and air-conditioning (HVAC) systems to be operated continuously during working hours, with limited exceptions.

(3) In vehicles, employers shall maximize the supply of outside air to the extent feasible, except when doing so would cause a hazard to employees or expose them to inclement weather.

(4) A place of employment subject to section 3205.1 after February 3, 2023 shall continue to comply with the ventilation requirements of subsection 3205.1(f) even after the outbreak has passed and section 3205.1 is no longer applicable.

(i) Aerosolizing procedures. For employees in work settings that are exempt from section 5199 in accordance with the conditions in subsection 5199(a)(2)(A) or (a)(2)(B), who are exposed to procedures that may aerosolize potentially infectious material such as saliva or respiratory tract fluids, employers shall evaluate the need for respiratory protection to prevent COVID-19 transmission under section 5144 and shall comply with that section.

Note: Examples of work covered by subsection 3205(i) include, but are not limited to, certain dental procedures and outpatient medical specialties not covered by section 5199.

(j) Reporting and recordkeeping.

(1) The employer shall keep a record of and track all COVID-19 cases with the employee's name, contact information, occupation, location where the employee worked, the date of the last day at the workplace, and the date of the positive COVID-19 test and/or COVID-19 diagnosis. These records shall be retained for two years beyond the period in which the record is necessary to meet the requirements of this section or sections 3205.1 through 3205.3.

(2) Employers shall retain the notices required by subsection 3205(e) in accordance with Labor Code section 6409.6 or any successor law.

(3) Personal identifying information of COVID-19 cases or persons with COVID-19 symptoms, and any employee medical records required by this section or by sections 3205.1 through 3205.3, shall be kept confidential unless disclosure is required or permitted by law. Unredacted information on COVID-19 cases shall be provided to the local health department with jurisdiction over the workplace, CDPH, the Division, and NIOSH immediately upon request, and when required by law.

(k) Orders. Pursuant to title 8, section 332.3, the Division may require an employer to take additional actions to protect employees against COVID-19 hazards through the issuance of an Order to Take Special Action.

**Appendix D:** [**Labor Code Section 6409.6**](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=6409.6.&lawCode=LAB)

##### CHAPTER 3. Responsibilities and Duties of Employers and Employees [6400 - 6413.5]

*( Chapter 3 repealed and added by Stats. 1973, Ch. 993. )*

###### 6409.6.

(a) In each worksite of the employer, the employer shall prominently display a notice in all places where notices to employees concerning workplace rules or regulations are customarily posted stating all of the following:

(1) The dates on which an employee, or employee of a subcontracted employer, with a confirmed case of COVID-19 was on the worksite premises within the infectious period.

(2) The location of the exposures, including the department, floor, building, or other area, but the location need not be so specific as to allow individual workers to be identified.

(3) Contact information for employees to receive information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws, including, but not limited to, workers’ compensation, and options for exposed employees, including COVID-19-related leave, company sick leave, state-mandated leave, supplemental sick leave, or negotiated leave provisions, as well as antiretaliation and antidiscrimination protections of the employee.

(4) Contact information for employees to receive the cleaning and disinfection plan that the employer is implementing per the guidelines of the federal Centers for Disease Control and Prevention and the COVID-19 prevention program per the Cal-OSHA COVID-19 Emergency Temporary Standards.

(b) The notice described in subdivision (a) shall be posted within one business day from when the employer receives a notice of potential exposure and remain posted for not less than 15 calendar days.

(c) If the employer posts other workplace notices on an existing employee portal, the notice described in subdivision (a) shall be posted on the employee portal.

(d) The notice shall be in English and the language understood by the majority of employees.

(e) As an alternative to the notice described in subdivision (a), the employer may provide written notice to all employees, and the employers of subcontracted employees, who were on the premises at the same worksite as the confirmed case of COVID-19 within the infectious period that they may have been exposed to COVID-19 in a manner the employer normally uses to communicate employment-related information. Written notice may include, but is not limited to, personal service, email, or text message if it can reasonably be anticipated to be received by the employee within one business day of sending and shall be in both English and the language understood by the majority of the employees.

(f) An employer shall keep a log of all the dates the notice required by this section was posted at each worksite of the employer, and shall allow the Labor Commissioner to access these records pursuant to the requirements set forth in Section 1174.

(g) The employer shall provide a written notice to the exclusive representative, if any, of confirmed cases of COVID-19 and of employees who had close contact with the confirmed cases of COVID-19 within one business day. This notice shall contain the same information as would be required in an incident report in a Cal/OSHA Form 300 injury and illness log unless the information is inapplicable or unknown to the employer. This requirement shall apply regardless of whether the employer is required to maintain a Cal/OSHA Form 300 injury and illness log. Notifications required by this section shall not impact any determination of whether or not the illness is work related.

(h) For purposes of this section, the following definitions apply:

(1) “Close contact” means an individual who has been in close contact with a confirmed case of COVID-19, as defined by the division.

(2) “Confirmed case of COVID-19” means an individual who has been infected with COVID-19, as defined by the State Department of Public Health.

(3) “COVID-19” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

(4) “Infectious period” means the time a confirmed case of COVID-19 is infectious, as defined by the State Department of Public Health.

(5) “Notice of potential exposure” means any of the following:

(A) Notification to the employer or their representative from an employee, their emergency contact, a public health official, or a licensed medical provider that an employee has a confirmed case of COVID-19 and was on the worksite premises within the infectious period.

(B) Notification through the testing protocol of the employer that an employee has a confirmed case of COVID-19 and was on the worksite premises within the infectious period.

(C) Notification to an employer or their representative from a subcontracted employer that their employee has a confirmed case of COVID-19 and was on the worksite premises within the infectious period.

(6) “Worksite” means the building, store, facility, agricultural field, or other location where a worker worked during the infectious period. It does not apply to buildings, floors, or other locations of the employer that an individual with a confirmed case of COVID-19 did not enter, locations where the worker worked by themselves without exposure to other employees, or to a worker’s personal residence or alternative work location chosen by the worker when working remotely.

(i) An employer shall not require employees to disclose medical information unless otherwise required by law.

(j) An employer shall not retaliate against a worker for disclosing a positive COVID-19 test or diagnosis or order to quarantine or isolate. Workers who believe they have been retaliated against in violation of this section may file a complaint with the Division of Labor Standards Enforcement pursuant to Section 98.6. The complaint shall be investigated as provided in Section 98.7.

(k) This section shall not apply to employees who, as part of their duties, conduct COVID-19 testing or screening or provide direct patient care or treatment to individuals who are known to have tested positive for COVID-19, are persons under investigation, or are in quarantine or isolation related to COVID-19, unless the confirmed case of COVID-19 is an employee at the same worksite.

(l) No personally identifiable employee information shall be subject to a California Public Records Act request or similar request, posted on a public internet website, or shared with any other state or federal agency.

(m) An employer shall maintain records of the written notifications required in subdivision (a) or (e) for a period of at least three years.

(n) The division shall enforce this section by the issuance of a citation alleging a violation of this section and a notice of civil penalty in a manner consistent with Section 6317. Any person who receives a citation and penalty may appeal the citation and penalty to the appeals board in a manner consistent with Section 6319.

(o) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

*(Amended by Stats. 2022, Ch. 799, Sec. 3. (AB 2693) Effective January 1, 2023. Repealed as of January 1, 2024, by its own provisions.)*

# Additional Consideration #1

## COVID-19 Outbreaks

**[This addendum will need to be added to your CPP if three or more employee COVID-19 cases within an exposed group visited the workplace during their infectious period at any time during a 14-day period, unless a CDPH regulation or order defines outbreak using a different number of COVID-19 cases and/or a different time period. This laws is established in, Title 8 section** [**3205.1**](https://www.dir.ca.gov/oshsb/documents/COVID-19-Prevention-Non-Emergency-txtbrdconsider.pdf) **for details.]**

This addendum will stay in effect until there are one or fewer new COVID-19 cases detected in the exposed group for a 14-day period.

### COVID-19 testing

We immediately provide COVID-19 testing available at no cost to our employees within the exposed group, regardless of vaccination status, during employees’ paid time, except for returned cases and employees who were not present at the workplace during the relevant 14-day period(s).

Additional testing is made available on a weekly basis to all employees in the exposed group who remain at the workplace.

Employees who had close contacts will have a negative COVID-19 test taken within three to five days after the close contact or will be excluded and follow our return-to-work requirements starting from the date of the last known close contact.

**Face Coverings**

Employees in the exposed group, regardless of vaccination status, will wear face coverings when indoors, or when outdoors and less than six feet from another person, unless one of the exceptions in our CPP applies.

**Respirators**

Employees will be notified of their right to request and receive a respirator for voluntary use, as stipulated in our CPP.

### COVID-19 investigation, review, and hazard correction

**[Barstow Community College]** will perform a review of potentially relevant COVID-19 policies, procedures and controls, and implement changes as needed to prevent further spread of COVID-19 when this addendum initially applies and periodically thereafter. The investigation, review, and changes will be documented and include:

* Investigation of new or unabated COVID-19 hazards including:
  + Our leave policies and practices and whether employees are discouraged from remaining home when sick.
  + Our COVID-19 testing policies.
  + Insufficient supply of outdoor air to indoor workplaces.
  + Insufficient air filtration.
  + Insufficient physical distancing.
* Review updated every 30 days that CCR, Title 8 section 3205.1 continues to apply:
  + In response to new information or to new or previously unrecognized COVID-19 hazards.
  + When otherwise necessary.
* Any changes implemented to reduce the transmission of COVID-19 based on the investigation and review, which may include:
  + Moving indoor tasks outdoors or having them performed remotely.
  + Increasing the outdoor air supply when work is done indoors.
  + Improving air filtration.
  + Increasing physical distancing to the extent feasible.
  + Requiring respiratory protection in compliance with CCR, Title 8 section 5144.
  + Other applicable controls.

### Ventilation

Buildings or structures with mechanical ventilation will have recirculated air filtered with Minimum Efficiency Reporting Value (MERV)-13 or higher efficiency filters, if compatible with the ventilation system. If MERV-13 or higher filters are not compatible with the ventilation system, filters with the highest compatible filtering efficiency will be used. High Efficiency Particulate Air (HEPA) air filtration units will be used in accordance with manufacturers’ recommendations in indoor areas occupied by employees for extended periods, where ventilation is inadequate to reduce the risk of COVID-19 transmission.

These ventilation requirements will continue to be implemented after the outbreak has passed and CCR, Title 8 section 3205.1 is no longer applicable.

**Major Outbreaks**

The following will be done while CCR, Title 8 section 3205.1 applies if 20 or more employee COVID-19 cases in an exposed group visited the worksite during their infectious period within a 30-day period:

* The COVID-19 testing will be required of all employees in the exposed group, regardless of vaccination status, twice a week or more frequently if recommended by **[San Bernardino Health Department].** Employees in the exposed group will be tested or excluded and follow our CPP return to work requirements. The twice a week testing requirement ends when there are fewer than three new COVID-19 cases in the exposed group for a 14-day period. We will then follow weekly testing requirement until there are one or fewer new COVID-19 cases in the exposed group for a 14-day period.
* Report the outbreak to Cal/OSHA.
* Provide respirators for voluntary use to employees in the exposed group, encourage their use, and train employees according to CCR, Title 8 section 5144(c)(2) requirements.
* Any employees in the exposed group who are not wearing respirators as required will be separated from other persons by at least six feet, except where it can be demonstrated that at least six feet of separation is not feasible, and except for momentary exposure while persons are in movement. Methods of physical distancing include:
  + Telework or other remote work arrangements.
  + Reducing the number of persons in an area at one time, including visitors.
  + Visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel
  + Staggered arrival, departure, work, and break times.
  + Adjusted work processes or procedures, such as reducing production speed, to allow greater distance between employees.

When it is not feasible to maintain a distance of at least six feet, individuals will be as far apart as feasible

# Additional Consideration #3

## COVID-19 Prevention in Employer-Provided Transportation

**The following requirements are established under, Title 8 section 3205.3 (a).**

The requirements of our CPP will be complied with within a vehicle, including how a COVID-19 case will be responded to.

### Assignment of transportation

To the extent feasible:

* Transportation will be assigned such that cohorts travel and work together, separate from other workers.
* Employees who usually maintain a household together shall travel together.