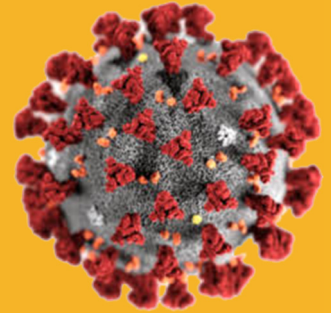




TEAMSTERS SAFETY & HEALTH COVID-19 Guidance



California Assembly Bill 685 COVID-19 Infection Prevention

January 8, 2021

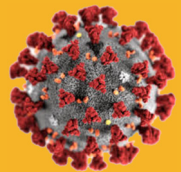
SUMMARY¹

- **Effective January 1, 2021**
- **Applies to all public and private employers in California, except health facilities.**
- **Requires employers to notify employees** who may have been exposed to COVID-19 in writing **within one (1) business day** and **report workplace outbreaks** to the local health department.
- **Requires the California Department of Public Health (CDPH) to publicly report information** on workplace outbreaks by industry.

What information should employers provide to employees upon identifying a Covid-19 case in the workplace?

1. **Employers must provide notice to employees and the employer of subcontracted workers that they may have been exposed to COVID-19.** The employer should not share information that could identify the affected individual. Employers must also **provide this information to the exclusive labor representative.**
2. **Employers must provide Information regarding benefits & options** related to COVID-19 under federal, state, or local laws. This includes workers' compensation, company sick leave, state-mandated leave, supplemental sick leave, negotiated leave, and anti-retaliation and anti-discrimination protections.
3. **Employers must develop a disinfection & safety plan and educate** employees and the employer of subcontracted workers of the disinfection and safety plan for the worksite. The employer must also **provide this information to the exclusive labor representative.**

¹ [Employer Guidance on AB 685: Definitions \(ca.gov\)](https://www.ca.gov)



How and when should employees be notified?

Employees must be **notified in writing within one (1) business day** of receiving notification of potential exposure. The written notice can be hand-delivered or given by email or text message and should be in both English and any other language understood by the majority of employees. Employers must also provide this **written notice to the exclusive labor representative** within one business day.

Which workers must be notified?

All employees and employers of any subcontracted employees who were at the same worksite as the worker diagnosed with COVID-19 during their infectious period or subject to a COVID-19-related quarantine order must be notified.

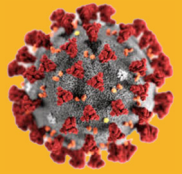
Infectious period:

- For an individual **who develops symptoms**, the infectious period for COVID-19 begins two (2) days before they first develop symptoms. The infectious period ends when the following criteria are met: 10 days have passed since symptoms first appeared, AND at least 24 hours have passed with no fever (without the use of fever-reducing medications), AND other symptoms have improved.
- For an individual **who tests positive but never develops symptoms**, the infectious period for COVID-19 begins two (2) days before the specimen for their first positive COVID-19 test was collected. The infectious period ends ten (10) days after the specimen for their first positive COVID-19 test was collected.
- Under AB 685 Section 4 (Labor Code Section 6409.6, subsection 1), employers must provide notice to all employees who were present at the same worksite as someone with COVID-19 during their infectious period.

What is a workplace outbreak of COVID-19?

The California Department of Public Health defines an outbreak in non-healthcare or non-residential congregate setting workplaces as **three or more laboratory-confirmed cases of COVID-19 among employees who live in different households within a two-week period**. Under AB 685, a COVID-19 case is someone who:

- Has a positive viral test for COVID-19,
- Is diagnosed with COVID-19 by a licensed health care provider,
- Is ordered to isolate for COVID-19 by a public health official, OR
- Dies due to COVID-19, as determined by a public health department.



How do employers have to report outbreaks?

Employers must **notify local public health agencies of outbreaks within 48 hours** of becoming aware of the number of cases that meet the definition of an outbreak. The employer must notify the local public health agency in the jurisdiction of the worksite of the names, phone number, occupation, and worksite of employees who may have COVID-19 or who are under a COVID-19 isolation order from a public health official.