




June 18, 2021

**MEMORANDUM**

**TO:** County Department Heads

**FROM:** Brandi Hopkins, Director of Human Resources 

**SUBJECT:** **CAL-OSHA's Revised Emergency Temporary Standards and Governor Newsom's Executive Order N-09-21**

Every Department has committed and quickly adapted to ever changing regulations passed from both state and federal agencies and the County continues to move forward through this pandemic.

On June 9, 2021, Occupational Safety and Health Standards Board (OSHSB) held a special meeting to hear from the California Department of Public Health (CDPH) on new face covering guidance. The Board decided to withdraw revisions to the ETS that were previously sent for updating the Emergency Temporary Standard. The Board posted new revisions on June 11, 2021 that incorporates the latest guidance from CDPH. The proposed revision were scheduled to be discussed during the OSHSB's regular meeting on June 17, 2021.

At the conclusion of the OSHSB meeting of June 17, 2021, the proposed revisions to the ETS were approved. Please be advised that these revisions apply to County employees not covered by Cal-OSHA's ATD standard.

**Key Changes**

- Face coverings do not need to be worn by fully vaccinated employees indoors or outdoors. Employers must verify the vaccination status. There are some settings where CDPH requires face coverings regardless of vaccination status. In outbreaks, all employees must wear face coverings indoors and outdoors when six feet physical distancing cannot be maintained, regardless of vaccination status.
- Physical distancing or barriers may be removed, regardless of employee vaccination status with the following exceptions:
  - Evaluate whether to implement physical distancing and barriers during an outbreak (3 or more cases in an exposed group of employees),
  - **Must** implement physical distancing and barriers during a major outbreak (20 or more cases in an exposed group of employees) regardless of vaccination standard,
  - **It is recommended previously existing barriers remain in place.**
- Physical distancing rules in employer-provided housing and transportation are eliminated if all employees are vaccinated.
- Fully vaccinated employees without symptoms do not need to be tested or quarantined after close contact with COVID-19 cases unless they have symptoms.
- Unvaccinated workers must wear masks indoors, unless alone in a room or vehicle.

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**Respirator Use**

- Employer must make approved respirators, such as an N95 mask, available for unvaccinated workers if they request them.
- Employer must provide respirators where there is a major outbreak, to any employees in the exposed group for voluntary use. The respirator must be the right size and the employee must receive basic instruction on how to get a good "seal" or fit.

**Per CDPH's updated guidelines (fully vaccinated individuals):**

Fully Vaccinated—*an individual is considered fully vaccinated for COVID-19 two weeks or more after they have received the second dose in a 2-dose series, or two weeks or more after they have received a single-dose vaccine.*

- Refrain from quarantine and testing following a known exposure if asymptomatic.
- Following a known exposure at work, fully vaccinated workers do not need to quarantine if asymptomatic.
- Get tested if experiencing COVID-19 symptoms.
- If fully vaccinated people test positive for SARS-CoV-2, they should follow CDPH and local health department guidance regarding isolation and/or exclusion from high risk settings.
- For workplace settings, employers should follow the exclusion provisions of the Cal/OSHA COVID-19 Emergency Temporary Standards.
- Follow CDC, local and state health department travel requirements and recommendations.

When reviewing an exposure, an employee's vaccination status must be considered. As a reminder and when determining whether someone has had an exposure, the individual must have had close contact with a confirmed COVID-19 positive individual.

Close contact is defined as someone who was within six feet of an infected person for a cumulative total of 15 minutes or more over a 24-hour period starting from two days before illness onset (or, for asymptomatic patients, two days prior to test specimen collection) until the time the patient is isolated.

**Department Responsibilities**

Departments must document an employee's vaccination status.

To assist with this process, HR has drafted a "self-attestation" form that all employees must complete. Employees who choose not to volunteer their vaccination status, must be considered unvaccinated and subject to mandatory use of face covering while indoors.

Departments need to determine the method of collecting the vaccination "self-attestation" forms. Forms must remain confidential and be kept in a secure location.

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**Confirmed Exposures**

Departments must continue with contact tracing and exposure investigation. Employees who are symptomatic regardless of vaccination status must follow local public health isolation/quarantine order.

**COVID-19 Precautions**

Departments are under an ongoing requirement to assess workplace hazards and implement controls to prevent transmission of disease. There may be circumstances in which Departments determine that physical distancing is necessary in the workplace.

Departments are to maintain regular communication to all staff on implemented safety measures and procedures in compliance with local, state, and federal guidelines for the control of COVID-19.

Thank you for your on-going commitment to keep our workforce safe. Human Resources remains available to assist, as needed.

BH:lp:cs

cc: County Administrator's Office  
County Counsel  
Katherine Harris, Deputy Director of Human Resources  
Tanya Moreno, County Safety & Risk Manager  
HR Principal and Analyst Staff