



## **COVID-19 Prevention Program (CPP)**

This CPP is designed to control exposures to the SARS-CoV-2 (COVID-19) virus that may occur in our workplace. It is mandated by California Occupational Safety and Health Administration (Cal/OSHA) pursuant to its Emergency Temporary Standards for COVID-19 in the workplace, effective January, 2022.

These requirements in this plan apply to all faculty, staff, and paid employees at all APU work locations who are NOT covered by the Cal/OSHA Aerosol Transmissible Diseases Exposure Control Plan.

The California's Aerosol Transmissible Diseases (ATD) standard (8 CCR section 5199) covers employees having occupational exposure to aerosol transmissible diseases. APU employees covered under the ATD standard include patient care staff at clinics, medical offices, and other outpatient medical facilities.

**Note that additional Los Angeles County COVID-19 safety rules and practices apply to students and are not covered in this document. Some LACO COVID-19 requirements are more stringent than those in this Cal/OSHA compliance document.**

**Date: Effective NOV/2020; updated JAN/2022**

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## 1.0 Authority and Responsibility

Jay Brakensiek, Safety & Emergency Planning Manager, has overall authority and responsibility for implementing the provisions of the Coronavirus Prevention Plan (CPP) in the APU workplace. For questions about this CPP, Mr. Brakensiek can be reached at [jbrakensiek@apu.edu](mailto:jbrakensiek@apu.edu) or 626-387-5765.

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 program in a language they understand.

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

## 2.0 Identification and Evaluation of COVID-19 Hazards

**We will implement the following in our APU workplace environment:**

- Cal/OSHA distinguishes between unvaccinated and fully vaccinated employees. “Fully vaccinated,” means the vaccine primary series plus any recommended booster per LACO Dept. of Public Health guidelines. Note that Cal/OSHA defines this as the primary series only.
- Conduct workplace-specific evaluations using the **Appendix A: Identification of COVID-19 Hazards** form.
- Document the vaccination status of our employees through attestation in the Total Access online platform maintained confidentially by the Office of Human Resources.
- Evaluate employees’ potential workplace exposures to all persons at, or who may enter, our workplace.
- Develop COVID-19 policies and procedures to respond effectively and immediately to individuals at the workplace who are a COVID-19 case to prevent or reduce the risk of transmission in the workplace
  - [APU Exposure Management Plan For COVID-19](#)
- Review applicable orders and general and industry-specific guidance from the State of California, Cal/ OSHA, and the Los Angeles County Health Department related to COVID-19 hazards and prevention.
- Evaluate existing COVID-19 prevention controls in our workplace and the need for different or additional controls.
- Conduct periodic inspections using the **Appendix B: COVID-19 Inspections** (campus work order form) as needed to identify and evaluate unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with our COVID-19 policies and procedures.

### Employee Participation

- Employees are encouraged to participate in the identification and evaluation of COVID-19 hazards by working directly with their supervisors, Facilities Management or their HR Support Team.
- All employees are encouraged to use the University [Safe Reporting Hotline](#) for

non-compliance with this COVID-19 Prevention Program.

### **Employee Screening and Surveillance Testing**

- All employees who attested to being fully vaccinated with the required booster do not need to submit a daily symptom check or weekly surveillance testing. All other employees must complete the symptom check and weekly testing.
- All unvaccinated persons must submit a daily symptom check and weekly surveillance testing provided by APU on [Total Access](#). Entry screenings are conducted before any employees may enter the workspace. Screenings include a check-in concerning coughing, shortness of breath, difficulty breathing and fever or chills and whether the individual is currently under isolation or quarantine orders.
- If employees do not have a device for measuring their temperature, the Student Health Center (SHC), located in the Magnolia Court building on the East Campus can conduct a symptom check for those employees during regular business hours, 8 a.m.–5 p.m. The SHC will also provide disposable thermometers for anyone that needs them in order to enter their workplace and will have some placed by the front door of the SHC for those who work after hours.
- Entry screenings are conducted before any unvaccinated employees may enter any APU workspace using an online screening tool. Screenings include a check-in concerning coughing, shortness of breath, difficulty breathing and fever or chills and whether the individual is currently under isolation or quarantine orders.
  - 1) **Faculty/staff use** ([Destination APU](#) - Employee Resources)
  - 2) **Students use** ([Destination APU](#) - Student Resources)
  - 3) **Visitors use** [APU Visitor's Health Assessment Form](#) or in the case of a Mega-Event specific procedures will be provided to event organizers.
- 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.

### **3.0 Correction of COVID-19 Hazards**

Unsafe or unhealthy work conditions, practices or procedures will be documented and corrected in a timely manner based on the severity of the hazards. (see Appendix A - Identification of Hazards)

- All supervisors will notify Facilities Management as soon as practicable for any support in the correction, sanitization and disinfection for work spaces exposed to COVID-19 hazards. All work spaces where an exposure has occurred will remain closed until the necessary correction and disinfection has taken place.
- All supervisors are to refer any person(s) infected with COVID-19 or who has any COVID-19 symptoms to the SHC for further evaluation by Dr. Todd Emerson.

## 4.0 Control of COVID-19 Hazards

### Face Coverings

**Employees** - we provide new face coverings as defined (available at the Office of Facilities Management located at the Anderson Building, East Campus). Supervisors will ensure they are properly worn by all employees when they are indoors or in vehicles, and where otherwise required by applicable public health agency orders or University directives.

Cal/OSHA requires that employees exempted from wearing face coverings due to a documented medical condition, mental health condition, or disability shall wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if their condition or disability permits it.

**Visitors** - all visitors must complete the [APU Visitor's Health Assessment Form](#). All visitor(s) must wear a face mask indoors or in a vehicle while on APU premises. For visitor(s) who do not have a face mask, APU will provide one for them available through Facilities Management located at the Anderson Building, East Campus.

Employees whose roles require them to wear respirators, must do so in accordance with our respirator program that meets the California Code of Regulations section 5144 requirements. Other employees may also wear respirators if they choose to.

Though face coverings are not required outdoors, they are recommended for unvaccinated employees who cannot maintain a six foot physical distance from others.

Employees required to wear face coverings in our workplace may remove them under the following conditions:

- When alone in a room or a vehicle.
- While eating or drinking at the workplace, provided employees are at least six feet apart and outside air supply to the area, if indoors, has been maximized to the extent feasible.
- Employees who cannot wear face coverings due to a medical or mental health condition or disability approved by the Office of Human Resources, or employees who are hearing-impaired or communicating with a hearing-impaired employee. Such employees may wear an effective, non-restrictive alternative, such as a face shield with a drape on the bottom, if their condition permits.

Employees not wearing a required face covering due to one or the above conditions, must be at least six feet apart from all other persons unless the unmasked employee is either fully vaccinated or tested weekly for COVID-19.

APU does not prohibit any employee from wearing a face covering when it is not required unless it would create a safety hazard, such as interfering with the safe operation of equipment.

## **Engineering Controls**

For indoor locations we identify and evaluate how to maximize, to the extent feasible, ventilation with outdoor air using the highest filtration efficiency compatible with our existing ventilation system, and whether the use of portable or mounted High Efficiency Particulate Air (HEPA) filtration units, or other air cleaning systems, would reduce the risk of transmission by:

- Circumstances where the amount of outside air needs to be minimized due to other hazards, such as heat, wildfire smoke, or when the EPA Air Quality Index is greater than 100 for any pollutant.
- The ventilation systems will be properly maintained and adjusted.
- Provisions have been made to maximize, to the extent feasible, the amount of outside air and increase filtration efficiency to the highest level compatible with the existing ventilation system.
- The implementation of portable or mounted HEPA filtration may be utilized (where feasible) if we determine such use would reduce the risk of COVID-19 transmission.
- Implementation of applicable orders and guidance from the State of California and our local health department related to COVID-19 hazards and prevention, including CDPH's Interim Guidance for Ventilation, Filtration, and Air Quality in Indoor Environments have been considered in our engineering analysis for COVID-19.

## **Cleaning and Disinfecting**

We implement the following cleaning and disinfection measures for frequently touched surfaces and objects, such as doorknobs, elevator buttons, equipment, tools, handrails, handles, controls, phones, headsets, bathroom surfaces, and steering wheels:

Our workplace-specific measures, include:

- Ensuring adequate supplies and adequate time for cleaning to be done properly.
- Informing the employees of the frequency and scope of cleaning and disinfection is a responsibility shared by supervisors, Facility Managers, housekeeping, and other involved staff.
- Retaining specialty cleaning/decontamination contractors when needed.

## **Should we have a COVID-19 case in our workplace, we will implement the following procedures:**

In the event of a COVID case, supervisors will immediately notify the Student Health Center. Based on the contact tracer's assessment of potential exposure, the Student Health Center may contact Facilities Management for the correction, sanitization and clean up for work spaces exposed to COVID-19. All exposed work spaces will remain closed until the necessary correction has taken place.

## **Hand Sanitizing**

In order to implement effective hand sanitizing procedures:

- Disinfectant and related supplies have been made available to a designated person in every department with authorized personnel on campus performing essential duties. Those individuals received Clorox wipes for their essential personnel. Hand sanitizer stations, effective against COVID-19, are available to all employees at all major buildings in over 125 locations.
- Employees are allowed frequent breaks to wash their hands. Soap and water are available to all employees at the following location(s): public restrooms and kitchenettes that are open, and food prep areas.

### **Personal protective equipment (PPE) used to control employees' exposure to COVID-19**

We evaluate the need for PPE (such as gloves, goggles, and face shields) as required by CCR Title 8, section 3380, and provide such PPE as needed.

APU provides respirators for any employee upon request.

For our labs, we provide and ensure use of eye protection and respiratory protection in accordance with section 5144 when employees are exposed to procedures that may aerosolize potentially infectious material such as saliva or respiratory tract fluids.

### **Testing of symptomatic employees**

If either a vaccinated or unvaccinated employee has COVID-19 symptoms, they should isolate at home, inform their supervisor they are ill, and not come to work until they are feeling better. Reporting of symptoms is through the online Total Access system.

**Vaccinated Employees:** Vaccinated employees with symptoms should contact their own doctor for testing, and may call SHC for advice.

**Unvaccinated Employees:** Unvaccinated employees with symptoms should contact SHC via the Symptom Tracker on Total Access, call, or email. Symptomatic testing is only done at the SHC with an appointment, and weekend testing is limited. COVID-19 testing is available at the SHC on East Campus at no cost to employees with COVID-19 symptoms who are not fully vaccinated, during employees' paid time.

## **5.0 Investigating and Responding to COVID-19 Cases**

This will be accomplished by using the procedure for Investigating COVID-19 Cases, located in APU Student Health Services.

Employees who had potential COVID-19 exposure in our workplace will be:

- Offered COVID-19 testing at no cost at the Student Health Center (West Campus) as well as the East Campus.
- All informational material relating to COVID-19 will be provided by the SHC.
- All investigations will be directed by APU's COVID-19 Medical Officer, Dr. Todd Emerson.
- Any employee who is diagnosed with COVID-19 (by testing or symptoms) or has been exposed to COVID-19, must notify the university by emailing [healthcntr@apu.edu](mailto:healthcntr@apu.edu). The employee will be assigned a contact tracer by APU.



- See Appendix F and E relating to outbreaks as defined by Cal-OSHA.
- If an employee contracts COVID-19 while traveling on university business, please contact your supervisor and SHC for instructions on what to do prior to returning to campus.

## 6.0 Communicating

Our goal is to ensure that we have effective two-way communication with our employees that is easily understood and includes the following information:

- Employees should report COVID-19 symptoms and possible hazards to: Student Health Center; phone (626) 815-2100 or email to: [healthcntr@apu.edu](mailto:healthcntr@apu.edu).
- Employees can report symptoms and hazards without fear of reprisal.
- We have procedures and/or policies to accommodate employees with medical or other conditions that put them at increased risk of severe COVID-19 illness.
- In many cases, employees can access free COVID-19 testing through SHC.
- If testing is required, we will communicate the plan for providing testing and inform affected employees of the reason for the testing and the possible consequences of a positive test.
- Note that Cal/OSHA does not allow self-administered/self-read COVID-19 tests such as a read-at-home rapid test.
- APU will make COVID-19 testing available at no cost, during paid time, to all employees who had a close contact in the workplace and provide 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 and vaccination leave, if applicable, workers' compensation law, local governmental requirements, the employer's own leave policies, leave guaranteed by contract, and this section, with the following exceptions:
  - Employees who were fully vaccinated before the close contact and do not have COVID-19 symptoms.
  - COVID-19 cases who returned to work pursuant to subsection 3205(c)(10)(A) or (B) and have remained free of COVID-19 symptoms, for 90 days after the initial onset of COVID-19 symptoms or, for COVID-19 cases who never developed symptoms, for 90 days after the first positive test.
- APU will provide written notification to employees and contractors of exposure and close contacts within one business day after knowledge of the case including a description of the disinfection process. If written notice is infeasible in the one business day timeframe, verbal notice may be provided. No personal information will be revealed.
- Inform employees about COVID-19 hazards (including employers whose employees came in contact with our workplace) they may be exposed to, what is being done to control those hazards, and our COVID-19 policies and procedures.
- For additional information, visit our APU COVID-19 website <https://www.apu.edu/covid-19/>

## 7.0 Training and Instruction

We will provide effective training and instruction to all employees, including faculty, staff, and student workers. Training shall include:

- Our COVID-19 policies and procedures to protect employees from COVID-19 hazards, and how to participate in the identification and evaluation of COVID-19 hazards.
- Information regarding COVID-19-related benefits (including mandated sick and vaccination leave) to which the employee may be entitled under applicable federal, state, or local laws.
- The fact that:
  - COVID-19 is an infectious disease that can be spread through the air.
  - COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth.
- An infectious person may have no symptoms.
- The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing, face coverings, increased ventilation indoors, and respiratory protection decrease the spread of COVID-19 and are most effective when used in combination.
- The right of employees that are not fully vaccinated to request a respirator (N-95 mask) for voluntary use, without fear of retaliation, and our policies for providing the respirators. Employees voluntarily using respirators will be trained according to section 5144(c)(2) requirements:
  - How to properly wear them.
  - How to perform a seal check according to the manufacturer's instructions each time a respirator is worn, and the fact that facial hair can interfere with a seal.
- The importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled.
- Proper use of face coverings and the fact that face coverings are not respiratory protective equipment. Since COVID-19 is an airborne disease, N95s and more protective respirators protect the users from airborne disease, while face coverings primarily protect people around the user.
- The conditions where face coverings must be worn at the workplace.
- That face coverings are additionally recommended outdoors for people who are not fully vaccinated if six feet of distance cannot be maintained.
- Employees can request face coverings and can wear them at work regardless of vaccination status and without fear of retaliation.
- COVID-19 symptoms, and the importance of obtaining a COVID-19 test and not coming to work if the employee has COVID-19 symptoms.
- Information on our COVID-19 policies and how to access COVID-19 testing and vaccination, and the fact that vaccination is effective at preventing COVID-19, protecting against both transmission and serious illness or death.

**Appendix D: COVID-19 Training Roster** or [Total Access Link](#) (Covid-19 & Physical Distancing Training Module) will be used to document this training.

## 8.0 Exclusion of COVID-19 Cases

Where we have a COVID-19 case or close contact in our workplace, we limit transmission by:

- Ensuring that COVID-19 cases are excluded from the workplace until our return-to-work requirements are met.
- Excluding employees that had a close contact from the workplace until our return-to-work criteria have been met, with the following exceptions:
  - Employees who were fully vaccinated before the close contact and who do not develop COVID-19 symptoms.
  - COVID-19 cases who returned to work per our return-to-work criteria and have remained free of COVID-19 symptoms, for 90 days after the initial onset of COVID-19 symptoms, or for COVID-19 cases who never developed COVID-19 symptoms, for 90 days after the first positive test.
- For employees excluded from work, continuing, and maintaining employees' earnings, wages, and all other employees' rights and benefits, those employees may see their HR Business Partner for details.
- Providing employees at the time of exclusion with information on available benefits.

## 9.0 Reporting, Recordkeeping, and Access

APU will:

- Report COVID-19 cases at our workplace to the local health department whenever required by law, and provide any related information requested by the local health department.
- Report immediately to Cal/OSHA any COVID-19-related serious illnesses or death, as defined under CCR Title 8 section 330(h), of an employee occurring in our place of employment or in connection with any employment.
- Maintain records of the steps taken to implement our written COVID-19 Prevention Program in accordance with CCR Title 8 section 3203(b).
- Make our written COVID-19 Prevention Program available at [Destination APU](#) to employees, authorized employee representatives, and to representatives of Cal/OSHA immediately upon request.
- All reporting requirements will be led by the APU Safety & Emergency Planning Manager for Cal/OSHA and our APU Medical Director for the Health Department.

## 10.0 Return-to-Work Criteria

- A. COVID-19 cases with COVID-19 symptoms shall not return to work until:
  1. At least 24 hours have passed since a fever of 100.4 degrees Fahrenheit or higher has resolved without the use of fever-reducing medications; and
  2. COVID-19 symptoms have improved; and
  3. At least 10 days have passed since COVID-19 symptoms first appeared.
- B. COVID-19 cases who tested positive but never developed COVID-19 symptoms shall

not return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.

C. Once a COVID-19 case has met the requirements in (A) or (B), as applicable, a negative COVID-19 test shall not be required for an employee to return to work.

D. Persons who had a close contact may return to work as follows:

1. Persons who had a close contact but never developed any COVID-19 symptoms may return to work when 10 days have passed since the last known close contact.
  2. Persons who had a close contact and developed any COVID-19 symptom cannot return to work until the requirements have been met, unless all of the following are true:
    - a. The person tested negative for COVID-19 using a polymerase chain reaction (PCR) COVID-19 test with specimen taken after the onset of symptoms; and b. At least 10 days have passed since the last known close contact; and
    - b. The person has been symptom-free for at least 24 hours, without using fever-reducing medications.
- Cal staffing shortages, when there are not enough staff to provide safe patient care, essential critical infrastructure workers in the following categories may return after Day 7 from the date of last exposure if they have received a negative PCR COVID-19 test result from a specimen collected after Day 5:
    - a. Health care workers who did not develop COVID-19 symptoms;
    - b. Emergency response workers who did not develop COVID-19 symptoms;and
  - COVID-19 cases with symptoms will not return to work until all the following have occurred:
    - At least 24 hours have passed since a fever of 100.4 °F. or higher has resolved without the use of fever-reducing medications, and
    - COVID-19 symptoms have improved, and
    - At least 10 days have passed since COVID-19 symptoms first appeared.
    - [APU Exposure Management Plan For COVID-19](#) details the procedures that will be followed.
  - 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 by LACPH and cleared by Dr. Todd Emerson and HR.
  - Employees who have recently recovered from COVID-19 and those who are fully vaccinated are not required to be excluded from the workplace, but must wear a face covering and maintain six feet of physical distancing for 14 calendar days following the last date of contact.

**Approved,**

**J. Chris Jennings, VP & General Counsel**

**Date: \_\_\_\_\_**

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# Appendix A: Identification of COVID-19 Hazards

All persons, regardless of symptoms or negative COVID-19 test results, will be considered potentially infectious. Particular attention will be paid to areas where people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not. For example: meetings, training, entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.

Evaluation of potential workplace exposure will be made for all persons at the workplace or who enter the workplace, including coworkers, employees of other entities, members of the public, students, customers or clients, and independent contractors.

We will consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing stationary work.

Details of how COVID-19 cases and outbreaks are handled are available in the APU Exposure Management Plan (EMP).

Actual data collection is electronically stored in Facilities Management.

Person conducting the evaluation: **[enter name(s)]** Date: **[enter date]**

Name(s) of employee and authorized employee representative that participated:

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Location, tasks, and processes that could potentially expose employees to COVID-19 hazards	Potential places and times of exposure	Potential for COVID-19 exposures and employees affected, including members of the public and employees of other employers	Existing and/or anticipated COVID-19 prevention controls

# Appendix B: COVID-19 Inspections and Hazard Corrections

NOTE: Actual electronic data for inspections and correction are in Facilities Management.

Date:

Name of person conducting the inspection: **[enter names]**

Work location evaluated: **[enter information]**

Exposure Controls	Status	Person Assigned to:	Date Corrected	Description of Correction
Engineering				
Ventilation* (amount of fresh air and filtration maximized)				
Additional room air filtration*				
Administrative				
Surface cleaning and disinfection (frequently enough and adequate supplies)				
Hand washing facilities (adequate numbers and supplies)				
Disinfecting and hand sanitizing solutions being used according to manufacturer instructions				

<b>Exposure Controls</b>	<b>Status</b>	<b>Person Assigned to Correct</b>	<b>Date Corrected</b>
<b>PPE (not shared, available and being worn)</b>			
<b>Face coverings (cleaned sufficiently often)</b>			
<b>Gloves</b>			
<b>Face shields/goggles</b>			
<b>Respiratory protection</b>			
<b>Other COVID-19 Hazards-List</b>	<b>Status</b>	<b>Person Assigned to Correct</b>	<b>Date Corrected</b>



# Appendix C: 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. Un-redacted 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.

[APU Exposure Management Plan For COVID-19](#)

# Appendix D: COVID-19 Training Roster

Training Data is stored in the following locations:

**Students:** [Destination APU: Student Resources](#)

**Staff:** [Destination APU: Employee Resources](#)

# Appendix E: Documentation of Employee COVID-19 Vaccination Status - CONFIDENTIAL

To be added through the Total Access and Medicat online systems for staff, faculty, and students.

# Appendix F: Multiple (3 or more) COVID-19 Infections and COVID-19 Outbreaks

APU Exposure Management Plan for COVID-19 details how APU will respond to confirmed cases of COVID-19 and is found here:

[APU Exposure Management Plan For COVID-19](#)

For an outbreak of 3 or more Covid cases, this addendum will stay in effect until there are no new COVID-19 cases detected in the exposed group for a 14-day period.

COVID-19 testing for outbreak of 3 or more - see EMP

COVID-19 investigation, review, and hazard correction - see EMP

We immediately perform a review of potentially relevant COVID-19 policies, procedures, and controls and implement changes as needed to prevent further spread of COVID-19.

Regardless of vaccination status, an outbreak of 3 or more requires wearing a face mask both indoors and outdoors.

### **Buildings or structures with mechanical ventilation**

We will filter recirculated air 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, we will use filters with the highest compatible filtering efficiency. We will also evaluate whether portable or mounted High Efficiency Particulate Air (HEPA) filtration units or other air cleaning systems would reduce the risk of transmission and, if so, implement their use to the degree feasible.

## **Appendix G: Major (20 or more) COVID-19 Outbreaks**

### **[APU Exposure Management Plan For COVID-19](#)**

For a major outbreak of 20 or more, this addendum will stay in effect until there are fewer than three COVID-19 cases detected in our exposed group for a 14-day period.

Regardless of vaccination status, a major outbreak of 20 or more requires wearing a face mask both indoors and outdoors.

We continue to comply with the Multiple COVID-19 Infections and COVID-19 Outbreaks addendum, except that the COVID-19 testing, regardless of vaccination status, is made available to all employees in the exposed group twice a week, or more frequently if recommended by the local health department.

In addition to complying with our CPP and Multiple COVID-19 Infections and COVID-19 Outbreaks addendum, we also:

- Provide employees in the exposed group with respirators for voluntary use in compliance with section 5144(c)(2) and determine the need for a respiratory protection program or changes to an existing respiratory protection program under section 5144 to address COVID-19 hazards.
- Separate by six feet (except where we can demonstrate that six feet of separation is

not feasible and there is momentary exposure while persons are in movement) any employees in the exposed group who are not wearing respirators required by us and used in compliance with section 5144. When it is not feasible to maintain a distance of at least six feet, individuals are as far apart as feasible.

- Install cleanable solid partitions that effectively reduce transmission between the employee and other persons at workstations where an employee in the exposed group is assigned to work for an extended period, such as cash registers, desks, and production line stations, and where the physical distancing requirement (described above) is not always maintained.
- Evaluate whether to halt some or all operations at the workplace until COVID-19 hazards have been corrected.
- Implement any other control measures deemed necessary by Cal/OSHA.

### **TESTING DURING OUTBREAKS**

- Testing during outbreaks and major outbreaks – APU will make weekly testing (outbreaks) and twice-weekly testing (major outbreaks) available to asymptomatic fully vaccinated employees in the exposed group.

## **Appendix H: COVID-19 Prevention in Employer-Provided Housing**

This section applies to student employees, staff, and administrators.

### **Assignment of housing units**

APU, to the extent feasible, reduces employee exposure to COVID-19 by assigning employee residents to distinct groups and ensure that each group remains separate from other such groups during transportation and work. Shared housing unit assignments are prioritized in the following order:

- Residents who usually maintain a household together outside of work, such as family members, will be housed in the same housing unit without other persons.
- Residents who work in the same crew or work together at the same workplace will be housed in the same housing unit without other persons.
- Employees who do not usually maintain a common household, work crew, or workplace will be housed in the same housing unit only when no other housing alternatives are feasible.

### **Ventilation**

We ensure maximization of the quantity and supply of outdoor air and increase filtration efficiency to the highest level compatible with the existing ventilation system in housing units. If there is not a Minimum Efficiency Reporting Value (MERV) 13 or higher filter in use, portable or

mounted HEPA filtration units are used, where feasible, in all sleeping areas in which there are two or more residents who are not fully vaccinated.

### **Face coverings**

We provide face coverings to all residents and provide information to residents on when they should be used in accordance with state or local health officer orders or guidance. As defined by LACDPH, students in housing are considered part of the same household with their roommates and are not required to wear masks while in the same household.

### **Cleaning and disinfection**

We ensure that:

- Housing units, kitchens, bathrooms, and common areas are effectively cleaned to prevent the spread of COVID-19. Housing units, kitchens, bathrooms, and indoor common areas are cleaned and disinfected after a COVID-19 case was present during the high-risk exposure period, if another resident will be there within 24 hours of the COVID-19 case.
- Cleaning and disinfecting is done in a manner that protects the privacy of residents.
- Residents are instructed to not share unwashed dishes, drinking glasses, cups, eating utensils, and similar items.

### **Screening**

We encourage residents to report COVID-19 symptoms to SHC.

Daily symptom check rules apply if you test positive or have symptoms.

### **COVID-19 testing**

We establish, implement, maintain and communicate to residents' effective policies and procedures for COVID-19 testing of residents who had a close contact or COVID-19 symptoms. See link [APU Exposure Management Plan For COVID-19](#)

### **COVID-19 cases and close contacts**

We:

- Effectively quarantine residents who have had close contact from all other residents. Effective quarantine includes providing residents who had a close contact with a private bathroom and sleeping area, with the following exceptions:
  - Fully vaccinated residents who do not have symptoms.
  - COVID-19 cases who have met our return-to-work criteria and have remained asymptomatic, for 90 days after the initial onset of symptoms, or COVID-19 cases who never developed symptoms, for 90 days after the first positive test.
- Effectively isolate COVID-19 cases from all residents who are not COVID-19 cases. Effective isolation includes housing COVID-19 cases only with other COVID-19 cases and providing COVID-19 case residents with a sleeping area and bathroom that is not shared by non-COVID-19-case residents.
- Keep confidential any personal identifying information regarding COVID-19 cases and

persons with COVID-19 symptoms, in accordance with our CPP **Investigating and Responding to COVID-19 Cases**.

- End isolation in accordance with our CPP **Exclusion of COVID-19 Cases and Return to Work Criteria**, and any applicable local or state health officer orders.

### **COVID-19 Prevention in Employer-Provided Housing.**

## **Appendix I: Cleaning and disinfecting.**

This addendum is added to our CPP for our employer-provided motor vehicle transportation, which is any transportation of an employee, during the course and scope of employment, including transportation to and from different workplaces, jobsites, delivery sites, buildings, stores, facilities, and agricultural fields provided, arranged for, or secured by an employer, regardless of the travel distance or duration involved. Reference section [3205.4](#) for details.

Application: This applies to APU trolleys, fleet vehicles, and rental vehicles used for university business.

This addendum does not apply:

- If the driver and all passengers are from the same household outside of work, such as family members, or if the driver is alone in the vehicle.
- To employer-provided transportation when necessary for emergency response, including firefighting, rescue, and evacuation, and support activities directly aiding response such as utilities, communications and medical operations.
- To employees with occupational exposure as defined by section 5199.
- To vehicles in which all employees are fully vaccinated.

### **Assignment of transportation**

To the extent feasible, we reduce exposure to COVID-19 hazards by assigning employees sharing vehicles to distinct groups and ensuring that each group remains separate from other such groups during transportation, during work activities, and in employer-provided housing. We prioritize shared transportation assignments in the following order:

- Employees residing in the same housing unit are transported in the same vehicle.
- Employees working in the same crew or workplace are transported in the same vehicle.
- Employees who do not share the same household, work crew or workplace are transported in the same vehicle only when no other transportation alternatives are feasible.

### **Face coverings and respirators**

Face coverings and respirators for COVID-19 protection include: “A well-fitting medical grade mask, surgical mask, or higher level respirator approved by the National Institute of Occupational Safety and Health (NIOSH), such as an N95 filtering facepiece respirator, or a

KN-95 respirator.” These shall be worn at all times while indoors at the worksite or facility unless in an individual office or in a vehicle driving alone.

We ensure that the:

- Trolley - Masks are required for the driver, and all employee riders, including in the waiting area for the trolley. (Note: a separate Los Angeles County Health Dept. Order requires masks for students also.)
- Trolleys shall have a sign on the outside of each vehicle as well as the waiting area noting that masks are required.
- University Fleet Vehicles - Masks are required for all employees when operating a fleet vehicle. The only exception is when you are operating the vehicle alone with no passengers.
- Rental Vehicles (e.g. Enterprise, Budget, Hertz) for University Business - Masks are required for all employees when operating a rental vehicle for university business. The only exception is when you are operating the vehicle alone with no passengers.
- Upon request, we provide respirators for voluntary use in compliance with subsection 5144(c)(2) to all employees in the vehicle who are not fully vaccinated. Respirators are available through Facilities Management at the Anderson Building, East Campus.

### **Cleaning and disinfecting**

We ensure that:

- All high-contact surfaces (door handles, seat belt buckles, armrests, etc.) used by passengers are cleaned to prevent the spread of COVID-19 and are cleaned and disinfected if used by a COVID-19 case during the high-risk exposure period, when the surface will be used by another employee within 24 hours of the COVID-19 case. **Student Health Services will communicate with Facilities Management to inform them of such an exposure and need for cleaning.**
- All high-contact surfaces used by drivers, such as the steering wheel, armrests, seat belt buckles, door handles and shifter, are cleaned to prevent the spread of COVID-19 between different drivers and are disinfected after use by a COVID-19 case during the high-risk exposure period, if the surface will be used by another employee within 24 hours of the COVID-19 case. **Student Health Services will communicate to Facilities management the presence of such a case and the need for disinfection procedures.**
- We provide sanitizing materials, training on how to use them properly, and ensure they are kept in adequate supply.

### **Ventilation**

We ensure that vehicle windows are kept open, and the ventilation system is set to maximize outdoor air and not set to recirculate air. Windows do not have to be kept open if one or more of the following conditions exist:

- The vehicle has functioning air conditioning in use and excessive outdoor heat would create a hazard to employees.

- The vehicle has functioning heating in use and excessive outdoor cold would create a hazard to employees.
- Protection is needed from weather conditions; such as rain or snow.
- The vehicle has a cabin air filter in use and the U.S. EPA Air Quality Index for any pollutant is greater than 100.

### **Hand hygiene**

We provide hand sanitizer in each vehicle and ensure that all drivers and riders sanitize their hands before entering and exiting the vehicle. Hand sanitizers with methyl alcohol are prohibited.

## **Appendix J: Cal/OSHA Definitions**

(Cal/OSHA, CCR, Title 8, Section 3205, updated)

**“Close contact”** means being within six feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the “high-risk exposure period” defined by this section. This definition applies regardless of the use of face coverings.

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 were within six feet of the COVID-19 case during the high-risk exposure period.

**“COVID-19”** means coronavirus disease, an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

**“COVID-19 case”** means a person who:

- A. Has a positive “COVID-19 test” as defined in this section; or
- B. Has a positive COVID-19 diagnosis from a licensed healthcare 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.

**“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. This also includes objects or surfaces that may be contaminated with SARS-CoV-2.

**“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.

**“COVID-19 test”** means a test for SARS-CoV-2 that is:

- A. Administered in accordance with the FDA approval or the FDA Emergency Use Authorization as applicable.
- B. Administered in accordance with the FDA approval or the FDA Emergency Use Authorization as applicable.
- C. The definition of "COVID-19 test" now includes specific instructions for workers using a test at home with self-read results. The employer or a telehealth professional must observe the use of the test.

**“Exposed group”** means all employees at a work location, working area, or a common area at work, where an employee COVID-19 case was present at any time during the high-risk exposure 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 while everyone is wearing face coverings, 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 high-risk exposure 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.

**“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. A face covering has no visible holes or openings and must cover the nose and mouth. A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.

**“Fully vaccinated” Cal/OSHA Definition** (NOTE: This differs from the LACO definition which is followed as more restrictive.)

- A. A person's status two weeks after completing primary vaccination with a COVID-19 vaccine with, if applicable, at least the minimum recommended interval between doses in accordance with the approval authorization or listing that is:
  - a. Approved or authorized for emergency use by the FDA
  - b. Listed for emergency use by the World Health Organization (WHO); or
  - c. Administered as part of a clinical trial at a U.S. site if the recipient is documented to have primary vaccination with the active (not placebo) COVID-19 vaccine candidate, for which vaccine efficacy has been independently confirmed by a data and safety monitoring board or if the clinical trial participant at U.S. sites had



received a COVID-19 vaccine that is neither approved nor authorized for use by FDA but is listed for emergency use by WHO, or

- B. A person's status two weeks after receiving the second dose of any combination of two doses of a COVID-19 vaccine that is approved or authorized by the FDA or listed as a two-dose series by the WHO. The second dose of the series must not be received earlier than 17 days (21 days with a 4 day grace period) after the first dose.)

**“High-risk exposure period”** means the following time period:

- For COVID-19 cases who develop COVID-19 symptoms: from two days before they first develop symptoms until all of the following are true: it has been 10 days since symptoms first appeared; 24 hours have passed with no fever, without the use of fever-reducing medications; and symptoms have improved.
- For COVID-19 cases who never develop COVID-19 symptoms- from 2 days before until 10 days after the specimen for their first positive test for COVID-19 was collected.

**“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.

**“Worksite,”** for the limited purposes of COVID-19 prevention regulations only, means the building, store, facility, agricultural field, or other location where a COVID-19 case was present during the high-risk exposure period. It does not apply to buildings, floors, or other locations of the employer that a COVID-19 case did not enter.

## Appendix K: CAL/OSHA Frequently Asked Questions

### Changes to Emergency Temporary Standards

This update was adopted by Cal/OSHA in December, 2021, effective in January 2022.

#### What Changed

1. Q: What are the important changes in the January 14, 2022 revised ETS?  
A: The important changes include the following:
  - Some of the definitions in the ETS were revised. (Cal. Code Regs., tit. 8, § 3205(b))
    - The definition of "COVID-19 test" now includes specific instructions for workers using a test at home with self-read results. The employer or a telehealth professional must observe the use of the test.
    - The definition of "face covering" was updated to include more specific detail on the different types of acceptable face coverings.
    - The definition of "fully vaccinated" now includes the minimum amount of time workers need to wait between the first and second dose of a

two-dose vaccine.

- Employers must make COVID-19 testing available to fully vaccinated employees after close contact. Under the previous version of the ETS, fully vaccinated employees were exempt from this requirement. (Cal. Code Regs., tit. 8, § 3205(c)(3)(B)5.)
  - The period of time before an employee can return to work after a close contact has been revised. (Cal. Code Regs., tit. 8, § 3205(c)(10)(D).) However, CDPH has since reduced its recommended isolation and quarantine times, and these recommendations override the return to work criteria in the revised ETS under the Governor's [Executive Order N-84-20](#). For more information on return to work criteria, please refer to the section on [CDPH's Isolation and Quarantine Guidance](#) in the [general FAQs](#), and to [Cal/OSHA's fact sheet](#) that explains the impact of the latest CDPH guidance on the ETS.
  - When employees who are fully vaccinated, regardless of whether they are booster-eligible or boosted, cannot be tested as required by CDPH quarantine guidance, those employees must wear face coverings and physically distance (six feet) from others for 14 days if they are to be exempted from the exclusion requirements after a close contact (Cal. Code Regs., tit. 8, § 3205(c)(9)(B).)
  - During an outbreak, employers must make COVID-19 testing available to their employees, regardless of vaccination status, on a weekly basis. (Cal. Code Regs., tit. 8, § 3205.1(b)(1)) During a major outbreak, employers must make COVID-19 testing available to their employees, regardless of vaccination status, twice a week, or more frequently if the local health department recommends it. (Cal. Code Regs., tit. 8, § 3205.2(b)). In housing provided by an employer, fully vaccinated employees are no longer exempt from testing, isolation and quarantine requirements. The employer must make COVID-19 testing available to all residents, regardless of vaccination status, if there are more than three COVID-19 cases in 14 days. (Cal. Code Regs., tit. 8, § 3205.3(g) & (h).)
  - In transportation provided by an employer, fully vaccinated employees are no longer exempt from face covering requirements. (Cal. Code Regs., tit. 8, § 3205.4(c)(2).)
2. Q. Are there requirements from the previous version of the ETS that will remain in place?
- A: Yes, they include but are not limited to the following requirements:
- Establishing, implementing, and maintaining an effective written COVID-19 Prevention Program.
  - Providing effective training and instruction to employees on the employer's prevention plan and their rights under the ETS.
  - Providing notification to public health departments of outbreaks.
  - Providing notification to employees of exposure and close contacts.
  - Requirements to [offer COVID-19 testing](#) after potential exposures.
  - Requirements for responding to COVID-19 cases and outbreaks.
  - Isolation and exclusion pay requirements.
  - Basic prevention requirements for employer-provided housing and

transportation.

## Physical Distancing

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1. Q: Are there physical distancing requirements in the revised ETS?

A: The physical distancing requirements continue to be eliminated in the revised ETS except as follows:

- During an outbreak (three or more employees in an exposed group), employers are required to evaluate whether physical distancing or barriers are necessary to control the transmission of COVID-19.
- Physical distancing must be used in a major outbreak (20 or more employees in an exposed group) for all employees, regardless of vaccination status except when an employer demonstrates that maintaining six feet of distance is not feasible. When it is not feasible to maintain six feet of distance, persons must be as far apart as feasible.
- Nothing in the revised ETS prevents employers from implementing additional protective measures than are required, including the use of physical distancing and barriers.
- Employers are under an ongoing requirement to assess workplace hazards and implement controls to prevent transmission of disease. There may be circumstances in which employers determine that physical distancing is necessary in their workplace.
- As described above, physical distancing is sometimes required, for a limited period, if fully vaccinated employees cannot be tested after a close contact.

## Respirators

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1. Q: Are there any changes to respirator requirements in the January 14, 2022 ETS compared to the previous version of the ETS?

A: No, there are no changes to the respirator requirements in the January 14, 2022.

## Face Coverings

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1. Q: Who has to wear face coverings?

A: Face coverings are required indoors and in vehicles for unvaccinated employees. Regardless of vaccination status, employees in certain indoor settings must wear a face covering if required by [CDPH order](#) or if they are a passenger in employer-provided transportation. (Cal. Code Regs., tit. 8, § 3205.4(c)(2).)

2. Q: CDPH currently requires face coverings in all indoor workplaces and other indoor public settings, regardless of vaccination status. Are there exceptions to wearing

face coverings indoors?

A: Yes. The most common exceptions are:

- When alone in a room or vehicle;
  - When eating and drinking;
  - When an accommodation is required; and
  - When job duties make a face covering infeasible or create a hazard
3. Q: The new definition of face covering includes as an example of an acceptable face covering “tightly woven fabric or non-woven material of at least two layers” that does not let light pass through when held up to a light source. Does this mean all face coverings must completely block out light?

A: No, face coverings do not need to completely block out light – this is just one example of an acceptable face covering made from a tightly woven fabric or non-woven material. Holding a face covering up to a light is also a good way to see if there are any very small holes or perforations that would not normally be visible.

## Vaccines

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1. Q: Is documentation required for a fully vaccinated employee to work without a face covering indoors?

A: Under [CDPH guidance](#) in effect through February 15, 2022, face coverings are required for all individuals in all indoor workplaces and other public settings, regardless of vaccination status, subject to limited exceptions. Under the ETS, employers are required to comply with this guidance.

If, after February 15, 2022, CDPH does not extend their orders, employers may allow fully vaccinated employees to work indoors without a face covering, but vaccination status must be documented. The January 14, 2022 revised ETS is the same as the previous ETS and does not specify a particular method. The employer must record the vaccination status for any employee not wearing a face covering indoors and this record must be kept confidential. Acceptable options include:

- Employees provide proof of vaccination (vaccine card, image of vaccine card or health care document showing vaccination status) and employer maintains a copy.
  - Employees provide proof of vaccination. The employer maintains a record of the employees who presented proof, but not the vaccine record itself.
  - Employees self-attest to vaccination status and employer maintains a record of who self-attests.
2. Nothing in the revised ETS prevents an employer from requiring all employees to wear a face covering instead of having a documentation process.

## Testing

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1. Q: What are the testing requirements of the revised ETS?

A: Employers must offer testing at no cost to employees during paid time to:

- Symptomatic unvaccinated employees, regardless of whether there is a

- known exposure. This is the same as the previous version of the ETS.
  - All employees regardless of vaccination status, who have had close contact with a COVID-19 case, except for recently recovered employees.
  - All employees except for recently recovered employees, regardless of vaccination status, in an outbreak or a major outbreak.
  - When following [CDPH's Isolation and Quarantine Guidance](#) to keep employees working or return them sooner, if tested.
2. Q: What are the testing requirements for returning to work after a COVID-19 test or close contact?
- A: In some cases, employees may be able to return to work sooner if they receive a negative test. Please refer to the section on [CDPH's Isolation and Quarantine Guidance](#) in the [general FAQs](#), and to [Cal/OSHA's fact sheet](#) that explains the impact of the latest CDPH guidance on the Emergency Temporary Standards.

## Outbreaks

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1. Q. How will Cal/OSHA ensure employees are adequately protected if there is a surge in COVID-19 cases?
- A: The revised ETS still requires employers to implement more protective requirements if an outbreak or major outbreak occurs in a workplace. Cal/OSHA also has the option of proposing changes to the ETS one additional time, if necessary.

## Enforcement

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1. Q: Will Cal/OSHA issue citations for employers who do not implement all provisions of the January 14 COVID-19 Prevention Emergency Temporary Standards immediately?
- A: Employers must implement the revised ETS by January 14, 2022.

## Scope of Coverage

Cal/OSHA Guidance: <https://www.dir.ca.gov/dosh/coronavirus/COVID19FAQs.html>

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1. Q: Which employers must comply with the COVID-19 emergency temporary standards (ETS)?
- A: The ETS applies to all employers, employees, and to all places of employment with the following exceptions:
- Work locations where there is only one employee who does not have contact with other people.
  - Employees who are working from home.
  - Employees who are covered by the Aerosol Transmissible Diseases regulation.
  - Employees working from a location chosen by the employee, which is not under

the control of the employer (for instance, an employee teleworking from a café or a friend's home)

2. Q: Does the ETS apply for employees who split their work time between home and the workplace?

A: Yes, however, the regulation applies only when employees work at the workplace, or are exposed at work, but not when they work from home.

3. Q: Does the regulation apply to workplaces with only one employee who has brief contact with other persons?

A: Yes, the regulation applies to such workplaces (unless they fall into one of the exceptions listed above); however, the measures that the employer must implement to comply with the ETS will reflect this type of limited exposure.

4. Q: Does the regulation apply for employees who are working from remote locations other than their home?

A: No, the regulations do not apply to employees an employer assigns to telework but who choose to work elsewhere, such as at a hotel or rental property. The regulation on employer-provided housing (3205.3) applies when a person is working from a hotel arranged for or provided by the employer; however, the rule does not apply to business travel by employees unless they are sharing a room or suite.

5. Q: Does the regulation apply to any facility that is subject to the Aerosol Transmissible Diseases (ATD) standard?

A: The ETS applies to employees at these facilities who are not identified in the employer's Aerosol Transmissible Diseases Exposure Control Plan, as required under California's Aerosol Transmissible Diseases (ATD) standard (8 CCR section 5199), as having occupational exposure to aerosol transmissible diseases, such as administrative employees who work only in an office environment separated from patient care facilities.

6. Q: The regulation exempts employees with occupational exposure as defined by section 5199, when covered by that section. Can an employee in a single workplace be subject to both the ETS and section 5199 at different times?

A: No. In a facility or operation that is within the scope of section 5199, employees with occupational exposure to aerosol transmissible diseases (ATDs), as defined in section 5199, are covered by the requirements of section 5199, and not the ETS. This is true even when an employee who has occupational exposure performs tasks that do not include exposure to ATDs, e.g., when a hospital nurse who performs patient care spends time in the hospital's human resources office.

7. Q: Can an employer at a workplace covered by section 5199 deem all employees on site to have occupational exposure to COVID-19 and exempt them from the ETS?

A: If the employer provides all employees with protections under its ATD Exposure Control Plan and has incorporated those employees into the plan in accordance with section 5199 because they have an occupational exposure to COVID-19, then those employees would not be subject to the ETS.

END