

Effective Date	What You Need to Know
9/9/20	AB1867 provides 80 hours of paid supplemental sick leave for California Employers with 500 or more employees nationwide and healthcare providers or emergency responders working for a public or private entity of any size. Qualifying reasons are: <ul style="list-style-type: none"> A. the employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19; B. the employee is advised to self-quarantine or self-isolate due to COVID-19 by a healthcare provider; or C. the employee is prohibited by working by the employer due to concerns of potential transmission of COVID-19.
9/9/20	AB 1867 includes a pay stub requirement. Employers must provide written notice of the amount of supplemental paid sick leave available either on the employee's wage statement or in a separate writing on designated pay dates.
9/17/20	California has reestablished a Workers' Compensation disputable presumption of COVID-19 as occurring in the course of employment, effective as of July 6, 2020 until January 1, 2023. (This does not cover employees who are working at home.)
9/17/20	Employers in the public sector and healthcare have 30 days to deny a claim and all other employers have 45 days. Otherwise the injury is considered compensable.
9/17/20	The presumption has three elements: <ol style="list-style-type: none"> 1. Employee tests positive within the last 14 days when the employee performed services at employer's place of employment. 2. The work performed was on or after July 6, 2020. 3. 3) Employee's positive test occurred during a outbreak at the employee's specific place of employment.
9/17/20	A positive test refers back to when the sample was taken, not when the result is received.
9/17/20	An outbreak is considered to occur when a positive tests occurs and when employers either have less than 100 employee at a specific place of employment and have four or more employee test positive within 14 days, or employers who have more than 100 employees at a specific place of employment have four percent or more of their employees testing positive in reference to Workers' Compensation coverage.
9/17/20	Employees must be notified within one business day of a potential exposure in the workplace. It must be given not only to employees but also employers of subcontracted employees. It must contain information that someone has tested positive and related benefits and options. The disinfection and safety plans the company plans to implement and complete must be given to employees in the notification. It must be in English AND in the language understood by the majority of the employees. It can be given via person service, email, or text messaging provided that they receive it within one day.
9/17/20	When an employer knows or should know an employee has tested positive for COVID-19, the employer needs to report to their Claims Administrator within 3 days the following information: <ol style="list-style-type: none"> 1. an employee has tested positive 2. the date the employee tested positive; 3. the address of the employee's place of employment, for the 14 days preceding the positive test; 4. 4) the highest number of employees who reported to the employee's specific place of employment in the last 45 days.
9/17/20	An employer or person acting on behalf of the employer who intentionally submits false or misleading information to Cal/OSHA is subject to a civil penalty of \$10,000.
9/17/20	Cal/OSHA can issue a stop work order for workplaces that pose a risk of an "Imminent Hazard" relating to COVID-19.
9/17/20	If an employee tested positive or was diagnosed with COVID-19 after May 6, 2020, an employee shall be certified for temporary disability within the first 15 days after the initial diagnosis and shall be recertified for disability every 15 days thereafter, for the first 45 days after diagnosis.

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1/1/21	An outbreak is said to occur, and the local Public Health Department needs to be notified, when three or more laboratory confirmed cases of COVID-19 have occurred with workers who live in different households within a 14 day period.
1/1/21	In case of an outbreak, the employer must notify the Public Health Agency of the outbreak. They must provide the Agency with the business address of where the employee worked and the NAICS code. (In a multi-worksite, only the site(s) where the employee works is required.)

Effective Date	What You Need to Do
Now	Have a written plan of measures you are taking to prevent COVID-19 in the workplace.
Now	Identify hazards in the workplace by unsafe or unhealthful practices, means, methods, or operations.
Now	Provide training for employees and supervisors regarding preventing employee exposure.
Now	Establish procedures for identifying and controlling access to hazards.
Now	Supervise employees exposed or potentially exposed to hazards.
Now	Communicate to employees about the employer's health and safety rules and programs.
9/17/20	Have a written letter prepared in case you do have a COVID-19 infection in the workplace.

Effective Date	Documents You Need to Keep
Now	Documentation of actions taken to eliminate employee exposure to hazards created by the violation as soon as the violation was discovered
Now	Documentation of daily steps taken
9/17/20	Documentation of information given to the Workers' Compensation Claims Administrator
9/17/20	Documentation of notice of outbreak or infection of workers issued to employees (keep for 3 years)
1/1/2021	Documentation of advisory given to Public Health Departments of outbreak/infection

DISCLAIMER: This briefing has been prepared by Poms & Associates Insurance Brokers, LLC to provide information on recent developments of interest to our clients. It is not intended to offer legal or regulatory advice for a situation. Events are rapidly developing during this national state of emergency, and best practices are constantly changing. We recommend that individuals and entities carefully monitor and follow health directives of the WHO and CDC, along with federal, state and local authorities.