

CALIFORNIA

California OSHA Proposes Changes to Emergency COVID-19 Standard

On May 7, 2021, the California Occupational Safety and Health Administration (Cal/OSHA) [proposed](#) to the Occupational Safety and Health Standards Board (OSHSB) changes to the emergency temporary standard (ETS). The ETS went into effect Nov. 30, 2020. The OSHSB will consider the proposed changes on May 20, 2021.

Emergency Temporary Standard

Cal/OSHA adopted the ETS in Nov. 2020. The ETS required employers to develop a written COVID-19 prevention plan and provide information on how they would address a number of COVID-19 requirements (e.g., disinfecting the workplace, training, notification and the handling of cases or outbreaks within the workplace).

Proposed Changes

Cal/OSHA proposed changes of the ETS to address employees returning to work and those who have been fully vaccinated. The proposal includes changes to all sections of the ETS, which include:

- Updating, clarifying or further defining definitions, in addition to adding definitions for being fully vaccinated
- Requiring updates to the written COVID-19 prevention programs to include providing COVID-19 exposure notices when employers are aware of a case
- Requiring new training requirements for vaccination information
- Changing the new social distancing requirements to include fully vaccinated employees
- Changing employee exclusion rules (including exclusion pay and exceptions) for fully vaccinated employees

Next Steps for Employers

To reflect the changes that are adopted, employers should review the proposed changes to the ETS to determine what they will have to update in their plans. They should also continue to monitor the Cal/OSHA's [website](#) for updates on the proposal adoption.

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Important Information

- If the OSHSB adopts the proposed changes, the changes will be submitted to the Office of Administrative Law (OAL).
- If the OAL approves the changes, they will become effective for 180 days or longer if extended.

These proposed changes to the ETS reflect the changing environment of the workplace with employees returning to work and being vaccinated.

