



COVID-19 Plan Development Checklist

On November 19, 2020, the California Occupational Safety and Health Standards Board unanimously adopted [emergency temporary standards](#) on COVID-19 prevention in the workplace. For much of the pandemic, California's Division of Occupational Safety and Health Cal/OSHA; has advised employers to follow its general and industry-specific guidance on various measures to implement to minimize the risk of employee exposure to COVID-19.

The new emergency standards will be binding and enforceable against nearly all California employers AND became effective on **November 30, 2020**.

Thus, we recommend that employers act quickly to ensure they are in compliance with the new standards and the requirement to prepare and implement a Written COVID-19 Prevention Program (WCPP).

Aspen Risk Management Group, a TRISTAR Company, has provided this checklist below to help guide your development and implementation of the new regulation. We have also provided a sample WCPP template. We highly recommend that, due to the complexity of the regulation, that you engage a labor law attorney firm to review your final plan.

If you have any questions, please do not hesitate to contact us at clientservices@aspenrmg.com

CHECKLIST

- Employers will be required to have a written COVID-19 Prevention Program, which can be incorporated into the IIPP or be stand-alone; we recommend a stand-alone WCPP.
- Employers must identify, evaluate, and correct COVID-19 exposure hazards, the first two with the participation of employees and their authorized representatives
- Employers must communicate information to employees about COVID-19 symptoms and illnesses, prevention, and testing and establishing a system for employees to report exposures without fear of reprisal
- Employers must implement procedures for screening employees for symptoms
- Employers must investigate and “respond effectively” to COVID-19 cases. They must notify employees and independent contractors, and other employers present at the workplace during the exposure period who might have been exposed within one day. Employees who may have been exposed must be offered COVID-19 testing at no cost
- Employers must provide affected employees with information on benefits they are entitled to receive. Benefits may include federal, state, and local laws, Workers Compensation, Federal Families First Coronavirus Response Act as well as local government, employer's leave policies or leave guaranteed by contract
- If an employee is able and available to work and must quarantine under this regulation; employers shall continue and maintain an employee's earnings, seniority, and all other employee rights and benefits, including the employee's right to their former job status, as if the employee had not been removed from their job
- Employers may use employer-provided employee sick leave benefits for this purpose and consider benefit payments from public sources in determining how to maintain earnings, rights, and benefits, where permitted by law and not covered by Workers' Compensation
- Employers must correct COVID-19 hazards, especially following a workplace outbreak, including correcting unsafe conditions and work practices, as well as providing effective training and instruction

- ❑ Employers must provide face coverings and other COVID-19 prevention PPE to employees
- ❑ Physical distancing and mask-wearing are required unless it is not possible in the former. But the burden is on the employer to demonstrate it is not possible. There are also exceptions for masks
- ❑ Employers must report COVID-19 cases in their workplaces to local health authorities and Workers Compensation carrier
- ❑ Return-to-work provisions are included for employee COVID-19 cases
- ❑ There are specific and more stringent requirements for multiple COVID-19 infections and outbreaks in the workplace
- ❑ The standard also includes COVID-19 prevention procedures in employer-provided housing, such as labor camps, and employer-provided transportation to and from work