

COVID-19 Ongoing Requirements for Employers

Los Angeles County Department of Public Health

THE COVID-19 PANDEMIC CONTINUES TO PUT WORKERS AND THE COMMUNITY AT RISK.

Employers must be vigilant and continue to protect their workforce and the community by following infection control measures and reporting COVID-19 cases to Public Health.

1/5/22: Updated to reflect that the County Health Officer Order now requires employers, effective January 17, 2022, to provide and require employees to wear a well-fitted medical grade mask, surgical mask, or higher-level respirator, such as an N95 filtering facepiece respirator, or KN95 at all times while indoors at the worksite. Also updated to add recent changes to the Cal/OSHA ETS requirements, effective January 14, 2022.

This document summarizes ongoing requirements that employers must continue to follow in accordance with state, County, and local rules. Please see the links below for more detailed information about the requirements, including FAQs.

REQUIREMENTS:

Employers with locations in Los Angeles County are required to adhere to:

- 1 **The County Health Officer Order (HOO)** at ph.lacounty.gov/media/Coronavirus/reopening-la.htm#orders and the Business Toolkit for Ensuring Safety and Compliance with Health Officer Orders at ph.lacounty.gov/media/Coronavirus/business-verification.htm.
- 2 **Cal/OSHA Emergency Temporary Standards (ETS)** at dir.ca.gov/covid.

Employers with locations in the City of Los Angeles may also be required to adhere to:

- 3 **Los Angeles City Vaccination Ordinance** at ewddlacity.com/index.php/recovery/safepassla. FAQs are available at ewddlacity.com/index.php/safepassla-faqs.

Please note that where the requirements differ, the more stringent directives apply.

1 COUNTY HEALTH OFFICER ORDER REQUIREMENTS:

Reporting of COVID-19 Cases at the Worksite:

- When any business knows of three (3) or more cases of COVID-19 among their employees (or onsite independent contractors or temporary workers) within 14 days, the employer (owner/manager/operator of the business) must report this outbreak to the Department of Public Health at (888) 397-3993 or (213) 240-7821, or online at <http://www.redcap.link/covidreport>.

When one or more employees, assigned or contracted workers, or volunteers of the business has tested positive for, or has symptoms consistent with COVID-19 (case), the employer must have a protocol to require the isolation of case(s) at home and require the immediate self-quarantine of all employees who are close contacts of the case(s) unless exempt.

Face Masks:

- Face masks are required for all individuals (including employees) in indoor public settings and businesses and

at outdoor Mega Events (events with more than 5,000 attendees). Examples of settings where masks must be worn includes (but is not limited to) retail, restaurants, theaters, outdoor concerts, family entertainment centers, meetings, and state and local government offices serving the public. Please note that these requirements are more stringent than Cal/OSHA requirements and State Guidance and must be followed.

- As soon as practicable, but no later than January 17, 2022, employers must provide and require employees to wear a well-fitting medical grade mask, surgical mask, or higher-level respirator such as an N95 filtering facepiece respirator or KN95, at all times while indoors at the worksite.

Vaccination for locations with low-risk food permits:

- Employees at nightclubs, lounges, and bars, breweries, distilleries and wineries that have a low-risk food permit must be fully vaccinated against COVID-19. Customers utilizing the indoor portions of these businesses must also present proof of full vaccination against COVID-19 prior to entry.

Vaccination/Testing for Mega Events:

- Customers at indoor Mega Events (indoor events with more than 500 attendees) and outdoor Mega Events (outdoor events with more than 5,000 attendees) must show that they are fully vaccinated against COVID-19 or show a negative viral test result taken within 2 days prior to entry (PCR) or 1 day prior to entry (antigen).

2 CAL/OSHA COVID-19 EMERGENCY TEMPORARY STANDARDS:

Employers must have a written COVID-19 Prevention Program, which includes:

- Employee training and instruction on COVID-19 hazards;
- Employee symptom screening process;
- Employee access to COVID-19 testing;
- Plan to respond to COVID-19 cases in the workplace;
- Employee face mask protocol;
- Plan for excluding COVID-19 cases from the workplace until the return-to-work criteria requirements are met.

Face Masks:

- Employers must provide unvaccinated employees with face masks with at least two layers. PLEASE NOTE that per the County Health Officer Order, all employees, regardless of vaccination status, must wear a face mask when working indoors, in a shared vehicle, or at an Outdoor Mega Event.
- Employers must not retaliate against or discourage any employees from wearing a face mask.

Personal Protective Equipment:

- Use of N95 respirators is voluntary but employers must provide them to any employee who is not fully vaccinated upon request. N95 respirators must fit the employee, and the employee must receive [basic instruction](#) on how to get a good “seal,” or fit.
- N95 respirators must be replaced if they get damaged, deformed, dirty, or difficult to breathe through.
- The CDC recommends that N95 respirators be replaced after 5 uses.

Hand Hygiene:

- Encourage and allow time for employee handwashing. Provide approved hand sanitizers for employees to use.

Ventilation:

- Employers must evaluate ventilation systems to maximize outdoor air and increase filtration efficiency, and evaluate the use of additional air cleaning systems.

COVID-19 Testing Protocol and Notification of Workplace Exposures:

- Offer testing free of charge and during work hours to any workers who might have been exposed to COVID-19 at work, including fully vaccinated workers.
- Notify employees, employee representatives, and any other workers at the worksite of possible COVID-19 exposures within one business day.

Pay and Leave Rights of Workers:

- Maintain and continue the wages, earnings, and the rights and benefits of employees while they are required to be away from the worksite because they are either a COVID-19 case or were exposed to COVID-19 in the workplace.

COVID-19 Outbreak Reporting and Mitigation Requirements:

- Report information about COVID-19 cases and outbreaks at the workplace to the local health department and provide any COVID-19 related outbreak information requested by the local health department.
 - When there are **3 or more employee COVID-19 cases at the worksite**, evaluate the need to implement physical distancing and partitions between and among employees and the public.
 - When there are **20 or more employee COVID-19 cases**, which constitutes a major outbreak, employers must immediately:
 - Make testing available to all employees in the exposed group, regardless of vaccination status, twice a week or more frequently if recommended by the local health department.
 - Use physical distancing and barriers for all employees, regardless of vaccination status.
 - Offer respirators for voluntary use to all employees, regardless of vaccination status, and without waiting for a request from the employee.

3 THE CITY OF LOS ANGELES VACCINATION ORDINANCE REQUIREMENTS:

Vaccination verification:

- Certain businesses (see below) with locations in the City of Los Angeles are required to verify that customers entering the indoor portions of their business are fully vaccinated against COVID-19. The vaccination requirement does not apply to employees.

Signage:

- Businesses that are subject to the Vaccination Ordinance must post signage to make customers aware of the vaccination requirement.

Businesses subject to the LA City Ordinance

The Vaccination Ordinance applies to the following types of businesses located in the City of Los Angeles:

- Food and beverage establishments including restaurants, bars, fast food establishments, coffee shops, cafeterias, food courts, banquet halls, and hotel ballrooms
- Gyms and fitness venues
- Entertainment and recreation venues including shopping centers, movie theaters, bowling alleys, arcades, card rooms, family entertainment centers, play areas, live performance venues, commercial event and party venues, sports arenas, convention centers and exhibition halls and museums
- Personal care establishments
- Indoor City facilities including City Hall, senior centers, recreation centers and service centers

i FOR MORE INFORMATION:

Cal/OSHA: For information about COVID-19, heat illness prevention and wildfire smoke protections in the workplace or to speak with a bilingual Cal/OSHA representative during normal business hours, please call 833-579-0927.

LA County Department of Public Health: For any questions, please contact our Industry Engagement program at (626) 430-5320.

City of Los Angeles: For questions, concerns or assistance, email EWDD's Business Response Unit at <mailto:labusinessresponse@lacity.org>. Please review the list of [Frequently Asked Questions](#) for common concerns and inquiries.