

Katrina S. Hagen

Director

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June 21, 2021

Dear California Employer,

On June 17, the Occupational Safety and Health Standards Board voted to readopt the revised COVID-19 Prevention emergency temporary standards (ETS) with important changes that reflect the state's latest COVID-19 public health guidance. Following the vote, Governor Gavin Newsom signed an [executive order](#) to allow the revisions to immediately take effect on June 17. The emergency standards apply to most workers in California not covered by the [Aerosol Transmissible Diseases standard](#).

Cal/OSHA proposed revisions to the emergency temporary standard for several reasons, to reflect the availability of vaccinations to limit workplace transmission, to revise requirements in light of updated Centers for Disease Control and Prevention (CDC) and California Department of Public Health (CDPH) face covering guidance, and to make a safe transition from physical distancing as employers return to more normal operations.

Major provisions of the June 17 emergency temporary standards include:

- Fully vaccinated employees do not need to wear face coverings except for certain situations during outbreaks and in settings where CDPH requires all persons to wear them. Employers must have documented the vaccination status of fully vaccinated employees who do not wear face coverings indoors.
- Employees who are not fully vaccinated must be provided face coverings and employers must ensure they are worn properly when indoors or in vehicles.
- Employees are not required to wear face coverings when outdoors regardless of vaccination status except during outbreaks.
- Fully vaccinated employees are explicitly allowed to wear a face covering without fear of retaliation from employers.
- Physical distancing requirements have been eliminated except where an employer determines there is a hazard and during major outbreaks.
- Employers must provide respirators for voluntary use to unvaccinated employees who request them, at no cost and without fear of retaliation.

- Employers must offer COVID-19 testing to employees at no cost and during paid time as follows:
 - Employees who are not fully vaccinated and have COVID-19 symptoms, and
 - After close contact with a COVID-19 case, employees who are not fully vaccinated and fully vaccinated employees who have COVID-19 symptoms.
- Fully vaccinated employees do not need to be offered testing or excluded from work after close contact unless they have COVID-19 symptoms.
- Employer-provided housing and transportation are exempt from the regulations where all employees are fully vaccinated.
- Employers must review the [Interim guidance for Ventilation, Filtration, and Air Quality in Indoor Environments](#).
- Employers must evaluate ventilation systems to maximize outdoor air and increase filtration efficiency, and evaluate the use of additional air cleaning systems.

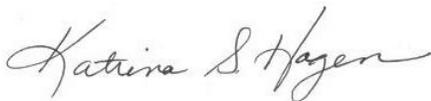
To assist employers with understanding their obligations required by the revised emergency standards, Cal/OSHA has developed resources in English and Spanish and posted them on their [COVID-19 Prevention Emergency Temporary Standards](#) webpage. Resources include a [fact sheet](#) that summarizes notable changes, [FAQs](#) that highlight the changes between the original November 30, 2020 ETS and the revised ETS, including updates on compliance and enforcement, and an updated main set of [COVID-19 Emergency Temporary Standards FAQs](#) that reflect the requirements of the June 17, 2021 ETS. In addition, Cal/OSHA has posted information on [planned webinars](#) hosted by its Consultation Services Branch and is also currently updating its model [COVID-19 Prevention Program in English](#) and [Spanish](#).

Failing to establish and implement an effective COVID-19 Prevention Program may result in regulatory enforcement and fines (Labor Code §§ 6306(b), 6401, 6401.7 and 6403; California Code of Regulations, title 8 §§ 3205, 3205.1, 3205.2, 3205.3, and 3205.4.)

For technical assistance with understanding your obligations required by the regulations or establishing an effective written COVID-19 Prevention Program, employers can call Cal/OSHA's [Consultation Services Branch](#) at 1 (800) 963 - 9424.

Thank you for your commitment to making California a safer place to work.

Sincerely,



Katrina S. Hagen
Director, California Department of Industrial Relations