

California AB 685

REPORTING REQUIREMENTS

What's New for California Employers?

AB 685: COVID-19: imminent hazard to employees: exposure: notification: serious

Effective January 1, 2021 through January 1, 2023

1. Employer that is aware of exposure to COVID-19 is required to provide written notification to its employees (and any subcontractors in the specific area) within one business day of their knowledge of exposure. Maintain record of this notification for minimally 3 years.
2. Notice of potential COVID-19 imminent hazard exposure must also be posted in a conspicuous place.
3. Notification must include information regarding COVID-19 related benefits, inclusive of applicable federal, state, or local laws, including, but not limited to, workers' compensation, COVID-19-related leave, company sick leave, state-mandated leave, supplemental sick leave, or negotiated leave provisions, as well as antiretaliation and antidiscrimination protections. It must also notify all employees of the planned disinfection and infectious disease prevention safety plan to implement and complete per the guidelines of the federal Centers for Disease Control.
4. Reporting of outbreaks is a **REQUIREMENT** as opposed to *guideline*, and it gives Cal-OSHA the power to cite the employer for not protecting the employees at the worksite or a part of the worksite. COVID-19 outbreak, as defined (except health facilities), within 48 hours, to report prescribed information to the local public health agency in the jurisdiction of the worksite. Any subsequent positive tests must continue to be reported. An outbreak at a non-health care or congregate setting workplace is defined as three or more laboratory-confirmed cases of COVID-19 within a two-week period among employees who live in different households. Report must include: name, number, occupation, NAICS and company address.
5. Generally, citations could take up to six months from the date of inspection. This new law requires CAL-OSHA to provide the citations regarding COVID-19 within 15 days or "on the spot." The following will be taken into consideration:
 - Training for employees and supervisors relative to exposure control.
 - Procedures to identify, control access to, and correct the hazard.
 - Supervision of employees exposed or potentially exposed.
 - Procedures for communicating to employees about the employer's health and safety rules and programs.
6. The law gives Cal-OSHA the power to shut down any part of a business that exposes employees to harm; however, Cal-OSHA and OSHA have always had this option. This is referred to as IDLH (immediately dangerous to life and health) situations.

Overview

- Document your COVID-19 prevention plan, employee training and controls for potential exposure.
- Notify employees and subcontractors of known potential exposure in writing.
- Maintain notification records for 3 years.
- Notify local public health agency of outbreak within 48 hours. To find your local agency go to: <https://www.naccho.org/membership/lhd-directory?searchType=standard&lhd-state=CA>

Please note, this process is ONLY for notifying CoAdvantage of California employees who have reported positive COVID test results to their employer as specified under AB 685.

This process is NOT for reporting a COVID related workers' compensation claim.

For COVID related workers' compensation claims continue to follow our standard reporting procedures outlined in the Claims Reporting Packet available on CoAdQuantum and CoAd360.

If you are a client who maintains their own workers' compensation policy as a workers' compensation carve out, you will need to submit any COVID positive notifications or claims to the carrier that issued your policy.

Need additional guidance and support?

If you have any questions please contact your HR Account Executive or you can email the CoAdvantage Claims team at claims@coadvantage.com

PAYROLL | BENEFITS | RISK | HUMAN RESOURCES

855-351-4731

results@coadvantage.com

coadvantage.com

CoAdvantage holds the following PEO licenses in Florida: GL82, GM280, GM260, GM517, GM516, GL36, GM75, GM74, GM286, GL69, GM142, GM141, GM285, GL8, GM293, GM279, GM27, GM294, GL147, GM365, GM367, GL187, GM498, GM497, GM496, GM495, EL346, DM53, GL226, GM596, GM597, GM598, GM599, GL105, GM201, GM513, GM514, GM515, GL150, GM373, EL360, GL225, GM592, GM593, GM594, GM595, DM95



COFLY-CAAB685
©2020 CoAdvantage