



Memo

To: Commissioners, First 5 Ventura County

From: Lauren Arzu, Director of Human Resources & Operations (On behalf of the Administration Finance Committee)

Date: January 28, 2021

Re: Recommendation to Approve Policy and Procedures to Comply with the New COVID-19 Employee Safety and Reporting Laws

Background

Cal/OSHA and the state legislature adopted a series of regulations related to COVID-19, and F5VC has been developing relevant procedures to remain in compliance.

AB 685 went into effect on January 1, 2021 and requires employers to notify employees of positive COVID-19 cases. F5VC drafted a letter that will meet this requirement if an employee tests positive.

SB 1159 requires employers to report all confirmed positive serum tests to their workers' compensation carrier within three days.

In December 2020, Cal/OSHA adopted the Emergency Temporary Standards (ETS) for COVID-19 Prevention. To comply, F5VC developed a COVID-19 Prevention Plan and trained all employees. The ETS also outlines requirements for employees who have been exposed to COVID or are experiencing symptoms to stay home, and specifies when they may return to the work site. The ETS requires employers to continue employee pay and benefits for employees who were **exposed at work** while they remain off work. If the employee can work from home, this provision does not apply. An employer *may* require the employee to exhaust paid sick leave benefits before providing exclusion pay under the Cal/OSHA ETS.

In the event an employee has exhausted available COVID paid sick leave under the FFCRA and to ensure employees are not motivated to report to the workplace while ill, staff is recommending to provide additional COVID paid sick leave, up to two (2) weeks, in accordance with the time off allotment set forth in Cal/OSHA ETS. This paid leave for COVID-related exposure/illness would allow an employee to preserve their preexisting sick leave entitlements.

This proposed benefit was reviewed and approved by the Administration Finance Committee.

Recommendation

The staff recommendation is to make additional sick leave available, up to two (2) weeks, to employees who were exposed to COVID-19 at work, cannot work from home, and do not have FFCRA paid leave benefits available.