

Subject: California Assembly Bill 685 and Other New COVID-19 Requirements

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From: ICW Group Insurance Companies

To: Briggs Orsbon

Get helpful resources for managing the impact of new California worker protection requirements

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NEW CALIFORNIA WORKER PROTECTION REQUIREMENTS

What You Need To Know

Dear Briggs,

Later today we'll be sending our California policyholders the following information regarding the implications of Assembly Bill 685 and recently approved emergency provisions designed to protect workers from COVID-19 outbreaks.

Dear Valued Policyholder,

California recently passed two new bills and emergency provisions designed to protect workers and their employers from COVID-19 outbreaks. The first bill, Senate Bill 1159, is intended to provide workers' compensation to employees who test positive for the virus. We recently reached out to you via email with information about this bill. You can [revisit the information here](#).

Today, we'd like to provide you with information on the second bill, Assembly Bill (AB) 685 and California OSHA's emergency provisions.

Assembly Bill 685 Overview

AB 685 goes into effect on Jan. 1, 2021. It requires organizations to notify any exposed employees and appropriate public health officials of any COVID-19 cases in the workplace. You can [read the full bill here](#). Some important requirements include:

- When a positive case of COVID-19 is confirmed, an organization must provide notice to exposed employees at the same worksite and public health officials within one business day.

- Employee representatives, such as unions or lawyers, must also be notified within one business day.
- As part of that notice, organizations must share their disinfection and safety plan that the employer intends to implement and complete.

The AB 685 law is designed to ensure that exposed employees can take appropriate steps, including seeking medical attention, testing or even quarantine. Companies are required to report an outbreak (three or more qualified individuals in a 14 day period) to their [local county health department](#) as part of the control effort.

[Get Resources to Help](#)

Cal OSHA COVID-19 Prevention Emergency Provisions Overview

This week, the Cal/OSHA Standards Board passed an emergency regulation regarding the spread of COVID-19. The new standard, which immediately goes into effect, provides specific expectations for organizations in the recognition, control and follow up to COVID-19 exposures. Many of the expectations are clarifications of the existing return-to-the-workplace guideline developed by the CDC with more specific expectations for the following:

- Have a written COVID-19 Prevention Program, which can be incorporated into the IIPP or be stand-alone.
- Employers are to provide employees with training on COVID-19 related policies and procedures and related benefits.
- Identify, evaluate and correct COVID-19 hazards, the first two with the participation of employees and their authorized representatives.
- Investigate and “respond effectively” to COVID-19 cases and notify employees who might have been exposed within one day. These employees must be offered COVID-19 testing at no cost.
- Report COVID-19 cases in their workplaces to local health authorities – This is also a requirement of AB 685. Procedures can accommodate both expectations.
- Physical distancing and mask-wearing are required unless the former isn't possible. The burden is on the employer to demonstrate it isn't possible. There are also exceptions for masks.

- 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.

Resources Available for You

ICW Group's [Return-to-the-Workplace Toolkit](#) has procedures, forms and references to help you meet the requirements of AB 685 and the new emergency provisions. Recently, we also hosted a webinar detailing what you need to know about both SB 1159 and AB 685. You can [watch it on demand and find additional resources](#) to help.

If you have questions or need assistance, please contact your Risk Management Consultant or email us at riskmanagement@icwgroup.com.

We are here to help!

Sincerely,

ICW Group Insurance Companies



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