



June 17, 2021

Cal/OSHA Clears Up Confusion on COVID-19 Standards - Changes Take Effect Immediately

In what's been a dramatic and confusing series of events regarding COVID-19 workplace standards, today, the Cal/OSHA Standards Board adopted [revisions to the COVID-19 Emergency Temporary Standard](#) and the [Governor issued an Executive Order](#) ensuring the changes go into effect immediately.

KEY CHANGES IN THE REVISED EMERGENCY TEMPORARY STANDARD (ETS):

- **Face Coverings** – Employees who are fully vaccinated will no longer need to wear face coverings (except during outbreaks). Face coverings only need to be provided and worn by employees who are not fully vaccinated when indoors and in vehicles. However, the revised ETS specifically states that employers must allow fully vaccinated employees to wear face coverings without fear of retaliation.

** Face covering" includes surgical mask, a medical procedure mask, a respirator worn voluntarily, or a tightly woven fabric or non-woven material of at least two layers. A face covering has no visible holes or openings and must cover the nose and mouth. A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.*

- **Employers must Provide Respirators for Voluntary Use to the Unvaccinated** – Upon request, employers are required to provide "respirators" (N95 masks) for voluntary use to all employees who are not fully vaccinated and who are working indoors or in vehicles with more than one person.
- **Documentation for "Fully Vaccinated"** – Employers will be required to "have documented" that a person is fully vaccinated.
- **Physical Distancing** – The revised ETS eliminates physical distancing requirements (except during outbreaks).
- **Post Exposure, Testing and Quarantine** – Fully vaccinated employees without symptoms do not need to be tested or quarantined after close contacts with COVID-19 cases. Employers must continue to ensure that COVID-19 testing is available at no cost during paid time to employees with COVID-19 symptoms who are not fully vaccinated and continue to meet existing quarantine and exclusion pay requirements.

Cal/OSHA has released FAQs for the newly adopted changes that include complete guidance on what is changing, physical distancing, respirators, face coverings, vaccines, testing, and outbreaks. Cal/OSHA will continue to update the FAQs and will provide a training video on respirator use. The FAQs can be found [HERE](#).