

COVID-19 Prevention Program

An Addendum to the Injury and Illness
Prevention Program (IIPP)

*In accordance with TITLE 8, DIVISION 1,
CHAPTER 4, Subchapter 7. General Industry
Safety Orders Section 3205, COVID-19
Prevention*

Merced Union High School District

An Addendum to the Injury and Illness Prevention Program: *In accordance with TITLE 8,
DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-
19 Prevention*

May 2022

COVID-19 Prevention Program

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NOTE: See Executive Order N-84-20 (2019 CA EO 84-20), issued in response to the COVID-19 pandemic, which, in certain circumstances, for duration of the Executive Order, the exclusion periods and requirements of this Emergency Temporary Standard with the California Department of Public Health's (CDPH) isolation and quarantine periods and requirements. The isolation and quarantine periods and requirements are reflected in subsections (c)(9) and (c)(10).

The Superintendent has the overall authority and responsibility for implementing the provisions of this CPP at the School District. In addition, all Principals, managers, and supervisors are responsible for implementing and maintaining the CPP at the school sites and for ensuring employees receive answers to questions about the Covid-19 Prevention Program.

The Superintendent has designated a CPP Officer for the specific implementation of the elements of this plan. The CPP Officer for the School District is:

Cristi Johnson
Director of Student Services
cjohnson@muhsd.org
(209)325-2120

All employees are responsible for using safe work practices, following all directives, policies and procedures, and assisting in maintaining a safe work environment.

(a) Scope.

(1) This section applies to all employees and all places of employment, with the following exceptions:

- (A) Work locations with one employee who does not have contact with other persons.
- (B) Employees working from home.
- (C) Employees with occupational exposure as defined by section 5199, when covered by section 5199, Aerosol Transmissible Diseases.
- (D) Employees teleworking from a location of the employee's choice, which is not under the control of the employer.

(2) Nothing in this section is intended to limit more protective or stringent state or local health department mandates or guidance.

(b) Definitions.

The following definitions apply to this section and to sections 3205.1 through 3205.4.

- (1) "Close contact" means being within six feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the "infectious period" defined by this section, regardless of the use of face coverings, unless close contact is defined by regulation or order of the CDPH. If so, the CDPH definition shall apply.

EXCEPTION: Employees have not had a close contact if they wore a respirator required by the employer and used in compliance with section 5144, whenever they were within six feet of the COVID-19 case during the infectious period.

- (2) "COVID-19" (Coronavirus Disease 2019) means the disease caused by SARS-CoV-2 (severe acute respiratory syndrome coronavirus 2).
- (3) "COVID-19 case" means a person who:

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- (A) Has a positive "COVID-19 test"; or
 - (B) Has a positive COVID-19 diagnosis from a licensed health care provider; or
 - (C) Is subject to a COVID-19-related order to isolate issued by a local or state health official; or
 - (D) Has died due to COVID-19, in the determination of a local health department or per inclusion in the COVID-19 statistics of a county.
- (4) "COVID-19 hazard" means potentially infectious material that may contain SARS-CoV-2, the virus that causes COVID-19. Potentially infectious materials include airborne droplets, small particle aerosols, and airborne droplet nuclei, which most commonly result from a person or persons exhaling, talking or vocalizing, coughing, or sneezing, or from procedures performed on persons which may aerosolize saliva or respiratory tract fluids.
- (5) "COVID-19 symptoms" means fever of 100.4 degrees Fahrenheit or higher, chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea, unless a licensed health care professional determines the person's symptoms were caused by a known condition other than COVID-19.
- (6) "COVID-19 test" means a test for SARS-CoV-2 that is:
- (A) Cleared, approved, or authorized, including in an Emergency Use Authorization (EUA), by the United States Food and Drug Administration (FDA) to detect current infection with the SARS-CoV-2 virus (e.g., a viral test); and
 - (B) Administered in accordance with authorized instructions;
 - (C) To meet the return to work criteria set forth in subsection (c)(10), a COVID-19 test may be both self-administered and self-read only if another means of independent verification of the results can be provided (e.g., a time-stamped photograph of the results).
- (7) "Exposed group" means all employees at a work location, working area, or a common area at work, where an employee COVID-19 case was present at any time during the infectious period. A common area at work includes bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. The following exceptions apply:
- (A) For the purpose of determining the exposed group, a place where persons momentarily pass through while everyone is wearing face coverings, without congregating, is not a work location, working area, or a common area at work.
 - (B) If the COVID-19 case was part of a distinct group of employees who are not present at the workplace at the same time as other employees, for instance a work crew or shift that does not overlap with another work crew or shift, only employees within that distinct group are part of the exposed group.
 - (C) If the COVID-19 case visited a work location, working area, or a common area at work for less than 15 minutes during the infectious period, and the COVID-19 case was wearing a face covering during the entire visit, other people at the work location, working area, or common area are not part of the exposed group.
- NOTE: An exposed group may include the employees of more than one employer. See Labor Code sections 6303 and 6304.1.
- (8) "Face covering" means a surgical mask, a medical procedure mask, a respirator worn voluntarily, or a tightly woven fabric or non-woven material of at least two layers that completely covers the nose and mouth and is secured to the head with ties, ear loops, or elastic bands that go behind the head. If gaiters are worn, they shall have two layers of fabric or be folded to make two layers. A face covering is a solid piece of material without slits, visible holes, or punctures, and must fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face. A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.
- This definition includes clear face coverings or cloth face coverings with a clear plastic

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panel that otherwise meet this definition and which may be used to facilitate communication with people who are deaf or hard-of-hearing or others who need to see a speaker's mouth or facial expressions to understand speech or sign language respectively.

- (9) "Infectious period" means the following time period, unless otherwise defined by CDPH regulation or order, in which case the CDPH definition shall apply:
- (A) For COVID-19 cases who develop COVID-19 symptoms:, from two days before they first develop symptoms until all of the following are true: it has been 10 days since symptoms first appeared; 24 hours have passed with no fever, without the use of fever-reducing medications; and symptoms have improved.
- (B) For COVID-19 cases who never develop COVID-19 symptoms:, from two days before until 10 days after the specimen for their first positive test for COVID-19 was collected.
- (10) "Respirator" means a respiratory protection device approved by the National Institute for Occupational Safety and Health (NIOSH) to protect the wearer from particulate matter, such as an N95 filtering facepiece respirator.
- (11) "Returned case" means a COVID-19 case who returned to work pursuant to subsection (c)(10) and did not develop and COVID-19 symptoms after returning. A person shall only be considered a returned case for 90 days after initial onset of COVID-19 symptoms or, if the person never developed COVID-19 symptoms, for 90 days after the first positive test. If a period of other than 90 days is required by CDPH regulation or order, that period shall apply.
- (12) "Worksite," for the limited purposes of sections 3205 through 3205.4 only, means the building, store, facility, agricultural field, or other location where a COVID-19 case was present during the infectious period. It does not apply to buildings, floors, or other locations of the employer that a COVID-19 case did not enter, locations where the worker worked by themselves without exposure to other employees, or to a worker's personal residence or alternative work location chosen by the worker when working remotely.

NOTE: The term worksite is used for the purpose of notice requirements in subsections(c)(3)(B)3. and 4. only.

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(c) Written COVID-19 Prevention Program Components.

The District has established, is implementing and maintaining an effective, written COVID-19 Prevention Program, in accordance with TITLE 8, DIVISION 1, CHAPTER 4, Subchapter 7. General Industry Safety Orders Section 3205, COVID-19 Prevention. The COVID-19 Prevention Program will be integrated into the District's Injury and Illness Prevention Program required by section 3203.

All employees are responsible for using safe work practices, following all directives, policies, procedures, and assisting in maintaining a safe work environment.

The District's Injury and Illness Prevention Program (IIPP) has been developed in accordance with the issued guidance from the State of California Department of Public Health and Cal/OSHA

Elements of the COVID-19 Prevention Program include:

(1) System for communicating.

The District will do the following in a form readily understandable by employees:

(A) Employee Reports:

Ask employees of the District, without fear of reprisal, to report to their Supervisor or Manager any of the following:

1. **COVID-19 symptoms:** If any employee is experiencing any of the identified symptoms of COVID-19
2. **Possible close contacts:** If any employee has been exposed or possibly exposed to an individual who is positive for or has been diagnosed with COVID-19.
3. **Possible COVID-19 hazards at the workplace:** If any employee becomes aware of a possible hazard in the workplace that could increase the likelihood of exposure to COVID-19.

Methods of Reporting:

Immediately report:	To Whom:	How:
COVID-19 symptoms	Human Resources	(209)325-2005
Possible COVID-19 exposures	Human Resources	(209)325-2005
Possible COVID-19 hazards at the workplace	Direct Supervisor	In person discussion, call, or email your Supervisor/Manager

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COVID-19 Questions - Contact Information

Risk Management	Derek Daley	Employee contact tracing, staff safety procedures, policies.	(209)325-2244	ddaley@muhsd.org
Health Services	Cristi Johnson	Student contact tracing, symptom screening, student safety procedures, policies.	(209)325-2121	cjohnson@muhsd.org
Warehouse	Jason Perez	Custodial products and supplies.	(209)325-2203	jmperez@muhsd.org

Staff are to communicate with their Supervisors for Covid-19 supplies.

COVID-19 Case Management Contact Information

Human Resources	Kim Gurden	(209)325-2005	kgurden@muhsd.org
Health Services	Cristi Johnson	(209)325-2121	cjohnson@muhsd.org

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Covid-19 Case Management information is confidential.

Covid-19 case management information is confidential. Only those needing to be involved in contact tracing and possible quarantine procedures will be communicated with directly about details.

- (B) Procedures for how employees with medical or other conditions that put them at increased risk of severe COVID-19 illness can request accommodations.

Contact Human Resources for requesting reasonable accommodation as it relates to high-risk medical conditions.

Except when objective undue hardship would result, or in circumstances where an accommodation, if made, would present an imminent and substantial risk to the health and safety of the employee or others, the District shall provide reasonable accommodation to any qualified employee with a disability to perform the essential functions of the position they hold or to enjoy equal benefits or other terms, conditions, and privileges of employment as other similarly situated employees without disabilities. Reasonable accommodations will be evaluated through the District's established interactive process.

- (C) The District shall provide information about access to COVID-19 testing as described in subsection (c)(5)(I) when testing is required under this section, section 3205.1, or section 3205.2.

COVID-19 testing is available on each campus two times a week or can be scheduled through [MCDPH testing sites](#) including the following locations:

- Golden Valley Health Centers
- CVS
- Fountain View Urgent Care
- San Joaquin Drug

The District testing schedule is as follows:

	Date	Date	Location
AHS	Monday 7:30am-11:15am	Thurs 12:00pm-3:45pm	Rm 111
BCHS	Tuesday 7:30am-11:15am	Friday 7:30am-11:15am	F-33
ECHS	Tues 12:00pm-3:45pm	Friday 7:30am-11:15am	B-110
GVHS	Monday 7:30am-11:15am	Thursday 7:30am-11:15am	MPR
LHS	Tuesday 7:30am-11:15am	Friday 12:00pm-3:45pm	New Gym
MHS	Monday 12:00pm-3:45pm	Thursday 7:30am-11:15am	New Gym
ECEC	Monday 7:30am-11:15am	Thursday 7:30am-11:15am	Rm 27B
DO	Tuesday 7:30am-11:15am	Friday 7:30am-11:15am	Board Room

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The District will implement Response Testing in accordance with Cal/OSHA Emergency Temporary Standards (updated 1/14/2022) when an exposed group has been identified by a local health department as the location of a COVID-19 outbreak or when there are three or more COVID-19 cases in an exposed group within a 14-day period. Staff in an exposed group (see Definitions) will be notified and provided with information about response testing that will be offered.

The District will keep all medical information confidential and will only disclose unredacted medical records to the local health department, CDPH, the Division, NIOSH, or as otherwise required by law immediately upon request. Under the ADA, we are required to maintain the confidentiality of any medical information we receive, including the name of any affected employee or student.

To help minimize spread of COVID-19, confirmed-positive individuals and those exposed will be excluded from physically coming to work and will be on home isolation or quarantine in compliance with safety protocols and guidelines from federal, state, and/or local Public Health departments and Cal/OSHA.

- (D) In accordance with subsection (c)(3)(B), communicate information about COVID-19 hazards and the District's COVID-19 policies and procedures to employees and other employers, persons, and entities within or in contact with the District's workplace.

The District communicates COVID-19 policies, procedures, and hazard information:

- in the COVID-19 Prevention Program plan, posted online
- in staff training and/or meetings
- via email to staff and parents/caregivers
- with posted signage at all sites

NOTE: See subsections (c)(3)(C) for confidentiality requirements for COVID-19 cases.

(2) Identification and evaluation of COVID-19 hazards.

- (A) Identification and evaluation of COVID-19 hazards

The District allows for employee and authorized employee representative participation in the identification and evaluation of COVID-19 hazards as follows;

Employees and their authorized employees' representatives are encouraged to participate in the identification and evaluation of COVID-19 hazards.

By evaluating the interaction and activity in each location of campus, the CPP Officer will determine arrangements and modifications to be made to the campus.

Discussion and information is shared in meetings including but not limited to:

- Negotiations meetings
- Staff surveys
- Thought exchange data collection

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The District will continue to work with staff to establish safety procedures.

(B) Employee Symptom Screening

The District has a process for screening employees for and responding to employees with COVID-19 symptoms.

The District may ask Staff to self-screen for symptoms daily prior to arrival on a campus or worksite.

(C) Response to COVID-19 case

The District and staff have developed COVID-19 policies and procedures to respond effectively and immediately to individuals at the workplace who are a COVID-19 case to prevent or reduce the risk of transmission of COVID-19 in the workplace.

For confirmed-positive COVID-19 cases in the workplace, the District and staff will minimize transmission by:

- Ensuring that COVID-19 cases are excluded from the workplace until the return-to-work requirements are met.
- Excluding employees with COVID-19 close contacts from the workplace after the last known COVID-19 close contact to a COVID-19 case.
- Continuing and maintaining an employee's earnings, seniority, and all other employee rights and benefits in accordance with the Emergency Temporary Standard (ETS) and SB 114 requirements.
- Providing information on available benefits to employees at the time of exclusion.
- If the workplace has been identified by a local health department as the location of a COVID-19 outbreak or if there are three or more COVID-19 cases in an exposed group within a 14-day period, COVID-19 testing will be offered to staff at no cost during working hours.

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(D) Workplace Assessment

The District and staff conduct workplace-specific assessments and will conduct periodic inspections to identify all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards.

The District and staff will take universal precautions and treat all persons, regardless of symptoms or negative COVID-19 test results, as potentially infectious.

1. This includes identification of places and times when people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not, for instance during meetings or trainings and including in and around entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.
2. This includes evaluation of employees' potential workplace exposure to all persons at the workplace or who may enter the workplace, including coworkers, employees of other entities, members of the public, customers or clients, and independent contractors. District and staff shall consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing stationary work.

The CPP is responsible for implementing the site-specific plan.

By evaluating the interaction and activity in each location of campus, the CPP will determine arrangements and modifications to be made to the campus. Site-specific Information is posted on each school's website with the COVID-19 Prevention Program.

(E) Ventilation Systems

For indoor locations, the District evaluated how to maximize ventilation with outdoor air; to the highest level of filtration efficiency compatible with the existing ventilation system; and whether the use of portable or mounted High Efficiency Particulate Air (HEPA) filtration units, or other air cleaning systems, would reduce the risk of COVID-19 transmission.

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HVAC/Filtration Plan

The District recognizes the importance of a safe learning environment and providing improvements to the air filtration system with the intent to maximize the indoor air quality. The District's current HVAC systems function at a high level; however, additional improvements and replacement of units are being completed on a regular basis. The following are the additional planned improvements and implementation measures to the air filtration system to minimize the risk of transmission and infection of COVID-19 through the air.

1. All HVAC systems at sites operate on the mode which delivers the most fresh air changes per hour, including disabling demand-controlled ventilation and opening outdoor air dampers to maximum extent possible as indoor and outdoor conditions safely permit and to not sacrifice comfort.
2. Programming has been provided to maximize as much outside air exchange as conditions safely permit. Where possible, additional programming will be implemented to provide an indoor air flush prior to start up each morning.
3. Repairs and replacement of some HVAC systems will be implemented based on the age and condition of the units.

All inspections, repairs and services will be completed in coordination and in combination with outside engineers, contractors and vendors and utilizing school district personnel. Due to the high demand of MERV 13 filters throughout the State, delivery dates of these filters could affect some completion dates.

(F) Ongoing monitoring and review of orders and guidance

The District monitors and reviews applicable orders and guidance from the State of California and the local health department related to COVID-19 hazards and prevention. These orders and guidance are both information of general application, including Interim guidance for Ventilation, Filtration, and Air Quality in Indoor Environments by the CDPH, and information specific to the employer's industry, location, and operations.

District Administration and staff continually meet and consult with state and local agencies and other industry professionals to maintain up-to-date information.

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(G) Evaluate existing prevention controls

The District evaluates existing COVID-19 prevention controls at the workplace and the need for different or additional controls. This includes evaluation of controls in subsections (c)(4), (c)(6), and (c)(7).

District Administration and staff continually meet and consult with state and local agencies and other industry professionals to maintain up-to-date information.

By evaluating the interaction and activity in each location of campus, the CPP will determine arrangements and modifications to be made to the campus.

(H) Periodic Inspections

The District conducts periodic inspections as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with employers' COVID-19 policies, procedures, and public health guidelines.

(3) Investigating and responding to COVID-19 cases in the workplace.

(A) Procedure to investigate COVID-19 cases in the workplace.

The District implements the following procedures for seeking information from employees regarding COVID-19 cases and close contacts, COVID-19 test results, and onset of COVID-19 symptoms, and identifying and recording COVID-19 cases.

District staff will verify COVID-19 case status and close contacts by phone. Staff, parents/caregivers, Public Health agencies, and testing labs provide information about test results. Staff and parents/caregivers provide information about the onset of COVID-19 symptoms. District personnel identify by phone, track isolation and/or quarantine schedules for appropriate return-to-campus dates and keep confidential records of COVID-19 cases.

(B) Response to a COVID-19 case in the place of employment:

The District will take the following actions when there has been a COVID-19 case on district premises.

1. Determine the day and time the COVID-19 case was last present and, to the extent possible, the date of the positive COVID-19 test(s) and/or diagnosis, and the date the COVID-19 case first had one or more COVID-19 symptoms, if any were experienced.
2. Determine who may have had a close contact. This requires an evaluation of the activities of the COVID-19 case and all locations at the workplace which may have been visited by the COVID-19 case during the infectious period.

Note: See subsection (c)(9) for exclusion requirements for employees after a close contact.

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3. Within one business day of the time the employer knew or should have known of a COVID-19 case, the employer shall give written notice, in a form readily understandable by employees, that people at the worksite may have been exposed to COVID-19. The notice shall be written in a way that does not reveal any personal identifying information of the COVID-19 case, and in the manner the employer normally uses to communicate employment-related information. Written notice may include, but is not limited to, personal service, email, or text message if it can reasonably be anticipated to be received by the employee within one business day of sending. The notice shall include the cleaning and disinfection plan required by Labor Code section 6409.6(a)(4). The notice must be sent to the following:
 - a. All employees who were on the premises at the same worksite as the COVID-19 case during the infectious period. If the employer should reasonably know that an employee has not received the notice or has limited literacy in the language used in the notice, the employer shall provide verbal notice, as soon as practicable, in a language understandable by the employee.
 - b. Independent contractors and other employers on the premises at the same worksite as the COVID-19 case during the infectious period.
4. Within one business day of the time the District knew or should have known of the COVID-19 case, the District shall:
 - a. provide the notice required by Labor Code section 6409.6(a)(2) and (c) to the authorized representative, if any, of the COVID-19 case and of any employee who had close contact: and
 - b. provide the notice required by Labor Code section 6409.6(a)(4) to the authorized representative, if any, of any employee who was on the premises at the same worksite as the COVID-19 case during the infectious period.
5. Make COVID-19 testing available at no cost, during paid time, to all District employees who had a close contact in the workplace and provide staff with the information on benefits described in subsections (c)(5)(B) and (c)(9)(C).

EXCEPTION TO subsection(c)(3)(B)5.: The District is not required to make COVID-19 testing available to returned cases.

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6. Investigate whether workplace conditions could have contributed to the risk of COVID-19 exposure and what could be done to reduce exposure to COVID-19 hazards.

- Risk Management investigate staff cases.
- Student Services investigates student cases.
- Human Resources tracks positive cases for possible response testing of staff.
- Human Resources reports numbers on the District COVID-19 dashboard.
- Risk Management reviews the workplace setup and makes adjustments, if necessary.

(C) Confidentiality of Personal Identifying Information

Personal identifying information of COVID-19 cases or persons with COVID-19 symptoms, and any employee medical records required by this section or by sections 3205.1 through 3205.4, shall be kept confidential unless disclosure is required or permitted by law.

Unredacted information on COVID-19 cases shall be provided to the local health department, CDPH, the Division, and NIOSH immediately upon request, and when required by law.

(4) Correction of COVID-19 hazards.

The District is utilizing Injury and Illness Prevention Program (IIPP) policies and/or procedures for correcting unsafe or unhealthy conditions, work practices, policies and procedures in a timely manner based on the severity of the hazard. This includes, but is not limited to, implementing controls and/or policies and procedures in response to the evaluations conducted under subsections (c)(2) and (c)(3) and implementing the controls required by subsections (c)(6) and (c)(7).

It is the goal of the District's Injury and Illness Prevention Program (IIPP) to prevent or reduce injuries, illnesses and loss of productivity in the workplace. In order to accomplish that goal, it is imperative that all employees support the District safety policy and comply with all federal, state and local laws, and ordinances pertaining to fire hazards, hazardous materials, accident prevention and working conditions. This plan is required by CAL-OSHA (California Occupational Safety Health Act) because of legislation (SB 198) effective July 1, 1991.

Employees are required, as a condition of employment, to exercise due care in the course of their work to prevent injuries to themselves and to their fellow workers and to be mentally and physically alert to safety issues. To accomplish this goal, employees will:

- Follow safe procedures and take an active part in protecting themselves, fellow workers and District property by reporting potential unsafe conditions to their supervisor or safety coordinator.
- Keep work areas clean and orderly at all times and use all safeguards and safety equipment.
- Wear safety protective devices as necessary or when instructed to do so.
- Report injuries immediately and seek immediate medical attention when required.
- Learn to lift and handle materials properly.
- Cooperate and take part in the District Safety Program, workshops, training and safety meetings, etc., as appropriate.

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Employees are to make every effort to correct hazards immediately within their control. Other hazards are to be reported immediately to the employee's supervisor (page 13 of the Injury and Illness Prevention Program). Employees may also use the Employee Hazard Reporting Form to report hazards.

(5) Training and instruction.

The District provides effective training and instruction to employees that includes the following:

- (A) The District's COVID-19 policies and procedures to protect employees from COVID-19 hazards, and how to participate in the identification and evaluation of COVID-19 hazards under subsection (c)(2)(A).
- (B) Information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws. This includes any benefits available under legally mandated sick and vaccination leave, if applicable, workers' compensation law, local governmental requirements, the employer's own leave policies, leave guaranteed by contract, and this section.
Effective January 1, 2022 through September 30, 2022, [Senate Bill 114 provides Supplemental Paid Sick Leave to employees.](#)
- (C) The fact that COVID-19 is an infectious disease that can be spread through the air when an infectious person talks or vocalizes, sneezes, coughs, or exhales; that COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth, although that is less common; and that an infectious person may have no symptoms.
- (D) The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing, face coverings, increased ventilation indoors, and respiratory protection decrease the spread of COVID-19 but are most effective when used in combination.
- (E) The employer's policies for providing respirators, and the right of employees to request a respirator for voluntary use as stated in this section, without fear of retaliation and at no cost to employees. Whenever respirators are provided for voluntary use under this section or sections 3205.1 through 3205.4, the District shall provide effective training and instruction to employees regarding:
 - 1. How to properly wear the respirator provided.
 - 2. How to perform a seal check according to the manufacturer's instructions each time a respirator is worn, and the fact that facial hair interferes with a seal.
- (F) The importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled.
- (G) Proper use of face coverings and the fact that face coverings are not respiratory protective equipment. COVID-19 is an airborne disease. N95s and more protective respirators protect the users from airborne disease while face coverings primarily protect people around the user.
- (H) COVID-19 symptoms, and the importance of not coming to work and obtaining a COVID-19 test if the employee has COVID-19 symptoms.
- (I) Information on the employer's COVID-19 policies; how to access COVID-19 testing and vaccination; and the fact that vaccination is effective at preventing COVID-19, protecting against both transmission and serious illness or death.
- (J) The conditions under which face coverings must be worn at the workplace and that employees can request face coverings from the employer at no cost to the employee and can wear them at work, regardless of vaccination status, without fear of retaliation.

Training materials contain the required components of COVID-19 training and awareness.

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(6) Face coverings.

The District shall provide face coverings and ensure they are worn by employees when required by orders from CDPH.

- (A) The District shall ensure that required face coverings are clean and undamaged, and that they are worn over the nose and mouth. Face shields are not a replacement for face coverings, although they may be worn together for additional protection.
- (B) When employees are required to wear face coverings under this section or sections 3205.1 through 3205.4, the following exceptions apply:
 - 1. When an employee is alone in a room or vehicle.
 - 2. While eating or drinking at the workplace, provided employees are at least six feet apart and outside air supply to the area, if indoors, has been maximized to the extent feasible.
 - 3. Employees wearing respirators required by the employer and used in compliance with section 5144.
 - 4. Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person.
 - 5. Specific tasks which cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed.
- (C) Employees exempted from wearing face coverings pursuant to subsection (c)(6)(C)4 due to a medical condition, mental health condition, or disability shall wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if their condition or disability permits it. If their condition or disability does not permit a non-restrictive alternative, the employee shall be tested at least weekly for COVID-19 during paid time and at no cost to the employee.
- (D) Any employee not wearing a face covering, pursuant to the exceptions in subsections (c)(6)(C)5 shall be tested at least weekly for COVID-19 during paid time and at no cost to the employee. The District may not use the provisions of subsection (c)(6)(E) as an alternative to face coverings when face coverings are otherwise required by this section.
- (E) The District will not prevent any employee from wearing a face covering when not required by this section, unless it would create a safety hazard, such as interfering with the safe operation of equipment.
- (F) When face coverings are not required by this section or by sections 3205.1 through 3205.4, employers shall provide face coverings to employees upon request, regardless of vaccination status.
- (G) The District will implement the following measures to communicate to non-employees the face coverings requirements on their premises:

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The District communicates COVID-19 policies, procedures, and face covering information:

- in the COVID-19 Prevention Program plan, posted online
- in staff training and/or meetings
- via email to staff and parents/caregivers
- with posted signage at all sites

(7) Other engineering controls, administrative controls, and personal protective equipment.

- (A) For buildings with mechanical or natural ventilation, or both, the District maximized the quantity of outside air provided to the extent feasible, except when the United States Environmental Protection Agency (EPA) Air Quality Index is greater than 100 for any pollutant or if opening windows or maximizing outdoor air by other means would cause a hazard to employees, for instance from excessive heat or cold.
- (B) To protect employees from COVID-19 hazards, the District has evaluated its handwashing facilities and determined the need for additional facilities. The District encourages and allows time for staff and student handwashing and provides staff and students with an effective hand sanitizer. The District encourages staff and students to wash their hands for at least 20 seconds each time. Provision or use of hand sanitizers with methyl alcohol is prohibited.
- (C) Personal protective equipment.
 - 1. The District evaluates the need for personal protective equipment (PPE) to prevent exposure to COVID-19 hazards (e.g., face coverings and face shields) and provide such personal protective equipment as needed.
 - 2. Upon request, employers shall provide respirators for voluntary use in compliance with subsection 5144(c)(2) to all employees who are working indoors or in vehicles with more than one person. Whenever an employer makes respirators for voluntary use available, under this section or sections 3205.1 through 3205.4, the employer shall encourage their use and shall ensure that employees are provided with a respirator of the correct size.
 - 3. The District will provide and ensure use of respirators in compliance with section 5144 when deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8 section 332.3.
 - 4. The District will provide and ensure use of eye protection and respiratory protection in compliance with section 5144 when employees are exposed to procedures that may aerosolize potentially infectious material such as saliva or respiratory tract fluids.

NOTE: Examples of work covered by subsection (c)(7)(C)4. include, but are not limited to, certain dental procedures and outpatient medical specialties not covered by section 5199.

- (D) Testing of symptomatic employees. The District shall make COVID-19 testing available at no cost to employees with COVID-19 symptoms, during employees' paid time.

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(8) Reporting, recordkeeping, and access.

The District will report information about COVID-19 cases and outbreaks at the workplace to the local health department whenever required by law and shall provide any related information requested by the local health department. The District shall report all information to the local health department as required by Labor Code section 6409.6.

- (A) The District will maintain records of the steps taken to implement the written COVID-19 Prevention Program in accordance with section 3203(b).
- (B) The written COVID-19 Prevention Program shall be made available at the workplace to employees, authorized employee representatives, and to representatives of the Division immediately upon request.
- (C) The District will keep a record of and track all COVID-19 cases with the employee's name, contact information, occupation, location where the employee worked, the date of the last day at the workplace, and the date of a positive COVID-19 test.

The District posts COVID-19 case information on the dashboard webpage:
<https://www.muhsd.org/community/return-to-learn-plan-for-safe-return> .

(9) Exclusion of COVID-19 cases and employees who had close contact

The purpose of this section is to limit transmission of COVID-19 in the workplace.

(A) COVID-19 Cases

The District will ensure that COVID-19 cases are excluded from the workplace until the return to work requirements in subsection (c)(10) are met.

(B) COVID-19 Exposure Cases

The District shall review current CDPH guidance for persons who had close contacts, including any guidance regarding quarantine or other measures to reduce transmission. The District shall develop, implement and maintain effective policies to prevent transmission of COVID-19 by persons who had close contacts.

(C) Excluded Employees

For employees excluded from work under subsection (c)(9), the District will continue and maintain the employee's earnings, wages, seniority, and all other employee rights and benefits, including the employee's right to their former job status, as if the employee had not been removed from their job.

The District may use employer-provided employee sick leave for this purpose to the extent permitted by law. Wages due under this subsection are subject to existing wage payment obligations and must be paid at the employee's regular rate of pay no later than the regular pay day for the pay period(s) in which the employee is excluded. Unpaid wages owed under this subsection are subject to enforcement through procedures available in existing law. If an employer determines that one of the exceptions below applies, it shall inform the employee of the denial and the applicable exception.

EXCEPTION 1: Subsection (c)(9)(C) does not apply where the employee received disability payments or was covered by workers' compensation and received temporary disability.

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EXCEPTION 2: Subsection (c)(9)(C) does not apply where the employer demonstrates that the close contact is not work related.

Effective January 1, 2022 through September 30, 2022, Senate Bill 114 provides Supplemental Paid Sick Leave to employees for reasons other than workplace exposure (see link).

- (D) Subsection (c)(9) does not limit any other applicable law, employer policy, or collective bargaining agreement that provides for greater protections.

(E) Information on Benefits & Leaves

At the time of exclusion, the District will provide the employee the information on benefits described in subsections (c)(5)(B) and (c)(9)(C).

(10) Return to work criteria.

The following return to work criteria shall apply to COVID-19 cases and employees excluded under sections 3205.1 and 3205.2. The District must demonstrate that it has met the applicable requirements below:

- (A) COVID-19 cases, regardless of vaccination status or previous infection, who do not develop COVID-19 symptoms or whose COVID-19 symptoms are resolving, shall not return to work until:
1. At least five days have passed from the date that COVID-19 symptoms began or, if the person does not develop COVID-19 symptoms, from the date of first positive COVID-19 test;
 2. At least 24 hours have passed since a fever of 100.4 degrees Fahrenheit or higher has resolved without the use of fever reducing medications; and
 3. A negative COVID-19 test from a specimen collected on the fifth day or later is obtained; or, if unable to test or the employer chooses not to require a test, 10 days have passed from the date that COVID-19 symptoms began or, if the person does not develop COVID-19 symptoms, from the date of first positive COVID-19 test.
- (B) COVID-19 cases, regardless of vaccination status or previous infection, whose COVID-19 symptoms are not resolving, may not return to work until:
1. At least 24 hours have passed since a fever of 100.4 degrees Fahrenheit or higher has resolved without the use of fever-reducing medication; and
 2. Symptoms are resolving or 10 days have passed from when the symptoms began.
- (C) Regardless of vaccination status, previous infection, or lack of COVID-19 symptoms, a COVID-19 case shall wear a face covering in the workplace until 10 days have passed since the date that COVID-19 symptoms began or, if the person did not have COVID-19 symptoms, from the date of their first positive COVID-19 test.
- (D) The requirements in subsections (c)(10)(A) and (c)(10)(B) apply regardless of whether an employee has previously been excluded or other precautions were taken in response to an employee's close contact or membership in an exposed group.
- (D) If an order to isolate, quarantine, or exclude an employee is issued by a local or state health official, the employee shall not return to work until the period of isolation or quarantine is completed or the order is lifted. If no period was specified, then the period shall be in accordance with the return to work periods in subsection (c)(10).

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- (E) If no violations of local or state health officer orders for isolation, quarantine, or exclusion would result, the Division may, upon request, allow employees to return to work on the basis that the removal of an employee would create undue risk to a community's health and safety. In such cases, the District will develop, implement, and maintain effective control measures to prevent transmission in the workplace including providing isolation for the employee at the workplace and, if isolation is not feasible, the use of respirators in the workplace.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3, 144.6, and 6409.6, Labor Code.

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§ 3205.1. Multiple COVID-19 Infections and COVID-19 Outbreaks.

(a) Scope.

- (1) This section applies to a workplace covered by section 3205 if three or more employee COVID-19 cases within an exposed group, as defined by section 3205(b), visited the workplace during their infectious period at any time during a 14-day period.
- (2) This section shall apply until there are no new employee COVID-19 cases detected in the exposed group for a 14-day period.

(b) COVID-19 testing.

- (1) The District will make COVID-19 testing available at no cost to its employees within the exposed group, during employees' paid time, except:
 - (A) Employees who were not present at the workplace during the relevant 14-day period(s) under subsection (a).
 - (B) For returned cases who did not develop COVID-19 symptoms after returning to work pursuant to subsections 3205(c)(10), no testing is required.
- (2) COVID-19 testing shall consist of the following:
 - (A) Immediately upon being covered by this section, the District shall make testing available to all employees in the exposed group, regardless of vaccination status, and then again one week later. Negative COVID-19 test results of employees with COVID-19 exposure shall not impact the duration of any quarantine, isolation, or exclusion period required by, or orders issued by, the local health department.
 - (B) After the first two COVID-19 tests required by (b)(2)(A), the District will make COVID-19 testing available once a week at no cost, during paid time, to all employees in the exposed group who remain at the workplace, or more frequently if recommended by the local health department, until this section no longer applies pursuant to subsection (a)(2).
 - (C) Employees who had close contacts shall have a negative COVID-19 test taken within three to five days after the close contact or shall be excluded and follow the return-to-work requirements of subsection 3205(c)(10) starting from the date of last known contact.

(c) Testing Availability

The District will make additional testing available at no cost to employees, during employees' paid time when deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8, section 332.3.

(d) Other

The District will continue to comply with all applicable provisions of section 3205, and shall also do the following:

- (1) Employees in the exposed group shall wear face coverings when indoors, or when outdoors and less than six feet from another person, unless one of the exceptions in subsection 3205(c)(6)(D) applies.
- (2) The District shall give notice to employees in the exposed group of their right to request a

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respirator for voluntary use under subsection 3205(c)(7)(C)2.

- (3) The District shall evaluate whether to implement physical distancing of at least six feet between persons or, where six feet of physical distancing is not feasible, as much distance between persons as feasible.

(e) COVID-19 Investigation, review and hazard correction.

The District will immediately perform a review of potentially relevant COVID-19 policies, procedures, and controls and implement changes as needed to prevent further spread of COVID-19. The investigation and review shall be documented and include:

- (1) Investigation of new or unabated COVID-19 hazards including the employer's leave policies and practices and whether employees are discouraged from remaining home when sick; the employer's COVID-19 testing policies; insufficient outdoor air; insufficient air filtration; and lack of physical distancing.
- (2) The review shall be updated every 30 days that this section continues to apply, in response to new information or to new or previously unrecognized COVID-19 hazards, or when otherwise necessary.
- (3) The District will implement changes to reduce the transmission of COVID-19 based on the investigation and review required by subsections (e)(1) and (e)(2). The District will consider moving indoor tasks outdoors or having them performed remotely, increasing outdoor air supply when work is done indoors, improving air filtration, increasing physical distancing as much as feasible, requiring respiratory protection in compliance with section 5144, and other applicable controls.

(f) Ventilation

In buildings or structures with mechanical ventilation, employers shall filter recirculated air with Minimum Efficiency Reporting Value (MERV) 13 or higher efficiency filters if compatible with the ventilation system. If MERV-13 or higher filters are not compatible with the ventilation system, the District shall use filters with the highest compatible filtering efficiency. The District shall also evaluate whether portable or mounted High Efficiency Particulate Air (HEPA) filtration units or other air cleaning systems would reduce the risk of transmission and, if so, shall implement their use to the degree feasible.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

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§ 3205.2. Major COVID-19 Outbreaks.

(a) Scope.

- (1) This section applies to any workplace covered by section 3205 if 20 or more employee COVID-19 cases in an exposed group, as defined by section 3205(b), visited the workplace during their infectious period within a 30-day period.
- (2) This section shall apply until there are fewer than three COVID-19 cases detected in the exposed group for a 14-day period.

(b) COVID-19 testing.

The District shall continue to comply with section 3205.1, except that the COVID-19 testing described in section 3205.1(b) shall be required of all employees in the exposed group, regardless of vaccination status, twice a week; or more frequently if recommended by the local health department. Employees in the exposed group shall be tested or shall be excluded and follow the return to work requirements of subsection 3205(c)(10) starting from the date that the outbreak begins.

(c) Respirators and partitions

In addition to the requirements of sections 3205 and 3205.1, the District will take the following actions:

- (1) The District shall provide a respirator for voluntary use in compliance with subsection 5144(c)(2) to employees in the exposed group and shall determine the need for a respiratory protection program or changes to an existing respiratory protection program under section 5144 to address COVID-19 hazards.
- (2) Any employees in the exposed group who are not wearing respirators required by the employer and used in compliance with section 5144 shall be separated from other persons by at least six feet, except where an employer can demonstrate that six feet of separation is not feasible, and except for momentary exposure while persons are in movement. Methods of physical distancing include: telework or other remote work arrangements; reducing the number of persons in an area at one time, including visitors; visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel; staggered arrival, departure, work, and break times; and adjusted work processes or procedures, such as reducing production speed, to allow greater distance between employees. When it is not feasible to maintain a distance of at least six feet, individuals shall be as far apart as feasible.
- (3) The District will evaluate whether to halt some or all operations at the workplace until COVID-19 hazards have been corrected.
- (4) Any other control measures deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8 section 332.3.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

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Appendix A: Guidance

covid19.ca.gov- California current safety measures

[CDPH Isolation and Quarantine Guidance](#)

Employers

- Cal/OSHA Emergency Temporary Standard COVID-19 Prevention Program [resources](#)
- [Safety in the workplace](#) (covid19.ca.gov)

K-12 Education

- [Safe Schools for All Hub](#)
- [CDPH K-12 Schools guidance](#)
- [Group-Tracing Approach to Students Exposed to COVID-19 in a K-12 setting](#)

Face Coverings

- [Guidance for the Use of Face Coverings](#) (CDPH)
- [CDPH Get the most out of masking](#)
- [Face coverings, masks, and respirators](#) (covid19.ca.gov) – Information & Overview
- [Face coverings, masks & respirators](#) (DIR)- Handout
- [Voluntary use of N95 masks](#) (DIR)- Cal/OSHA

Mega Events

- [Mega Events: 1,000 + people](#) (CDPH)