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NAVIGATING THE NEXT.

**Weekly Webinar Series: Returning to Work in
California: Highlights of Major State and
Local Orders**

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Presenters



Kate McGuigan



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Overview of State Directives

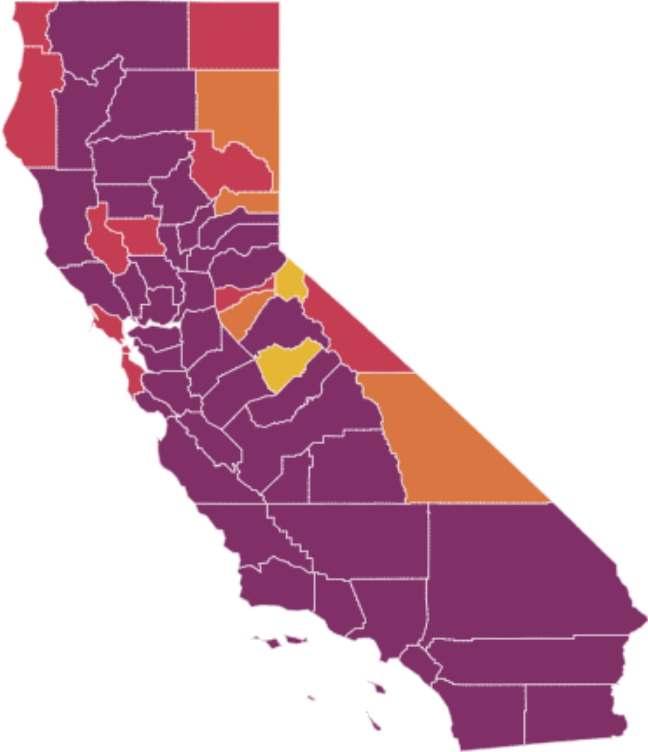


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California's Tier System

County risk level	New cases	Positive tests
WIDESPREAD Many non-essential indoor business operations are closed	More than 7 Daily new cases (per 100k)	More than 8% Positive tests
SUBSTANTIAL Some non-essential indoor business operations are closed	4-7 Daily new cases (per 100k)	5 – 8% Positive tests
MODERATE Some indoor business operations are open with modifications	1 – 3.9 Daily new cases (per 100k)	2 – 4.9% Positive tests
MINIMAL Most indoor business operations are open with modifications	Less than 1 Daily new cases (per 100k)	Less than 2% Positive tests

California's Tier System



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Location	Tier assignment on 11/10/20	Tier Assessment	FINAL TIER FOR 11/16
Alameda*	3	2	1
Alpine	4	4	4
Amador	2	3	2
Butte*	3	1	1
Calaveras	4	3	3
Colusa	3	2	2
Contra Costa	2	1	1
Del Norte	3	2	2
El Dorado*	3	1	1
Fresno*	2	1	1
Glenn*	2	1	1
Humboldt	4	2	2
Imperial	1	1	1
Inyo	3	3	3
Kern*	2	1	1
Kings*	2	1	1
Lake	2	2	2
Lassen	3	3	3
Los Angeles	1	1	1
Madera	1	1	1

California's Tier System – Permissible Activity

SECTORS	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Restaurants	Outdoor Only with modifications	Open indoors with modifications <ul style="list-style-type: none"> Max 25% capacity or 100 people, whichever is fewer 	Open indoors with modifications <ul style="list-style-type: none"> Max 50% capacity or 200 people, whichever is fewer 	Open indoors with modifications <ul style="list-style-type: none"> Max 50% capacity
Wineries	Outdoor Only with modifications	Outdoor Only with modifications	Open indoors with modifications <ul style="list-style-type: none"> Max 25% capacity indoors, or 100 people, whichever is fewer 	Open indoors with modifications <ul style="list-style-type: none"> Max 50% capacity or 200 people indoors, whichever is fewer
Bars, Breweries, and Distilleries (where no meal provided) (follow restaurants where meal is provided)	Closed	Closed	Open Outdoors with modifications	Open indoors with modifications <ul style="list-style-type: none"> Max 50% capacity
Family Entertainment Centers	Outdoor Only with modifications e.g. <ul style="list-style-type: none"> Kart Racing Mini Golf Batting Cages 	Outdoor Only with modifications e.g. <ul style="list-style-type: none"> Kart Racing Mini Golf Batting Cages 	Open Indoors for naturally distanced activities with modifications <ul style="list-style-type: none"> Max 25% capacity Bowling Alleys Climbing Walls 	Open indoors for activities with increased risk of proximity and mixing with modifications <ul style="list-style-type: none"> Max 50% capacity Arcade Games Ice and roller skating Indoor playgrounds

California's Tier System – Searching for Status of Activity in Each County

Find the status of activities in your county

County

Activity

San Francisco

Q Clear

Enter a business or activity

GET LATEST RISK LEVELS

San Francisco

MINIMAL

Most indoor business operations are open with modifications. [Understand the data.](#)

Counties can restrict further. Check your [county's website](#).

Office workspaces

Tier status:

Widespread (purple): Remote work

Substantial (red): Remote work

Moderate (orange): Indoor with modifications, encourage telework

Minimal (yellow): Indoor with modifications, encourage telework

Follow this [guidance for office workspaces](#) to create a safer environment for workers.

Review the guidance, prepare a plan, and post the [checklist for office workspaces](#) in your workplace to show customers and employees that you've reduced the risk and are open for business.

Faith-based office workspaces can reopen within the following parameters:

1. Faith-based facilities are considered "offices" only for those employed by the organization and where the facility is their regular place of work.
2. The employer should implement state guidance relating to offices before reopening the facility for employees.
3. This designation does not permit gatherings of non-employees, such as the organization's congregation.



California's New COVID Testing Laboratory

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California's New COVID Testing Laboratory

- Already processing thousands of tests a day.
- Will help with the current surge and likely spike in testing during flu season.



Vaccine Considerations for Employers

The background of the slide is a composite image. The top half shows a view of the Earth from space, with a bright sun on the horizon creating a lens flare effect. The bottom half shows a night view of a city with a network of glowing blue lines connecting various points, suggesting a global or digital network. The overall color palette is dominated by blues, oranges, and whites.

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Vaccine Considerations for Employers

- No specific guidance regarding a COVID-19 vaccine from either the EEOC or OSHA yet.
- With the H1N1 epidemic:
 - EEOC: employers could require employees to get the flu vaccine so long as employers provided reasonable accommodations.
 - OSHA: employers that wished to require employees to receive a seasonal flu vaccine could do so, subject to certain exceptions.

Travel Advisory

The image is a composite graphic. The background is a deep space scene with a starry field and a bright, glowing sun or star on the horizon, creating a lens flare effect. In the foreground, a cityscape is visible at night, with lights from buildings and streets. Overlaid on the city and extending into the space is a network of glowing lines and nodes, resembling a global communication or travel network. The lines are primarily blue and orange, connecting various points across the city and into the sky.

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Travel Advisory

- Just an advisory, not an order.
- Persons arriving in California, including returning residents should practice self-quarantine for 14 days after arrival.
- Interactions should be limited to immediate household.
- Advisory does not apply to essential travel, such as work and study, critical infrastructure support, economic services and supply chains, health, immediate medical care, and safety and security.
- Californians are encouraged to stay home or in their region and avoid non-essential travel to other states or countries.
- According to the state, avoiding travel can reduce the risk of virus transmission and bringing the virus back to California.

Return to Work Resources for Employers

View a list of the [return to work resources](#) we have developed to support employers' efforts in safely returning to work.

Get more information on our [Return to Work – Stay in the Safe Zone](#) training program.

Access our [workplace reopening checklist](#).

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RETURN TO WORK RESOURCES

Category	Work Product
Essential Business and/or Reopening Guidance	State and Local Orders, Ordinances, and Regulations Regarding Shelter in Place, Business Restrictions, and Business Reopening Chart <ul style="list-style-type: none">We can also provide weekly updates
	We can also create customized charts of specific orders or just reopening orders. Examples: <ul style="list-style-type: none">Requirements Regarding Temperature Screens and Symptom ScreensRequirements for PPE or Face Coverings
Workplace Screening, Social Distancing, PPE, and Sanitization Policies and Procedures	Social Distancing Policy Template, Customization Guidance, and Face Covering Policy Template
	Active Screening Protocol with Temperature/Symptom Screening Policy Template
	FAQs on COVID-19 Molecular and Serology Testing
	Infection Control Protocols for the Workplace
	<i>Policies and procedures can be customized for the company.</i>
Training	Webinar Training Program on Social Distancing and Safety Measures for Return to Work
Unions	Labor Management Return To Work Memorandum of Understanding Template

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California Year in Review Webinar Series

- **December 2** – New California Employment Legislation
- **December 9** – Significant 2020 Employment Law Cases

[Register now!](#)

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We have witnessed constant change in the workplace this year. Please join us for a two-part webinar series as we review California employment case law and legislative developments. We will discuss the significant cases and rapidly changing employment laws, interpret their impact, and provide recommendations for employers and HR professionals to ensure legal compliance and mitigate risk.

REGISTER NOW ➔

CREDIT

CLE credit (1 hour per webinar) in CA, FL, IL, NJ (via reciprocity), NY, PA, TX, and VA is currently pending approval.

QUESTIONS?

For more information, please email [Kathryn Bohn](mailto:Kathryn.Bohn@morganlewis.com) or call +1.213.612.7215.

Coronavirus/ COVID-19 Resources

We have formed a multidisciplinary **Coronavirus/COVID-19 Task Force** to help guide clients through the broad scope of legal issues brought on by this public health challenge.

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To help keep you on top of developments as they unfold, we also have launched a resource page on our website at www.morganlewis.com/topics/coronavirus-covid-19.

If you would like to receive a daily digest of all new updates to the page, please visit the resource page to [subscribe](#) using the purple "Stay Up to Date" button.

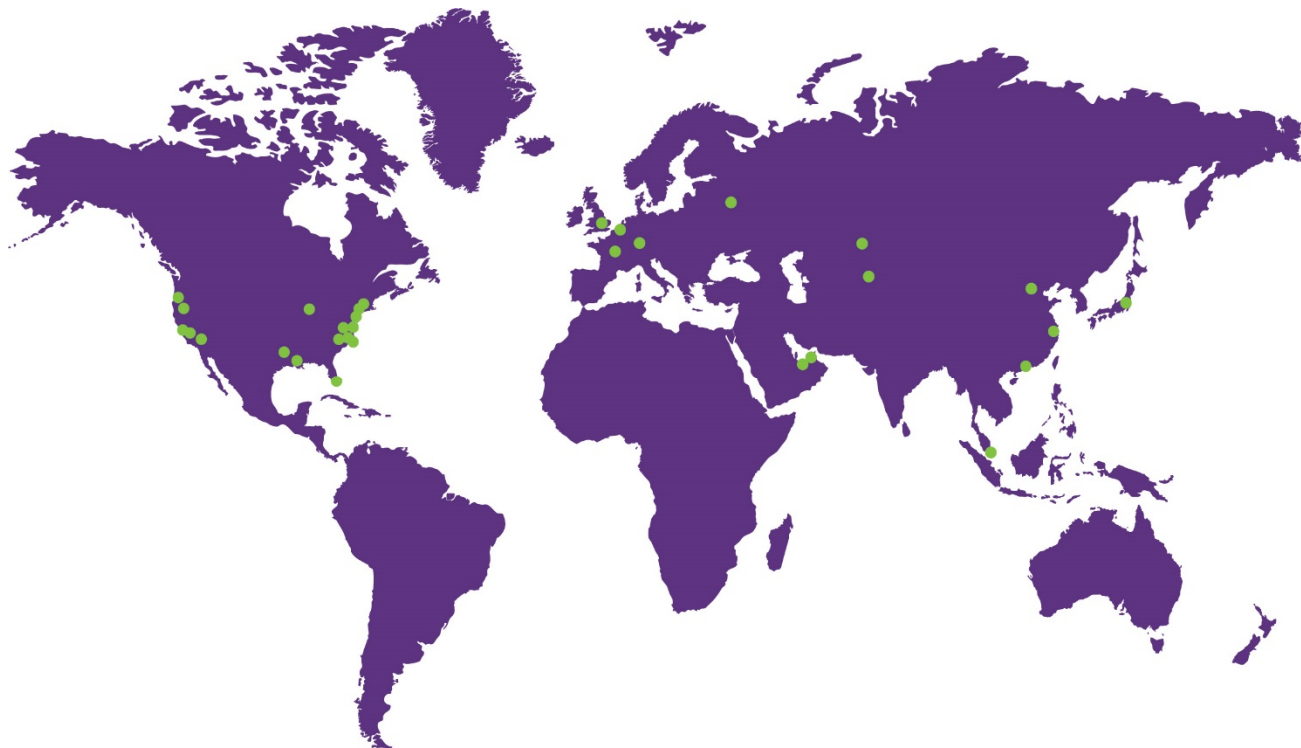


Our Global Reach

Africa
Asia Pacific
Europe
Latin America
Middle East
North America

Our Locations

Abu Dhabi
Almaty
Beijing*
Boston
Brussels
Century City
Chicago
Dallas
Dubai
Frankfurt
Hartford
Hong Kong*
Houston
London
Los Angeles
Miami
Moscow
New York
Nur-Sultan
Orange County
Paris
Philadelphia
Pittsburgh
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San Francisco
Shanghai*
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Singapore*
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Wilmington



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