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NOW. NORMAL.

NEXT.

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

Daryl Landy, Lauren Nikkhah, and Claire Lesikar

July 22, 2020

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Presenters



Daryl Landy



Lauren Nikkhah



Claire Lesikar

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Overview of State Directives

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California Closures – Statewide

Effective July 13, 2020, ALL counties must close **indoor** operations in these sectors:

- Dine-in restaurants
- Wineries and tasting rooms
- Movie theaters
- Family entertainment centers (for example, bowling alleys, miniature golf, batting cages, and arcades)
- Zoos and museums
- Cardrooms

Bars, Breweries, and pubs must close **ALL** operations.

30 Counties on County Monitoring List (Updated Frequently)

Alameda

Colusa

Contra Costa

Fresno

Glenn

Imperial

Kern

Kings

Los Angeles

Madera

Marin

Merced

Monterey

Orange

Riverside

Sacramento

San Benito

San Bernardino

San Diego

San Joaquin

San Luis Obispo

Santa Barbara

Solano

Sonoma

Stanislaus

Sutter

Tulare

Ventura

Yolo

Yuba

California Closures For Counties on Monitoring List

Must shut down unless can be modified for pick up/outdoors:

- Fitness centers
- Worship services
- Protests
- **Offices for nonessential sectors**
- Certain personal care services
- Malls

Updated Guidance – Personal Care Services



**COVID-19
INDUSTRY
GUIDANCE:**
**Hair Salon and
Barbershop
Services
Provided
Outdoors**

July 20, 2020

All guidance should be implemented only with county health officer approval following their review of local epidemiological data including cases



**COVID-19
INDUSTRY
GUIDANCE:**
**Expanded Personal
Care Services
Provided Outdoors**

July 20, 2020

All guidance should be implemented only with county health officer approval following their review of local

Updated Guidance – Personal Care Services

Permitted to Operate Outdoors

Services can be provided outdoors:

- Hair (limited services)
- Skin (limited services)
- Nail
- Massages (non-healthcare setting)

Must Remain Completely Closed

Services which require hygienic environment:

- Tattooing
- Electrolysis
- Piercing
- Certain hair and skin services

Executive Order N-62-20 (Workers' Compensation Presumption)

- In May 2020, Governor Newsom issued Executive Order N-62-20.

EXECUTIVE ORDER N-62-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS on March 19, 2020, I issued Executive Order N-33-20, directing all residents statewide to obey all state public health directives, including the State Public Health Officer's order to all individuals living in the state to stay home or at their other place of residence, except as otherwise specified, including as needed to maintain continuity of operations of critical infrastructure sectors during the COVID-19 response; and

WHEREAS employees who report to their places of employment are often exposed to an increased risk of contracting COVID-19, which may require medical treatment, including hospitalization; and

WHEREAS employees who report to work while sick increase health and safety risks for themselves, their fellow employees, and others with whom they come into contact; and

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Updates to Local Orders & Guidances

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Update to LA County Guidance re Offices

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC HEALTH
ORDER OF THE HEALTH OFFICER



- Updated July 20, 2020.
- Includes additional provisions related to leave, face coverings, and screenings.

Protocols for Office Worksites: Appendix D

Recent Updates: (Changes are highlighted in yellow)

7/17/20: Additional information provided regarding employee and visitor face coverings and symptom checks

7/8/20: Information regarding employee leave benefits added

The Los Angeles County Department of Public Health (Public Health) is calling on the public, all business owners and community organizations to support the safe reopening of businesses and public spaces. Through our collective Safer at Home efforts, we have successfully slowed the number of new COVID-19 cases and hospitalizations, allowing for a phased reopening of many aspects of regular life with adaptations and infection control measures.

To aid in this transition, Public Health asks all businesses and institutions to take appropriate steps to plan for reopening, in alignment with the Recovery Plan. The following issues are critical and must be addressed to ensure that workers and consumers remain reduce the risk of spread as we transition to a more open phase:

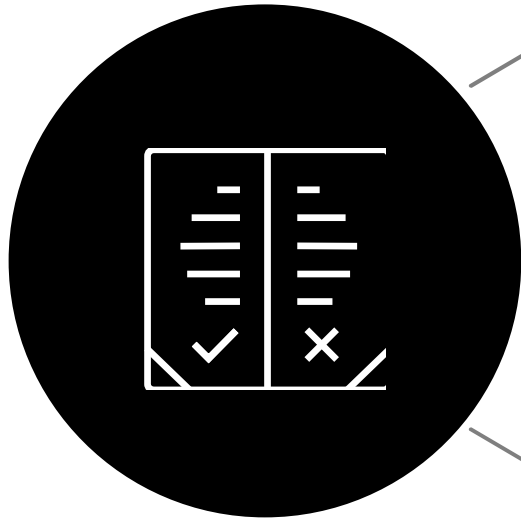
- (1) Protecting and supporting employee and customer health
- (2) Ensuring appropriate physical distancing
- (3) Ensuring proper infection control
- (4) Communicating with the public
- (5) Ensuring equitable access to services

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Employees' Non-work Activities

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Employer Policies on Non-Work Activities



Eliminating non-essential business travel

Require that employee report and/or seek advance approval on travel, and require employee to self-quarantine/work from home for 14 days depending on when & where they travel

Increasing parking reimbursement to encourage driving

Notify employees that must follow local and state orders

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Leave for School and Day Care Closures

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Leave for School and Day Care Closures

- Families First Coronavirus Response Act (less than 500 employees): 12 weeks
 - DOL's FAQ No. 70: Leave required where the school or day care's physical location is closed, even if the school or day care has moved to online instruction.
- Local COVID-19 Leave Laws That Cover Time Off Due to School and Day Care Closures (generally applicable to employers with 500+ employees):
 - San Francisco Public Health Emergency Leave: 80 paid hours
 - San Jose COVID-19 Paid Sick Leave: 80 paid hours
 - Oakland Emergency Paid Sick Leave: 80 paid hours
 - Los Angeles City Supplemental Paid Sick Leave (500+ employees in LA or 2,000+ employees in US): 80 paid hours
 - Los Angeles County Supplemental Paid Sick Leave: 80 paid hours
 - Santa Rosa Temporary Sick Leave: 80 paid hours
 - Sacramento Supplemental Paid Sick Leave: 80 paid hours
 - Long Beach COVID-19 Paid Supplemental Sick Leave: 80 paid hours
 - San Mateo County Supplemental Paid Sick Leave: 80 paid hours

Leave for School and Day Care Closures

- Paid Sick Leave (PSL) Laws That Cover Time Off Due to School/Day Care Closures
 - San Francisco (2020 guidance): Employers may impose an accrual cap of 40 or 72 paid hours of PSL per year, depending on employer size. No use cap is permitted.
 - Emeryville (2020 guidance): Employers may impose an accrual cap of 48 or 72 paid hours of PSL per year, depending on employer size. No use cap is permitted.
 - Los Angeles (2020 guidance): Employers may impose an accrual cap of 72 paid hours of PSL per year and a use cap of 48 paid hours per year.
 - San Diego (original ordinance): Employers may impose an accrual cap of 80 paid hours of PSL per year and a use cap of 40 paid hours per year.
- California Labor Code Section 230.8 (25+ employees at worksite): 40 unpaid hours for school or day care closures

Leave for School and Day Care Closures

- Potential Options Once All Statutory Leave Is Exhausted:
 - Extend unpaid leave
 - Extend paid leave
 - Adjust work schedules or expectations
 - Termination
- Considerations
 - Avoiding turnover
 - Employee morale
 - Company's financial resources
 - Potential publicity (positive or negative)

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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Additional Resources

Find resources on how to cope with the postpandemic reality on our [Now. Normal. Next. page](#) and our [COVID-19 page](#) to help keep you on top of developments as they unfold.

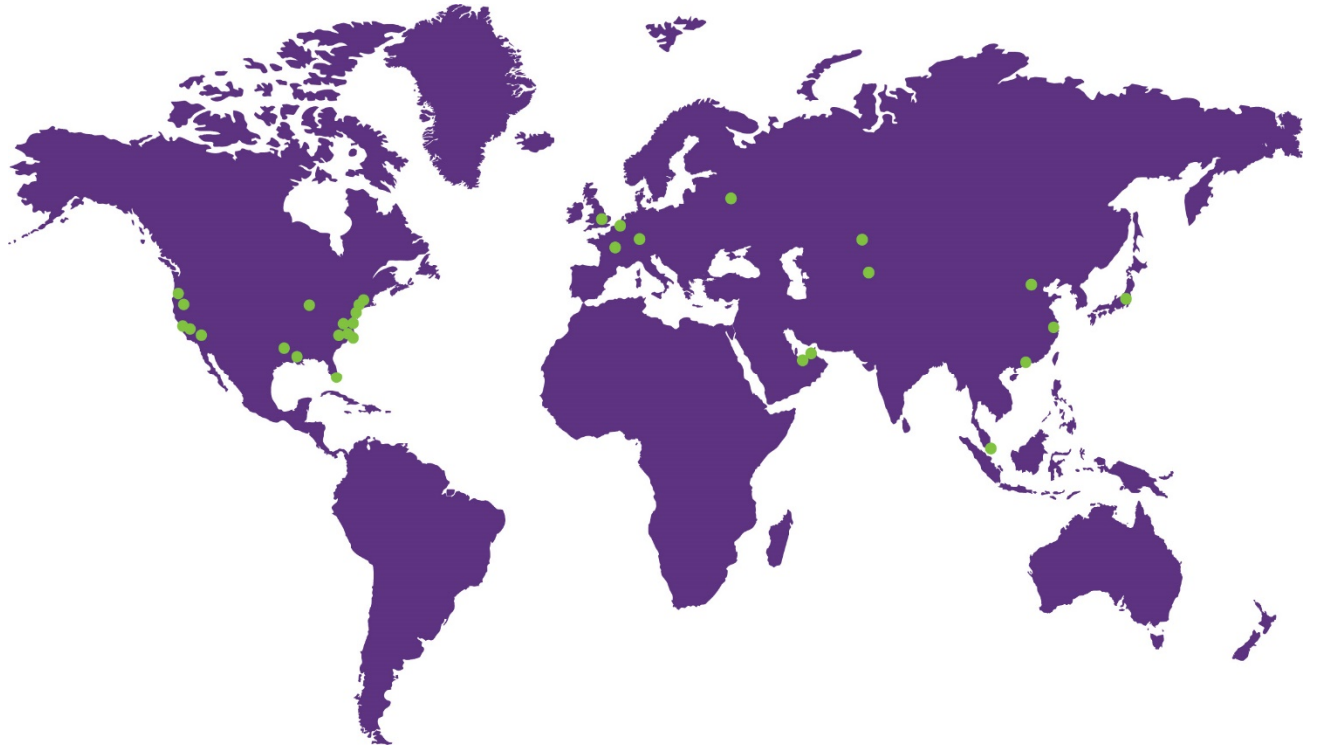
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Our Global Reach

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
Princeton
San Francisco
Shanghai*
Silicon Valley
Singapore*
Tokyo
Washington, DC
Wilmington



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