



INJURY AND ILLNESS PREVENTION PROGRAM (“IIPP”) COVID-19 ADDENDUM

SCOPE

Pursuant to Title 8, Division 1, Chapter 4, Section 3205 of the Code of California Regulations, California employers are required to address COVID-19 as a workplace hazard in their written Injury and Illness Prevention Program or in a separate document.

This part of the Charter School’s Injury and Illness Prevention Program sets forth the procedures the Charter School will take to prevent the spread of COVID-19. This part takes the place of any previously prepared COVID-19 Addendum to the Charter School’s Injury and Illness Prevention Program.

This part of the Injury and Illness Prevention Program applies to all employees and places of employment, except

- (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 (Aerosol Transmissible Diseases standards), when covered by that section;
- (D) Employees teleworking from a location of the employee’s choice, which is not under the control of the employer.

This part of the Injury and Illness Prevention Program only applies wherever more protective or stringent state or local health department orders or guidance do not apply.

DEFINITIONS

The following definitions apply to this part of the Injury and Illness Prevention Program.

“**Close Contact**” means the following, unless otherwise defined by regulation or order of the California Department of Public Health (CDPH), in which case the CDPH definition shall apply:

- (A) In indoor spaces of 400,000 or fewer cubic feet per floor, a close contact is defined as sharing the same indoor airspace as a COVID-19 case for a cumulative total of 15 minutes or more over a 24-hour period during the COVID-19 case’s infectious period, as defined by this section, regardless of the use of face coverings.
- (B) In indoor spaces of greater than 400,000 cubic feet per floor, a close contact is defined as being within six feet of the COVID-19 case for a cumulative total of 15 minutes or more over a 24-hour period during the COVID-19 case’s infectious period, as defined by this section, regardless of the use of face coverings
- (C) Offices, suites, rooms, waiting areas, break or eating areas, bathrooms, or other spaces that are separated by floor-to-ceiling walls shall be considered distinct indoor spaces.

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 would otherwise have had a close contact under subsections 3205(b)(1)(A) or (b)(1)(B).

“COVID-19” (Coronavirus Disease 2019) means the disease caused by SARS-CoV-2 (severe acute respiratory syndrome coronavirus 2).

“COVID-19 case” means a person who:

- (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.

“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.

“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.

“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 the authorized instructions.
- (C) To meet the return to work criteria set forth in subsection 3205(c)(5), 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).

“Exposed group” means all employees at a work location, working area, or a common area at work, within employer-provided transportation covered by section 3205.3, or residing within housing covered by section 3205.2, 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, 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.

“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 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.

“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 the date of symptom onset until: (1) Ten days have passed after symptoms first appeared, or through day five if testing negative on day five or later; and (2) Twenty-four 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 the positive specimen collection date through 10 days (or through day five if testing negative on day five or later) after the date on which the specimen for their first positive test for COVID-19 was collected.

“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.

“Returned case” means a COVID-19 case who was excluded from work but returned pursuant to subsection 3205(c)(5)(A) and did not develop any COVID-19 symptoms after returning. A person shall only be considered a returned case for 30 days after the initial onset of COVID-19 symptoms or, if the person never developed COVID-19 symptoms, for 30 days after the first positive test. If a period of other than 30 days is required by a CDPH regulation or order, that period shall apply.

“Worksite,” for the limited purposes of this section and section 3205.1, 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.

COVID-19 PREVENTION PROCEDURES (8 CCR § 3205)

General Policies.

When determining measures to prevent COVID-19 transmission and to identify and correct hazards, the Charter School shall consider all persons to be potentially infectious without regard to vaccination status, the prevalence of symptoms, or negative COVID-19 test results.

In determining which measures to implement to prevent COVID-19 transmission and to identify and correct COVID-19 hazards, the Charter School shall review orders and guidance issued by the CDPH and local health authorities and shall treat COVID-19 as an airborne infectious disease. Various additional prevention controls will be considered, depending on an analysis of effectiveness of current protocols, including shifting employees to remote work, use of physical distancing, reducing density of people when indoors, moving tasks outdoors, adjusting shifts and/or break times, restricting access to break rooms, and other measures.

Training.

The Charter School shall include COVID-19 prevention training in addition to other workplace safety training topics, as provided in this Program.

Investigation.

The Charter School shall investigate COVID-19 illnesses at the workplace by doing the following:

- (A) The Charter School shall determine the day and time a 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.
- (B) The Charter School shall effectively identify and respond to persons with COVID-19 symptoms at the workplace. Employees shall be encouraged to report COVID-19 symptoms and to stay home when ill.

Handling Close Contacts

The Charter School shall apply the current quarantine recommendations of the CDPH with regard to excluding employees from the workplace following close contact exposure in the workplace.

Exclusion of COVID-19 Cases from Work.

The Charter School will immediately exclude all COVID-19 cases from the from the workplace as follows:

- (A) COVID-19 cases who do not develop COVID-19 symptoms shall not return to work during the infectious period, which is two days before their first positive test through the tenth day after their first positive test, or through the fifth day after their first positive test if a negative test was taken on day five or later.
- (B) COVID-19 cases who do develop COVID-19 symptoms shall not return to work during the shorter of the following: (1) the infectious period, as defined above, or (2) through ten days after the onset of symptoms and 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.
- (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 test.

- (D) The above criteria for returning to work 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.

Upon excluding an employee from the workplace based on COVID-19 or a close contact, the Charter School shall give the employee 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 leave, if applicable, workers' compensation law, local governmental requirements, the employer's own leave policies, and leave guaranteed by contract

Review Guidance.

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

Health Orders.

If an order to isolate, quarantine, or exclude an employee is issued by a local or state health official, any affected employee shall not return to work until the period of isolation or quarantine is completed or the order is lifted.

Testing of Close Contacts.

The Charter School will make COVID-19 tests available at no cost, during paid time, to all employees who have had a close contact in the workplace, with the exception of returned cases, and will provide them with information regarding any COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws. This should include any benefits available under legally-mandated sick leave, if applicable, workers' compensation law, local government requirements, the employer's own leave policies, and leave guaranteed by contract, if any.

Notice of COVID-19 Cases.

The Charter School will notify all employees and independent contractors determined to have had a close contact and any other employers whose employee had a close contact while at a Charter School worksite. This notice will be provided as soon as possible, and shall in no case take longer than necessary to ensure that the employee can be excluded from the worksite if necessary.

The Charter School shall provide notice of COVID-19 cases to employees and independent contractors at the worksite, and shall likewise provide notice to the authorized representative, if any, of the COVID-19 case and of any employee who had a close contact, and of any employee who was at the same worksite during the COVID-19 case's infectious period.

A record of these notices shall be kept for three years.

Face Coverings.

The Charter School shall provide face coverings and ensure they are worn by employees when required by a CDPH regulation or order. When a CDPH regulation or order requires face coverings indoors, that includes vehicles. Face coverings shall be clean undamaged, and worn over the nose and mouth.

When employees are required to wear face coverings, the following exceptions shall apply:

- (A) When an employee is alone in a room or vehicle;

- (B) While eating or drinking at the workplace, provided employees are at least six feet apart, and, if indoors, the supply of outside or filtered air has been maximized to the extent feasible;
- (C) While employees are wearing respirators required by the employer and used in compliance with Cal/OSHA Aerosol Transmissible Diseases standards.
- (D) Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or need to communicate with a hearing-impaired person. Such employees shall wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if the condition or disability permits it.
- (E) During specific tasks which cannot feasibly be performed with a face covering, for so long as such task is being performed.

If, during a period when face coverings are generally required, an employee does not wear a face covering pursuant to an exemption for medical or mental health condition, the Charter School will consider and implement whichever alternative controls are necessary to minimize COVID-19 transmission.

The Charter School shall not prevent any employee from wearing a face covering, including a respirator, when not required to wear one, unless wearing one would create a safety hazard.

Respirators.

The Charter School shall provide a respirator on demand for voluntary use to any employee working indoors or in vehicles with more than one person. Whenever the Charter School makes respirators available for voluntary use, it shall encourage their use and ensure that employees wishing to use one are trained on their use and fitted with an appropriately sized one.

Ventilation.

The Charter School will stay abreast of the latest CDPH orders and guidance on ventilation, including the “Interim Guidance for Ventilation, Filtration, and Air Quality in Indoor Environments.” The Charter School shall continue to plan and implement strategies for using ventilation to minimize the transmission of COVID-19, including one or more of the following:

- (A) Maximizing the supply of outside air to the extent feasible, except when the U.S. EPA Air Quality Index is greater than 100 for any pollutant or if any opening of windows would create a hazard to employees, such due to excessive heat or cold.
- (B) In buildings with mechanical ventilation, the filter used shall be at least Minimum Efficiency Reporting Value (MERV) 13 or the highest level of filtration efficiency compatible with the existing system.
- (C) Use of High Efficiency Particulate Air (HEPA) filters used in accordance with manufacturer’s recommendations in indoor areas occupied by employees for extended periods, where ventilation would otherwise be inadequate to sufficiently minimize the risk of COVID-19 transmission.

If the Charter School is subject to 8 CCR 5142 or 5143, it shall review and comply with those sections as applicable.

NOTE: Section 5142 requires heating, ventilating, and air conditioning (HVAC) systems to be operated continuously during working hours, with limited exceptions.

Charter School vehicles carrying employees shall maximize the supply of outside air to the extent feasible, except when doing so would be hazardous.

Reporting and Recordkeeping.

The Charter School shall keep a record of and track all COVID-19 cases, including the employees name, contact information, occupation, location where the employee worked, the date of the last day at the workplace, and the date of the positive COVID-19 test and/or diagnosis. These records shall be kept for five years.

A record of all notices sent with regard to close contacts shall be kept for three years.

Personally-identifying information of COVID-19 cases or persons with COVID-19 symptoms, and any employee medical record required to be made or kept by this plan 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, the CDPH, Cal/OSHA, and the National Institutes for Occupational Safety and Health, upon request, when required by law.

Cal/OSHA Orders.

The Charter School will comply with all lawful orders issued by Cal/OSHA to take action to protect employees against COVID-19 hazards.

COVID-19 OUTBREAK PROCEDURES (8 CCR § 3205.1)**Scope of Outbreak Procedures.**

If three or more employee COVID-19 cases within an exposed group visited the worksite during their infectious period at any time during a 14-day period (an “Outbreak” as defined above), the following procedures will apply in place of the standard COVID-19 prevention procedures detailed in this plan. If CDPH defines outbreak differently than defined herein, then this section shall be implemented whenever that definition has been met.

COVID-19 Testing Following an Outbreak.

In an outbreak, the charter school shall make COVID-19 testing available at no cost to its employees within the exposed group, regardless of vaccination status, during employees’ paid time, except for returned cases and employees who were not present at the workplace during the relevant 14-day period(s) triggering the outbreak.

The charter school shall thereafter make testing available on a weekly basis to all employees in the exposed group who remain at the workplace.

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 will be required to meet the post-exposure return-to-work criteria detailed in the COVID-19 Prevention Procedures, above.

Face Coverings Following an Outbreak.

Employees in an exposed group during an outbreak, regardless of vaccination status, shall wear face coverings when indoors, or when outdoors and less than six feet from another person, except:

- (A) When an employee is alone in a room or vehicle.
- (B) While eating or drinking at the workplace, provided employees are at least six feet apart and, if indoors, the supply of outside or filtered air has been maximized to the extent feasible.
- (C) While employees are wearing respirators required by the employer and used in compliance with section 5144.
- (D) 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.

Such employees shall wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if the condition or disability permits it.

- (E) During 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.

Respirators During an Outbreak.

During an outbreak, the Charter School shall notify employees of their right to request and receive a respirator for voluntary use.

COVID-19 Outbreak Investigation, Review, and Hazard Correction.

If an outbreak occurs, the Charter School shall conduct a review of its COVID-19 policies, procedures, and controls and implement any changes that may be needed to improve the prevention of COVID-19 transmission in the workplace. This investigation, review, and any changes made must be documented and should specifically include:

- (A) 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 supply of outdoor air to indoor workplaces; insufficient air filtration; and insufficient physical distancing.
- (B) 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.
- (C) Any changes implemented to reduce the transmission of COVID-19 based on the investigation and review, which may include: moving indoor tasks outdoors or having them performed remotely; increasing the outdoor air supply when work is done indoors; improving air filtration; increasing physical distancing to the extent feasible; requiring respiratory protection in compliance with section 5144; and other applicable controls.

Ventilation During an Outbreak.

In any school buildings with mechanical ventilation, the Charter School shall filter recirculated air with Minimum Efficiency Reporting Value (MERV)-13 or higher efficiency filters if possible, and if not possible, shall use the highest filtering efficiency filters possible.

The Charter School will use High Efficiency Particular Air (HEPA) filters in accordance with manufacturer's recommendations in indoor areas occupied by employees for extended periods, where ventilation is inadequate to reduce the risk of COVID-19 transmission

Major Outbreaks.

If 20 or more employee COVID-19 cases in an exposed group visited the workplace during their infectious period within a 30-day period (a Major Outbreak), the Charter School shall do the following:

- (A) The COVID-19 testing required as a result of an Outbreak 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 must satisfy the return-to-work criteria detailed in the COVID-19 Prevention Procedures above.
- (B) The Charter School shall report the outbreak to the Division of Occupational Safety and Health (Cal/OSHA).

- (C) The Charter School shall provide respirators for voluntary use to employees in the exposed group, shall encourage but not require their use, and shall train employees provided with respirators on their use.
- (D) Charter School employees in the who do not wear a respirator, if required by the Charter School, and in compliance with section 5144, shall be separated from other persons by at least six feet, except where an at least 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.

COVID-19 PREVENTION PROCEDURES IN EMPLOYER-PROVIDED TRANSPORTATION (8 CCR § 3205.3)

Scope.

Pursuant to 8 CCR § 3205.3, the COVID-19 Prevention Procedures detailed in this Program also apply in all employer-provided transportation, except where:

- (A) Employees are alone in a vehicle, are taking public transportation, or are in vehicles in which the driver and all passengers are from the same household outside of work.
- (B) The means of transportation is necessary for an emergency response;
- (C) An employee has occupational exposure as defined in 8 CCR § 5199 (Aerosol Transmissible Diseases standards).

Assignment of Transportation.

To the extent feasible, the Charter School shall assign transportation such that cohorts travel and work together, separate from other workers. To the extent feasible, employees who usually maintain a household together shall travel together.

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