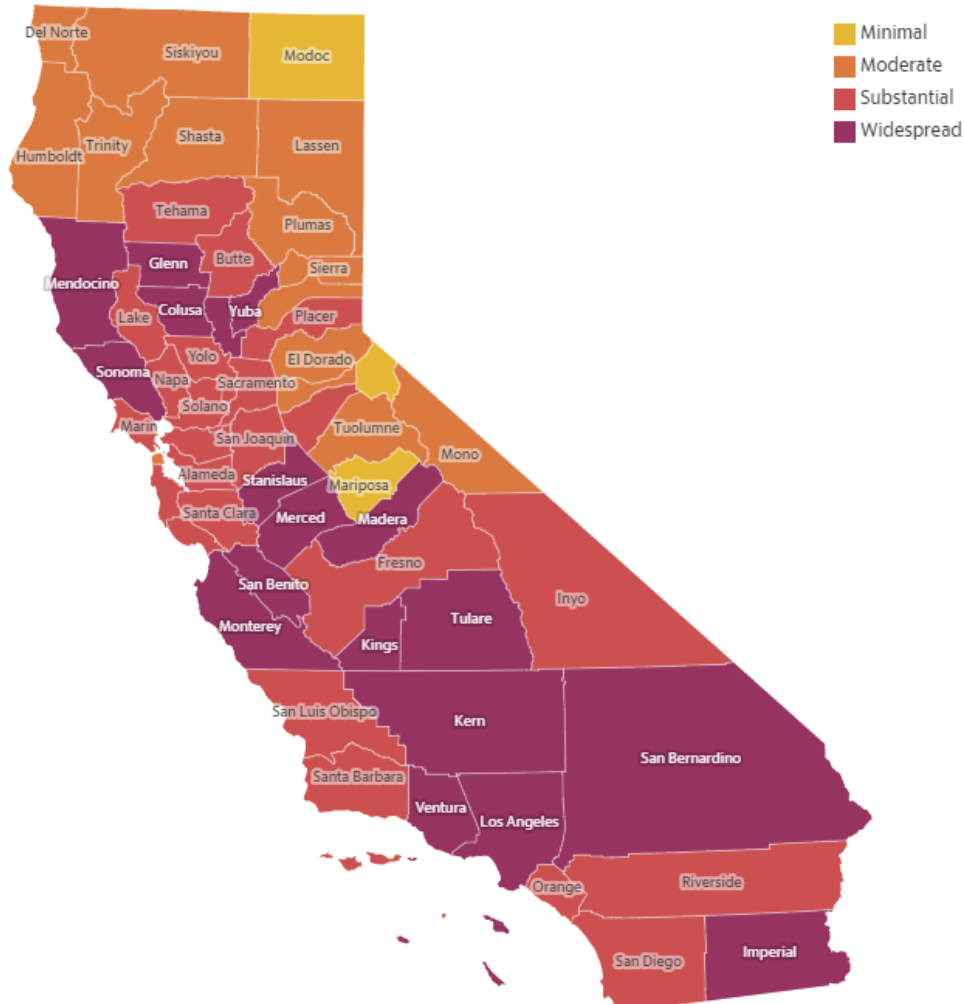


COVID-19 UPDATE



CALIFORNIA COUNTY REOPENING CLASSIFICATIONS

As you are likely aware, Governor Gavin Newsom's reopening plan classifies counties in one of four tiers, to determine when and how businesses reopen. The state now classifies counties by a color-coded, four tier system of coronavirus risk, based rates of new cases and positive coronavirus testing, in each of the state's 58 counties. The tiers determine how much of each county's economy can reopen. As of Oct. 7, 18 counties are at the highest level of restriction for widespread COVID-19 risk. For more information regarding this county classification system, please click [HERE](#).



CWRAB WEBSITE TO INCLUDE COVID-19 RESOURCE SECTION

In an effort to provide all necessary resources to our industry, the CWRAB is currently constructing a COVID-19 Resource Page that will be added to the website. Our goal is to provide a platform for industry to access important announcements and information related to the ongoing pandemic. Our weekly COVID-19 updates will also be included on this portion of our website. The page is expected to go live this month, and the CWRAB will be sure to update the industry when it is available. Please do not hesitate to contact the CWRAB office with any questions.

CALIFORNIA LEGISLATURE UPDATE

The California State Legislature adjourned the second year of the 2019-2020 Legislative Session at 1:30 a.m. on Tuesday, September 1, 2020. Below are a list of bills involving COVID-19 that were dealt with during the second year of Session, which began January 6, 2020. Legislation that passed out of the Assembly and Senate were sent to the Governor. The Governor had until midnight September 30, 2020 to sign or veto legislation presented to him. Please do not hesitate to contact our office with any questions regarding these pieces of Legislation.

AB 196 (Gonzalez)

Summary: AB 196 would create a conclusive presumption of work-relatedness for COVID-19 infections of every “Essential Critical Infrastructure Worker”, resulting in workers’ compensation coverage in cases of infection that occur inside and outside the workplace.

Outcome: The bill was not brought up for a vote, so failed passage.

AB 685 (Reyes)

Summary: AB 685 creates a notice requirement at the workplace if an employee is exposed to COVID-19, with “exposed” defined as, “exposure to a person with any of the following”: (1) “a positive COVID-19 test,” (2) “a COVID-19 diagnosis,” (3) “a COVID-19-related order to quarantine” or (4) “a fatality that was caused by COVID-19. The employer must notify exposed employees within one business day of the exposure as well as the employees’ rights to sick leave and other COVID-19 related policies. The bill would require an employer, if the employer or representative of the employer is notified of the number of cases that meet the definition of a COVID-19 outbreak, within 48 hours, to report prescribed information to the local public health agency in the jurisdiction of the worksite. The bill would require an employer that has an outbreak to continue to give notice to the local health department of any subsequent laboratory-confirmed cases of COVID-19 at the worksite.

Outcome: The bill passed the Assembly 52-17 and the Senate 26-9. The Governor signed AB 685 on September 17, 2020 and it will go into effect January 1, 2021.

AB 2043 (R. Rivas)

Summary: AB 2043 will require CalOSHA to disseminate information on best practices for COVID-19 infection prevention and employee protections.

Outcome: AB 2043 was passed out of the Assembly 67-0 and the Senate 33-0. The Governor signed AB 2043 on September 28, 2020 and it will go into effect on January 1, 2021.

SB 729 (Portantino)

Summary: SB 729 would prohibit an employee from recovering civil penalties from an employer under the Private Attorney General Act (PAGA) for violations of provisions requiring the employer to provide meal and rest breaks, if the employee engaged in remote work.

Outcome: The bill failed in Assembly Labor Committee.

SB 1159 (Hill)

Summary: SB 1159 would define “injury” for an employee to include illness or death resulting from COVID-19 under specified circumstances, until January 1, 2023. The bill would create a disputable presumption that the injury arose out of and in the course of the employment and is compensable if there is an outbreak at a worksite. The bill would require an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits. The bill would also make a claim relating to a COVID-19 illness presumptively compensable, as described above, after 30 days or 45 days, rather than 90 days.

Outcome: SB 1159 passed the Assembly 69-4 and the Assembly 30-8. The Governor signed SB 1159 on September 17, 2020 and it went into effect immediately.