

ETS Covid-19 3rd Re-adoption

ETS Covid-19 3rd Re-adoption (<https://www.cstcsafety.com/blog/ets-covid-19-3rd-re-adoption>)

Posted by Terra Lavery

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I hope everyone is doing well as the spring season begins. I wanted to reach out to discuss Covid-19 regulations even though it is obvious that most of us humans have some Covid fatigue.

The Cal/OSHA Standards Board voted for a 3rd re-adoption of the Emergency Temporary Standard (ETS) T8 3205. It is anticipated to be effective May 6, 2022.

The update includes several minor changes and clarifications, however, doing away with Covid regulations and relying on previous IIPP 3203 regulations or other significant changes were not made. See link below to 28 page re-adoption document which shows changes.

Highlights – Executive Orders and CDPH orders take a precedence over the ETS.

- Surfaces are not specifically included as potentially infectious.
- Return to work testing can be documented by a time stamped photo instead of observation.
- Allowing light to pass through masks condition is eliminated from the new ETS requirement.
- “Fully vaccinated” definition has been eliminated.

- “Infectious period” terminology is used instead of “high risk exposure period.”
- “Returned case” definition added.
- Employer not required to make testing available to returned cases.
- No requirement for unvaccinated to be masked indoors.
- Eliminated the requirement for 6 feet of distance from unmasked employees if employee is utilizing an exemption from mask wearing.
- Cleaning and disinfection requirements have been eliminated.
- Employers must provide masks and testing if symptomatic to employees upon request regardless of vaccination status.
- CDPH guidance shall be followed for close contacts.
- Return to work after close contact details in ETS have been eliminated including exclusion for vaccinated along with details concerning masking, six feet distance etc.

(c) (10) Return to work criteria:

- Negative test required if returning to work after 5 days from positive test, no symptoms but no test required if returning to work after 10 days.
- If you have symptoms and a positive test the symptoms must be resolving.
- Any positive tested employee must wear a mask when returning to work for 10 days.
- No testing is required for “returned cases” return to work under (c) (10) if no symptoms.
- Close contacts need a negative test within 3-5 days or follow (c) (10).
- Distance employees as much as feasible language utilized.

Read link for 3205.2-4 changes.

<https://www.dir.ca.gov/oshsb/documents/Apr212022-COVID-19-Prevention-Emergency-txtcourtesy-3rd-Readoption.pdf> (**<https://www.dir.ca.gov/oshsb/documents/Apr212022-COVID-19-Prevention-Emergency-txtcourtesy-3rd-Readoption.pdf>**)

<https://www.dir.ca.gov/dosh/coronavirus/ETS.html> (<https://www.dir.ca.gov/dosh/coronavirus/ETS.html>)

COVID-19 Prevention Emergency Temporary Standards

The COVID-19 Prevention Emergency Temporary Standards remain in effect. The workplace standards were updated in December 2021 to include minor revisions related to returning to work after close contact. The revisions became effective starting on January 14, 2022. In addition to these requirements, employers must follow public health orders on COVID-19. The [latest order from the California Department of Public Health](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx) (<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>) on February 28, 2022 provides new recommendations and requirements on the use of face coverings in certain circumstances and industry sectors. This order became effective on March 1, 2022. More information on the COVID-19 Prevention Emergency Temporary Standards is available in [Cal/OSHA's Frequently Asked Questions](https://www.dir.ca.gov/dosh/coronavirus/COVID19FAQs.html) (<https://www.dir.ca.gov/dosh/coronavirus/COVID19FAQs.html>).

Masks:

From Cal/OSHA FAQs –

Additionally, masks **are strongly recommended for all persons, regardless of vaccine status**, in indoor public settings and businesses (examples: retail, restaurants, theaters, family entertainment centers, meetings, state and local government offices serving the public); on public transit (examples: airplanes, ships, ferries, trains, subways, buses, taxis, and ride-shares); and in transportation hubs (examples: airport, bus terminal, marina, train station, seaport or other port, subway station, or any other area that provides transportation). Surgical masks or higher-level respirators (e.g., N95s, KN95s, KF94s) with good fit are highly recommended.

If you have any questions, please contact me.

Stay Safe!

Ben IV

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