

COVID-19: SAFELY REOPENING YOUR WORKPLACE

Module 1 – Navigating Regulations & Guidelines

Our Presentation
Will Begin Soon!



COVID-19: SAFELY REOPENING YOUR WORKPLACE

Module 1 – Navigating Regulations & Guidelines

WELCOME!



TODAY'S SPEAKER

Rick Fineman

CSP, ALCM, ARM

VP, Risk Management

ICW Group



COVID-19: Safely Reopening Your Workplace

Certificate Series

MODULE
01

Navigating Regulations & Guidelines

MODULE
02

COVID-19 Vaccines: Workplace Guidelines

MODULE
03

Controls to Keep Your Workforce Safe

MODULE
04

COVID 19 and Your Future Workplace

COVID-19: Safely Reopening Your Workplace

Certificate Series

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COVID 19 and Your Future Workplace

NAVIGATING REGULATIONS & GUIDELINES

- Your IDPRP
- Legislation – SB 1159
- Legislation – AB 685
- OSHA Emergency Orders
- Jurisdictional Challenges



COVID-19 Safety Precautions:
Give Each Other Space

6'

Wash your
hands

Don't touch
your face

Cover coughs
and sneezes

Stay home if
you are sick

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COVID-19 has created new workplace challenges

Managers and employees may feel a sense of urgency to get business back to normal as soon as possible

- Challenge for some to *be* safe
- Challenge for others to *feel* safe



COVID-19 has created new workplace challenges

Difficult keeping up with new guidelines to allow for safe, stable return

- Learning more about virus daily
- Continuously evolving knowledge
- Revising recommendations
- Best techniques to address risks

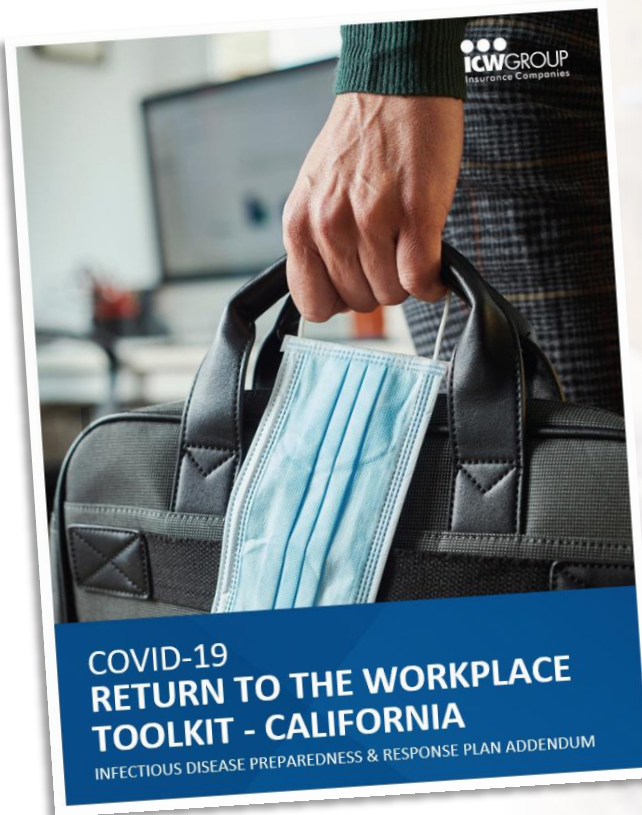


COVID-19 has created new workplace challenges

**Employers are solely
responsible for determining
best practices to deploy
within their work
environments**



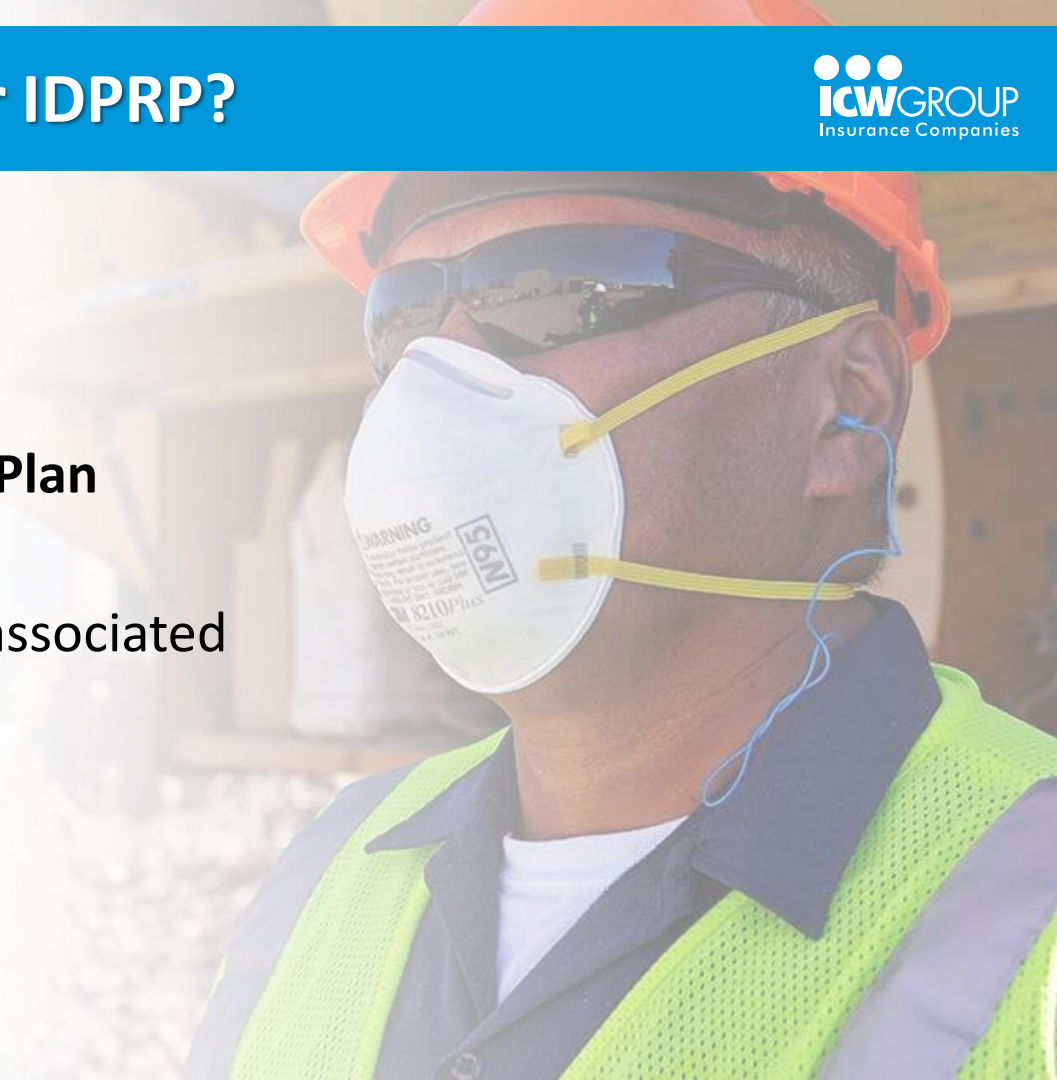
How does this impact your IDPRP?



How does this impact your IDPRP?

OSHA guidance on preparing workplaces

- Suggests **Infection Disease Preparedness and Response Plan (IDPRP)**
- Should address levels of risk associated with worksites and job tasks



How does this impact your IDPRP?

Common sense guidance on preparing workplaces

- Plan to make work as safe as possible
- Focus on layers of protection
 - No single tactic is 100% effective
 - Address variety of risk points
 - Consider a collection of actions



How does this impact your IDPRP?

Customizable plan

- Be sure to download the IDPRP Toolkit from our website
- See series detailing the COVID-19 Addendum, found on our COVID-19 resource page!

icwgroup.com/covid19

Returning to the Workplace During COVID-19



ON DEMAND WEBINAR SERIES

As you start to return your employees to work, navigating the impacts of COVID-19 will undoubtedly be a challenge. To help provide you with guidance and best practices to keep your employees safe, we're hosting a three-part Safety Webinar Series.

By the end of the series, you'll have a return-to-work plan drafted!

Watch this series on demand

[Watch Module 1: Assess Your Risk](#)

[Watch Module 2: Develop a Plan and Put Controls in Place](#)

[Watch Module 3: Put Your Plan in Action](#)

Surmounting COVID-19 challenge

STEP
01

Identify Leader & Team

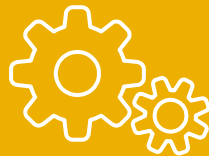
- Executive
- Coordinator
- Team
- Responsibilities



STEP
02

Organizational Planning

- Policies and procedures
- Communications
- Resources



STEP
03

Conduct Risk Assessment

- Assessment template
- Conduct Role
- Identify controls



STEP
04

Finalize Plan & Controls

- Control idea suggestions
- Complete plan



STEP
05

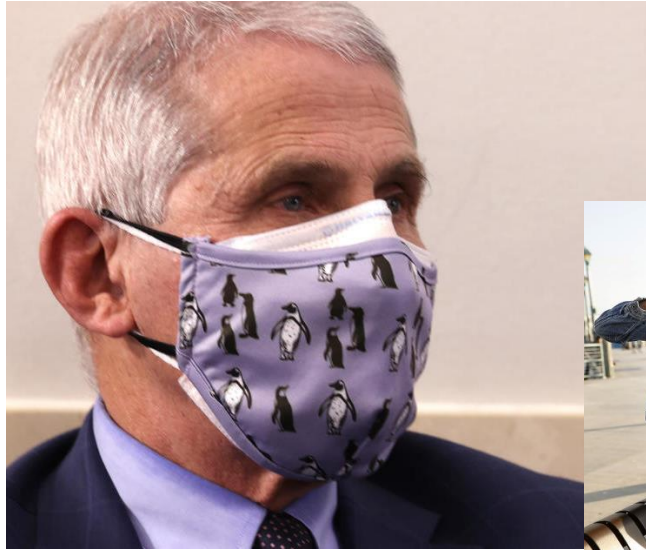
Act on Plan

- Conduct training
- Open office!
- Ensure policies are followed



Shifting advice on protection - changes & confusion

From no masks to 2 masks...



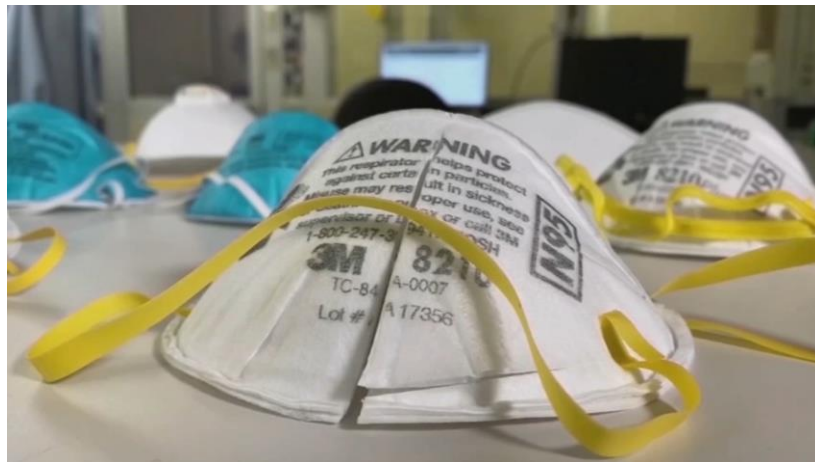
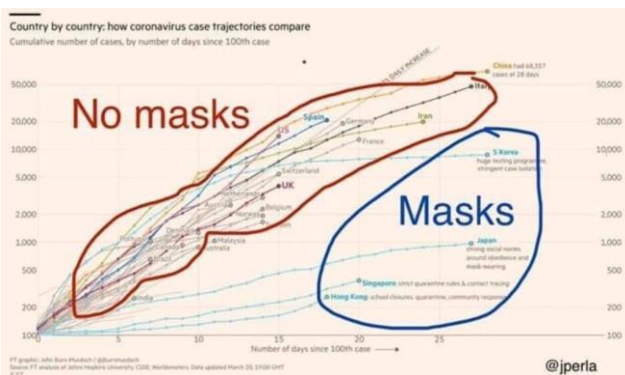
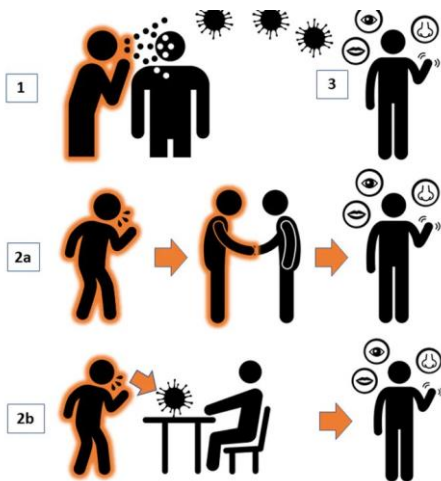
**new strains more
contagious**

**2 masks increase
protection for wearer**

The science is there!

Masks effectively reduce:

1. Airborne contaminants
2. Touch spread from infected people
3. Contact surface contamination



Move from any face covering to more substantial (KN95/N95) protection

Ineffective masks for COVID-19?



Ineffective Masks & Masking



Bandanas



Neck Gators



Valved Masks



Exposed Nose, Nose and Mouth

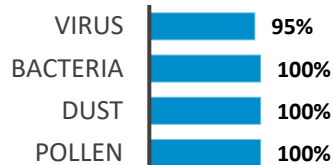


Valves on masks
are
NOT OK!

COVID-19 Controls Continually Improving



N95
Strongest Protection



Surgical Mask
Medical Use



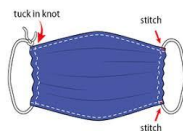
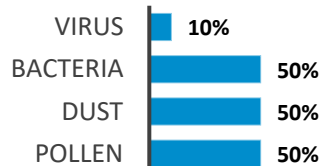
FFP1 Mask
Isolate Suspended Particles



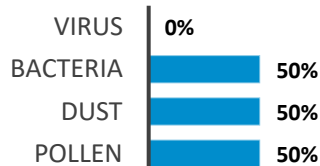
FFP1 masks,
filtering $\geq 80\%$
aerosols
(total inward
leakage $< 22\%$)
(FFP2 - 94%,
FFP3 - 99%)



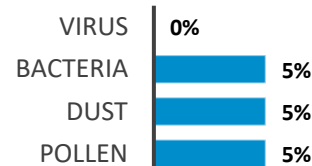
Active Carbon
Odor Control



Cloth Mask
Do It Yourself Mask



Sponge Mask
Fashion Use



NAVIGATING REGULATIONS & GUIDELINES

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- **Legislation – SB 1159**
- Legislation – AB 685
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- Jurisdictional Challenges



COVID-19 Safety Precautions:
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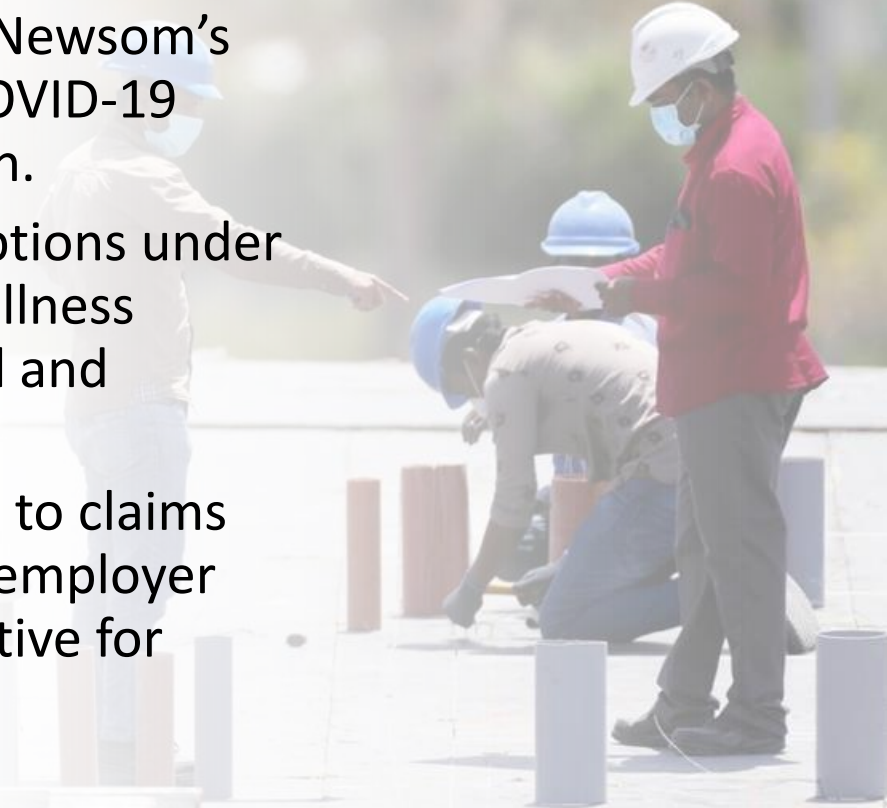
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- Codifies and supersedes Governor Newsom's May 6 executive order creating a COVID-19 workers compensation presumption.
- Provides 2 new rebuttable presumptions under certain circumstances, employee's illness related to COVID-19 is occupational and eligible for Work Comp benefits.
- Employers must report information to claims administrators for employees who employer knows, or should know, tested positive for COVID-19.



Employers may be subject to civil penalties up to **\$10,000** for intentionally submitting false or misleading information, or for failing to report required information.



- Report to ICW Group ALL employee testing positive beginning 7/6/2020 through 12/31/2022, **regardless if work-related.**

Just follow the steps on the easy-to-use form!

icwgroup.com/sb1159



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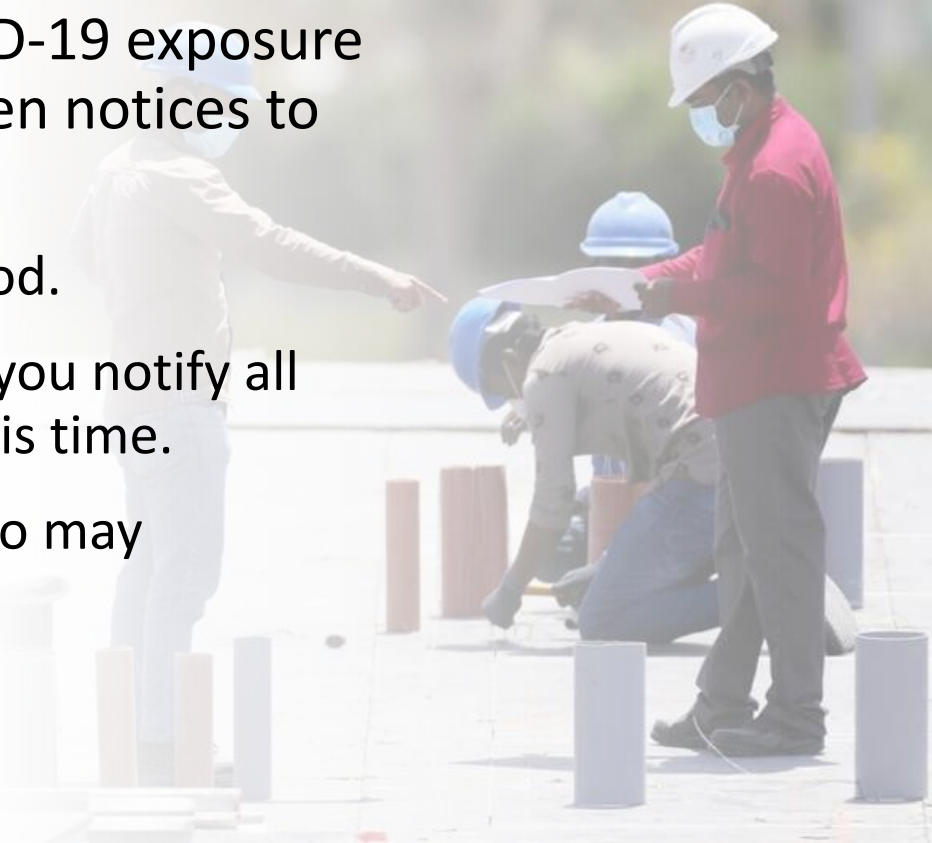
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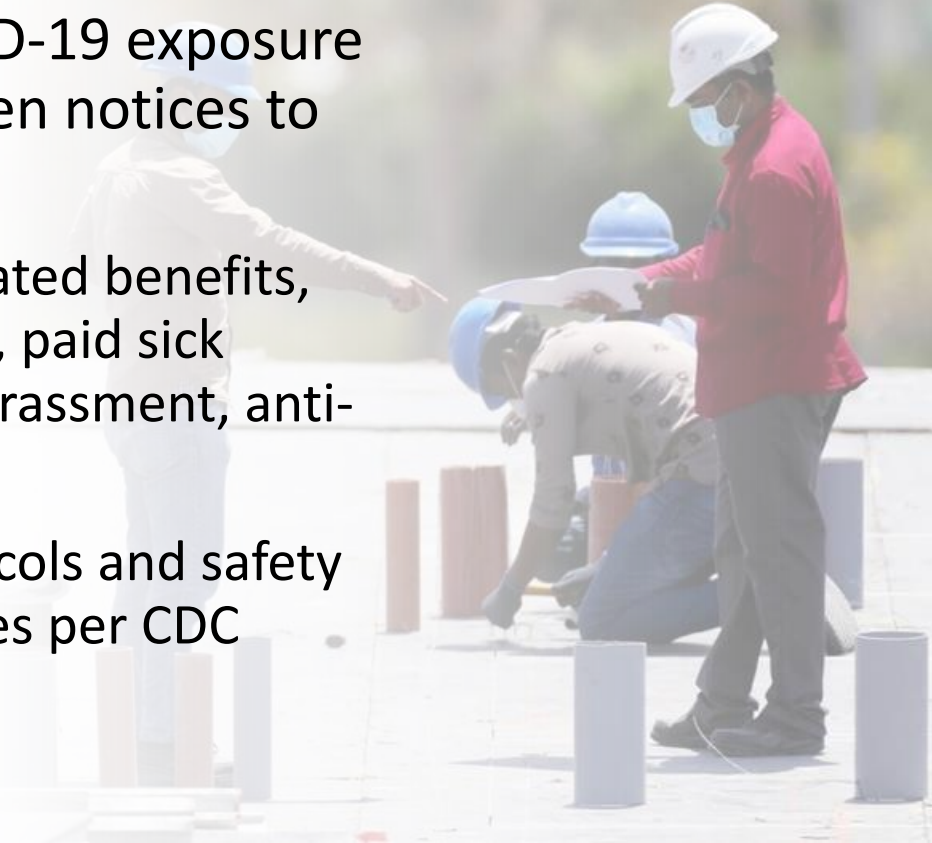
Imposes new obligations for COVID-19 exposure in the workplace, to provide written notices to employees and representatives:

- At worksite within infectious period.
- As best practice, we recommend you notify all third parties at worksite during this time.
- Includes unions and attorneys who may represent employees.



Imposes new obligations for COVID-19 exposure in the workplace, to provide written notices to employees and representatives:

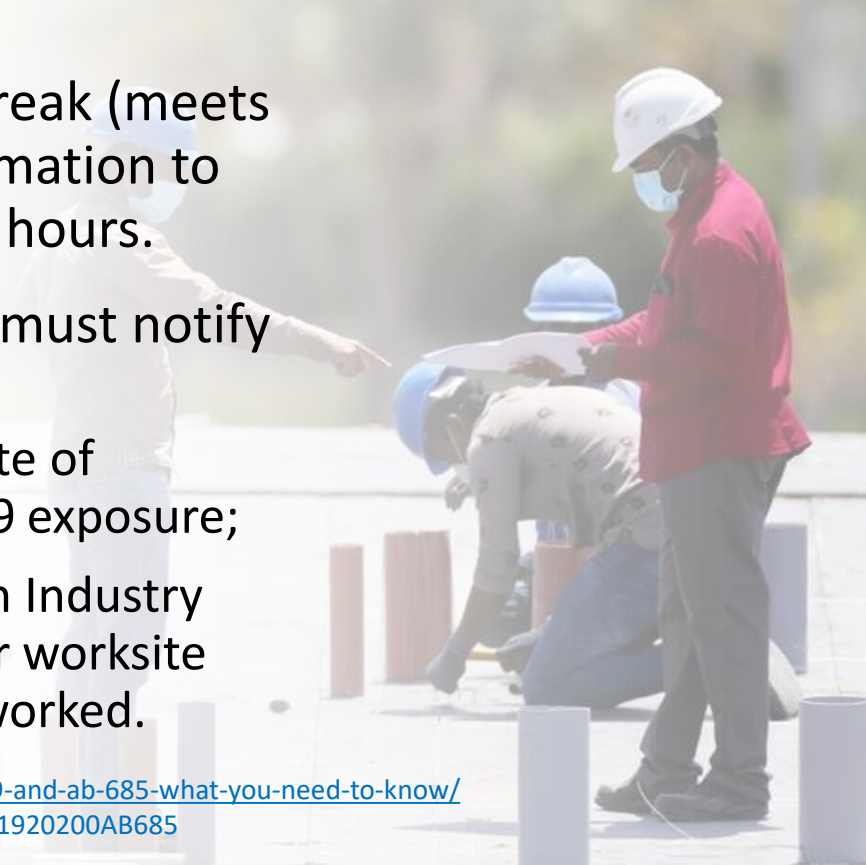
- Regarding available COVID-19-related benefits, work comp benefits, COVID leave, paid sick leave, anti-discrimination, anti-harassment, anti-retaliation policies.
- Regarding your disinfection protocols and safety plan, eliminating further exposures per CDC guidelines.



- Requires employers with large outbreak (meets COVID-19 definition) to report information to local public health agency within 48 hours.
- For COVID-19-related fatalities, you must notify local health departments with:
 - Names, numbers, occupation, worksite of employees who died due to COVID-19 exposure;
 - Business address and North American Industry Classification System (NAICS) code for worksite where COVID-19 positive employee worked.

See more: <https://icwgroup.com/pc/webinars/technical-talk-california-sb-1159-and-ab-685-what-you-need-to-know/>

AB-685: https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB685



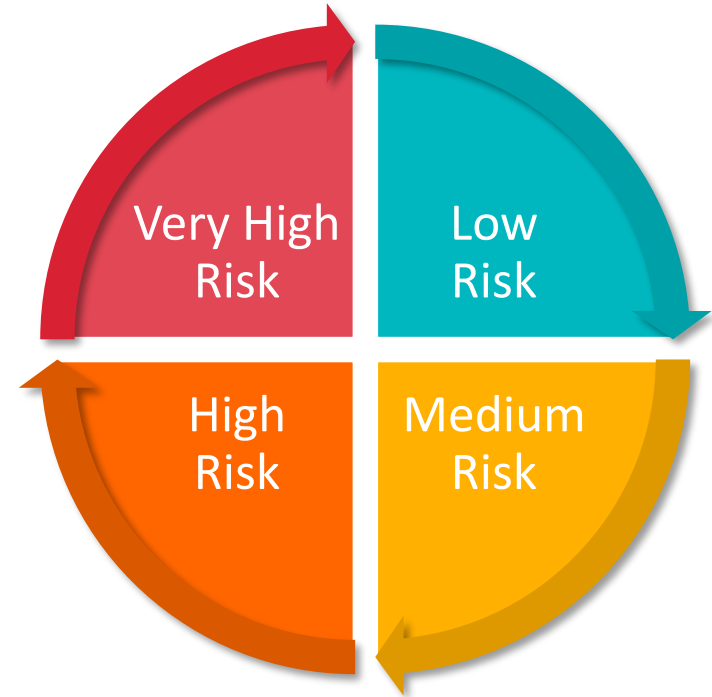
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Key Exposure Levels in the Workplace

- Does work setting require close contact with people potentially infected with COVID-19?
- Do specific job duties require close, repeated or extended contact with people with known or suspected COVID-19?
- Has community spread of virus included cases in workplace?



Workplace Exposure Levels
Source: OSHA

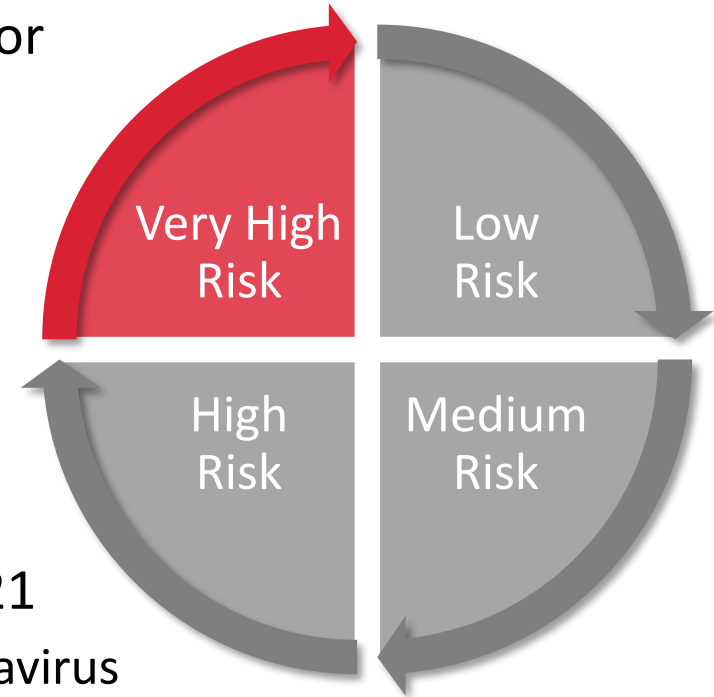
- Document, implement, maintain COVID-19 Prevention Program:
 - Identifies and evaluates employee exposures to COVID-19 health hazards.
 - Implements effective policies and procedures to correct unhealthy conditions (i.e.; safe physical distancing, modified workplace, staggered schedules).
 - Provides and ensures workers wear face coverings to prevent exposure.
- Provide effective training to employees on how COVID-19 is spread, infection prevention techniques, and information regarding COVID-19 related benefits employees may be entitled to under applicable federal, state, and local laws.

- When multiple COVID-19 outbreaks, employers must follow requirements for testing and notifying public health departments.
 - Outbreaks (3 or more cases in workplace in 14-day period).
 - Major outbreaks (20 or more cases within 30-day period).
 - Requires employers to offer COVID-19 testing at no cost to employees, during work hours, who had potential COVID-19 workplace exposure and provide them with information on benefits.
 - Obligates employers contact local health department immediately - but no longer than 48 hours - after learning of 3 or more COVID-19 cases, to obtain guidance on preventing further spread within workplace.

Recordkeeping and reporting COVID-19 cases

- You must maintain a record and track all COVID-19 cases, while ensuring medical information remains confidential.
- Records must be made available to employees, authorized employee representatives, or otherwise required by law, with personal identifying information removed.
- When COVID-19 serious illness (e.g., requiring hospitalization) or death occurs, you must report this immediately to nearest OSHA or Cal/OSHA enforcement district office.

- Biden administration released guidelines for workplace safety through OSHA.
- Employers should implement COVID-19 prevention program.
- Contains 15 instructions, including how to evaluate workplaces for hazards, isolate workers, and clean and disinfect workplaces.
- Emergency Order issued on March 12, 2021
 - National Emphasis Program (NEP) for Coronavirus Disease 2019
 - Focus on High Hazard Industries



OSHA Emergency Orders

○ Targeted industries in healthcare

NACIS Code	Industry
621111	Offices of Physicians (except Mental Health Specialists)
621210	Offices of Dentists
621610	Home Health Care Services
621910	Ambulance Services
622110	General Medical and Surgical Hospital
622210	Psychiatric and Substance Abuse Hospitals
622310	Specialty (except Psychiatric and Substance Abuse) Hospitals
623110	Nursing Care Facilities (Skilled Nursing Facilities)
623210	Residential Intellectual and Developmental Disability Facilities
623311	Continuing Care Retirement Communities
623312	Assisted Living Facilities for the Elderly

○ Targeted Industries for non-healthcare by 2017 NACIS

NACIS Code	Industry
311612	Meat Processed from Carcasses
311611	Animal (except Poultry) Slaughtering
311615	Poultry Processing
445110	Supermarkets and Other Grocery (except Convenience) Stores
452112	Discount Department Stores
493110	General Warehousing and Storage
561320	Temporary Help Services*
722511	Full Service Restaurants
722513	Limited-Service Restaurants
922140	Correctional Institutions

NACIS Code	Industry	CISA v4.0 Sector
11xxx	Agriculture, Forestry, Fishing, Hunting	Food and Agriculture
236xxx	Construction of Buildings*	Construction
237xxx	Heavy and Civil Engineering Construction*	Construction
238xxx	Specialty Trade Contractors*	Construction
311xxx	Food Manufacturing	Food and Agriculture
3121xx	Beverage Manufacturing	Food and Agriculture
321xxx	Wood Product Manufacturing	Food and Agriculture
322xxx	Paper Manufacturing	Food and Agriculture
32412x	Asphalt Paving, Roofing, and Saturated Materials Manufacturing	Energy
32419x	Other Petroleum and Coal Products Manufacturing	Energy
325xxx	Chemical Manufacturing	Chemical
326xxx	Plastics and Rubber Product Manufacturing	Transportation and Logistics; Critical Manufacturing
327xxx	Nonmetallic Mineral Product Manufacturing	Critical Manufacturing
331xxx	Primary Metal Manufacturing	Critical Manufacturing
332xxx	Fabricated Metal Production Manufacturing	Critical Manufacturing
333xxx	Industrial Machinery Manufacturing	Transportation and Logistics; Critical Manufacturing; Food and Agriculture
343xxx	Computer and Electronic Product Manufacturing	Critical Manufacturing

335xxx	Electrical Equipment, Appliance, and Component Manufacturing	Commercial Facilities; Energy; Critical Manufacturing; Communications and Information Technology; Transportation and Logistics; Critical Manufacturing; Defense Industrial Base
336xxx	Transportation Equipment Manufacturing*	Transportation and Logistics; Critical Manufacturing; Defense Industrial Base
33711x	Wood Kitchen Cabinet and Countertop Manufacturing	Commercial Facilities
3399xx	Other Miscellaneous Manufacturing	Critical Manufacturing; Government Facilities; Transportation and Logistics
44422x	Nursery, Garden Center, and Farm Supply Stores	Food and Agriculture
445xxx	Additional Food and Beverage Stores	Food and Agriculture
4523xx	General Merchandise Stores, including Warehouse Clubs and Supercenters	Food and Agriculture
4851xx	Urban Transit Systems	Transportation and Logistics
4852xx	Interurban and Rural Bus Transportation	Transportation and Logistics
4854xx	School and Employee Bus Transportation	Transportation and Logistics
485991	Special Needs Transportation	Transportation and Logistics
491xxx	Postal Service*	Transportation and Logistics
54142x	Industrial Design Services	Critical Manufacturing
811219	Other Electronic and Precision Equipment Repair and Maintenance	Commercial Facilities
81131x	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	Commercial Facilities

Reporting Comparisons – California Example

SB-1159

Report positive cases to work comp carrier. Report must be made within **3-business days** of knowledge and contain 4 key pieces of information:

1. Employee tested positive, without personal info.
2. Date employee had test.
3. Address of employee's worksite.
4. Highest # of employees at worksite over 45-day period.

Use our online form:
icwgroup.com/sb1159

AB-685

Within **1-day** of knowledge of positive case in workplace, employer must notify all employees at worksite and their representatives:

1. In writing, including employers of contractors and vendors.
2. If exposed, about possible COVID-19 related benefits.
3. About the disinfection and safety plans in place.

Cal/OSHA

Within **1-day** of learning of positive case in workplace, employer must provide:

- Written notice to all employees,
- Their representatives,
- Employer of any contractors or vendors at same worksite during infectious period.

Reporting Comparisons – Outbreak Defined

SB-1159

Outbreak linked to presumption and is **4 or more** cases per 100 employees.

No requirement to report to the Public Health Department.

AB-685

Outbreak is **3 or more** positive cases in 14-day period.

Within 48-hours, report outbreaks to the local (county) health department.

Employer must provide names of employees testing positive, contact information, occupation, workplace location, business NAICS code, business address and hospitalization / fatality status.

Cal/OSHA


Outbreak is **3 or more** positive cases in 14-day period.

Within 48-hours, report outbreaks to the local (county) health department.

Employer must provide names of employees testing positive, contact information, occupation, workplace location, business NAICS code, business address and hospitalization / fatality status.

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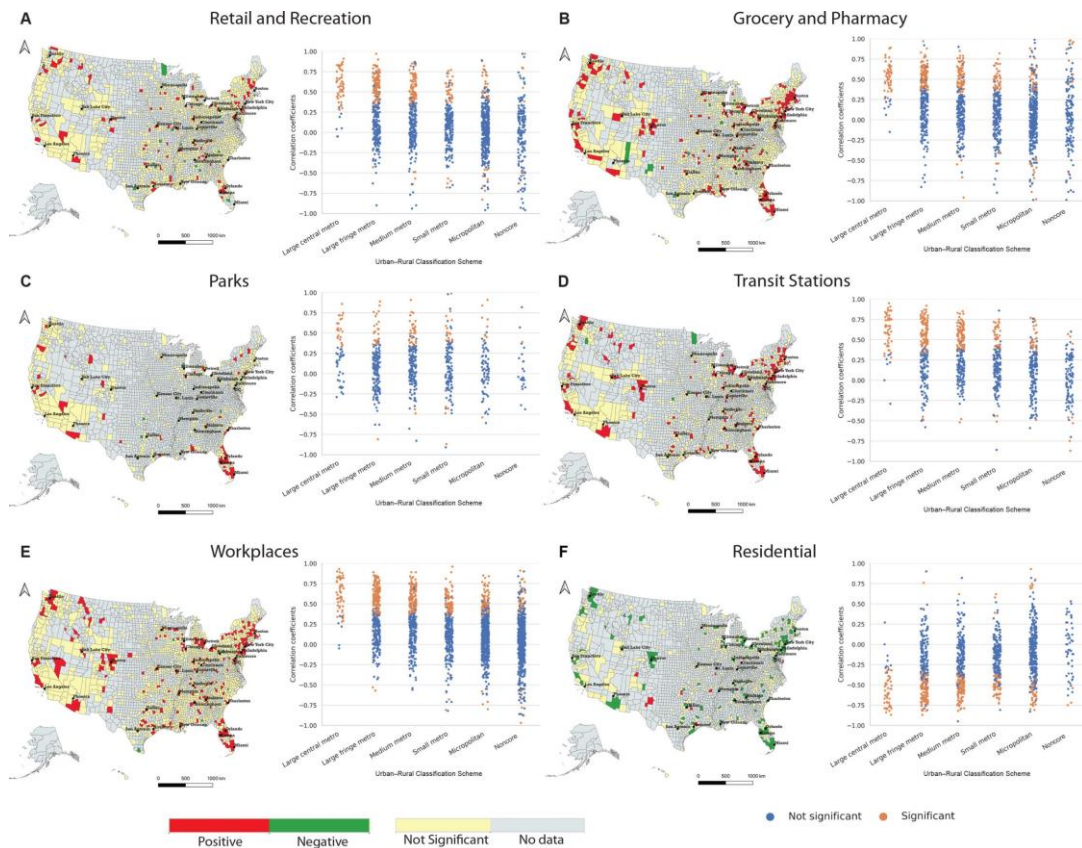
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and sneezes

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Jurisdictional Challenges

Different jurisdictions have different levels of control:

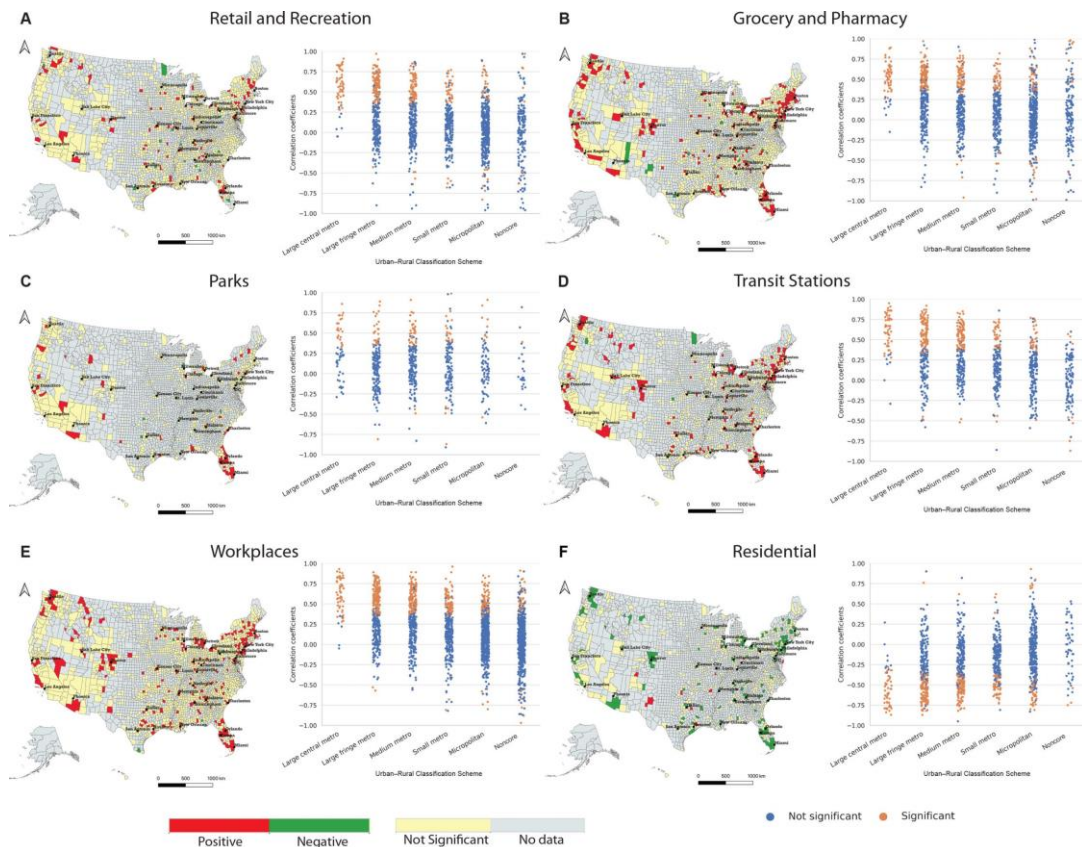
- Dictated by infection levels within the jurisdiction.
- Reflect attitude of community towards pandemic.
- Can make controls difficult to determine and implement.



Jurisdictional Challenges

ICW Group recommends following the most stringent regional controls for returning to workplace in all locations.

- Follow jurisdictional reporting requirements.
- Follow jurisdictional business opening and closing orders.



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NEXT STEPS...

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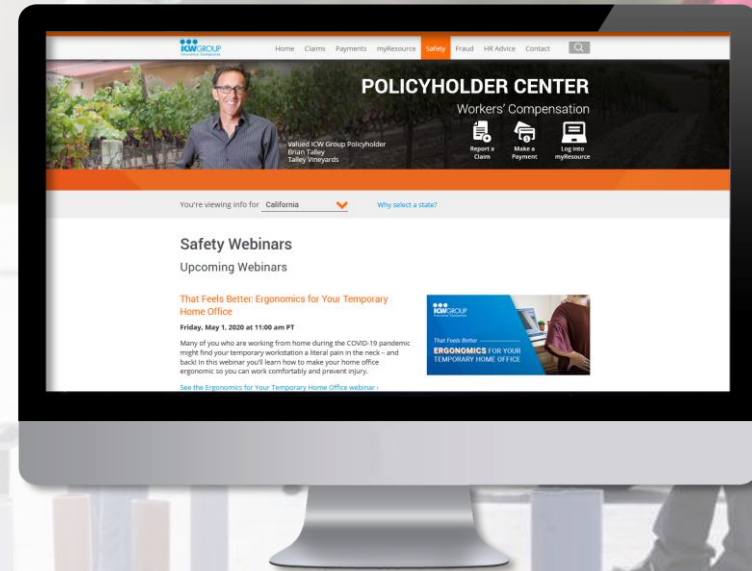
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ICW Group Policyholder Website!

Find all resources!

- Safety and Risk Management area!
- Safety Webinars
- COVID-19: Returning to YOUR workplace



icwgroup.com/safety

ICW Group Policyholder Website!

Be sure to download
your **Return to
the Workplace
Toolkit!**



icwgroup.com/safety

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Thursday
April 8, 2021
11:00am pst

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THANK YOU!

icwgroup.com/safety

