

# Employer Guide for COVID-19 Worksite Exposure



**Effective date:** 03/13/23

**Purpose:** To provide guidance to local businesses in the event employees may have been exposed to COVID-19 at their worksite

**Audience:** Employers – Human Resources, Occupational Health, Managers/Supervisors

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## Guide Contents

1. General Worksite Exposure: Instructions for  $\leq 2$  confirmed cases
2. Possible Worksite Outbreak: Instructions for  $\geq 3$  confirmed cases
3. Instructions: Recommended Steps for Exposed Close Contacts
4. Instructions: Previously Positive
5. Resources: Employer/Employee
6. Resources: Testing, Vaccines & Test-to-Treat
7. Resources: Other

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E-mail: [cobcd@cityofberkeley.info](mailto:cobcd@cityofberkeley.info) - <http://www.cityofberkeley.info/covid>

## **Key Terminology**

- **Case:** A person with a positive COVID-19 lab or someone who was diagnosed by their provider as having COVID-19
- **Close contact:** Determining who is a close contact is dependent on the size of an employer's indoor space. In indoor spaces 400,000 or fewer cubic feet per floor (home, clinic waiting room, airplane etc.), a close contact is defined as sharing the same indoor airspace for a cumulative total of 15 minutes or more over a 24-hour period (i.e., three separate 5-minute exposures for a total of 15 minutes) during an infected person's (confirmed by COVID-19 test or clinical diagnosis) infectious period
- In large indoor spaces greater than 400,000 cubic feet per floor (such as open-floor-plan offices, warehouses, large retail stores, manufacturing, or food processing facilities), a close contact is defined as being within 6 feet of the infected person for a cumulative total of 15 minutes or more over a 24-hour period during the infected person's infectious period
- Offices, suites, rooms, waiting areas, break or eating areas, bathrooms or other spaces that are separated by floor-to-ceiling walls are considered distinct indoor airspaces
- Rooms with floor to ceiling walls are not counted as part of any larger indoor space
- **Infectious period:** The period of time when a positive case can infect other individuals. Infectious period starts 2 days before either; symptom onset if symptomatic or first positive test if asymptomatic, until they meet criteria for [release of isolation](#)
- **Exposure:** The potential for COVID-19 transmission at the worksite
- **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
- **Exposure dates:** The dates a positive employee was onsite during their infectious period
- **Isolation:** period of time a confirmed case needs to stay home and away from others to avoid infecting others
- **Returned case:** 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 other than 30 days is required by a CDPH regulation or order, that period shall apply

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## 1. Instructions: Identifying Employees Potentially Exposed to COVID-19 when there is ≤2 confirmed case(s)

If an employer learns that an employee has tested positive or when a possible exposure to COVID-19 occurs in the workplace, employers need to be prepared to respond and notify employees asap. Once a COVID-19 case is identified among employees, the employer should conduct an investigation to identify all close contacts associated with the workplace (both employees and non-employees who spent time at the site) who had exposure to the case during the infectious period. The employer will need to determine the day and time the COVID-19 case was last present on site, activities the case completed and location where activities were performed. With this information the employer will determine which, if any, employees were exposed to COVID-19.

It is requested, but not required, that the employer report the case as soon as possible to the City of Berkeley. Please go to <https://cdph.force.com/SPOT/s/IntakeForm> for initial incident reporting. It is critical that the employer select Berkeley as the jurisdiction, **NOT** Alameda. This form will require input of basic information such as location and point of contact, along with case information. Once this initial information is submitted by the employer, City of Berkeley will email a link for the employer to directly input details of additional cases and contacts into the SPOT database.

Within one business day from when the employer becomes aware of an exposure, employers must provide a written notice to close contacts who were on the premises at the same worksite as the person who was infectious with COVID-19. Employers should maintain the affected employee's confidentiality and should be particularly careful not to disclose the affected employee's name. Please refer to "**Section 3 Instructions: Recommended Steps for Exposed Close Contacts**" to review the guidance for those exposed.

Per [Cal/OSHA COVID-19 Non Emergency standards](#) employers must make COVID-19 testing available at no cost, during paid time, to all employees of the employer who had close contact in the workplace.

Over the counter (OTC) tests may be both self-administered and self-read if verification of the results, such as a time and date stamped photograph of the result or an OTC test that uses digital reporting with time and date stamped results, is provided. [COVID-19 Prevention Non-Emergency Regulations \(ca.gov\)](#)

Close contacts **MUST** wear a well-fitting mask around others indoors for a total of 10 days from last date of contact to the infectious individual(s).

It is important that employers do not use testing to impermissibly discriminate against employees who have previously tested positive for COVID-19 (such as preventing them from resuming work after they can do so in a manner consistent with public health and safety). An employee who is currently infectious and completing their isolation period should not be allowed to return to work. Please review the [Exclusion Requirements for Employees Who Test Positive for COVID-19](#), to determine when an employee is eligible to return to the worksite.

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## 2. Instructions: Worksite Outbreak with $\geq 3$ confirmed cases

### A: In addition to the requirements for non-outbreak settings, an employer should:

If an employer learns that there are  $\geq 3$  confirmed cases of COVID-19, please fill out the SPOT intake form, and then contact the City of Berkeley Communicable Disease Prevention & Control Program (CDPCP) at 510-981-5292 or email [cobcd@cityofberkeley.info](mailto:cobcd@cityofberkeley.info) with the subject line "Berkeley Worksite Exposure – possible outbreak".

To help expedite your Outbreak response, please be prepared to provide the following information and documentation to the CDPCP:

- **Case and Contact information** will be entered by employer into SPOT database (CDPCP will send the employer a link with instructions upon report of an Outbreak)A **site map** with the workspace of the cases and/or symptomatic employees noted Masking policy
- **Testing policy/plan**

Once CDPCP receives this information you will be contacted by the assigned investigator within 1 business day. The investigator will review the information provided, conduct interviews as needed, and provide the employer with guidance on next steps. This may include site closure. CDPCP's recommendations for closures will be made on a case-by-case basis.

Maintain records of COVID-19 cases and immediately report serious illnesses to Cal/OSHA and to the local health department when required.

Per [California Code of Regulations, Title 8, Section 3205.1. COVID-19 Outbreaks](#), employers **must** immediately institute testing if there is an outbreak:

Testing must be offered to all employees within an exposed group, at least once a week, except for employees who were not at work during the relevant period and symptom-free employees who recently recovered from COVID-19.

- (1) Immediately upon being covered by this section, the employer 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) under subsection 3205.1(a).
- (2) Employer shall then make testing available on a weekly basis to all employees in the exposed group who remain at the workplace.
- (3) 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 follow the return to work requirements of subsection 3205(c)(5) starting from the date of the last known close contact.

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During outbreaks (3-19 cases) and major outbreaks (20+ cases), employers must now make weekly testing (outbreaks) or twice-weekly testing (major outbreaks) available to all employees in the exposed group, regardless of vaccination status. If 20 or more employees test positive, notify [CalOSHA](#) immediately. ([§3205.1. COVID-19 Outbreaks](#))

**Employees who are not tested within 3-5 days after close contact must be excluded from the workplace until the return to work requirements for COVID-19 cases are met. See [release from home isolation](#) criteria.**

The employer shall notify employees and independent contractors who had a close contact, as well as any employer with an employee who had a close contact. Notice shall be provided as soon as possible, and in no case longer than the time required to ensure that the exclusion requirements of subsection 3205(c)(5)(A) are met. Employers should maintain the affected employee's confidentiality and should be particularly careful not to disclose the affected employee's name. Please refer to "**Section 3 Instructions: Recommended Steps for Exposed Close Contacts**" to review the guidance for those exposed.

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### 3. Instructions: Recommended Steps for Exposed Close Contacts

For all employees, regardless of vaccination status, of non-healthcare settings with no COVID-like symptoms; there is no need to quarantine following an exposure as long as they remain asymptomatic. Exposed employees should be tested 3-5 days post exposure and continue to participate in routine screening testing (if present) or after a known exposure in the worksite.

**Refer to table below for close contact guidance**

<b>All Exposed Employees with COVID-19 Symptoms</b>	
<p>Persons Who are Exposed to Someone with COVID-19 (No Quarantine)</p>	<ul style="list-style-type: none"> <li>• Test within 3-5 days after last exposure</li> <li>• Close contacts should wear a well-fitting mask around others for a total of 10 days, especially in indoor settings and when near those in higher risk for severe COVID-19 disease</li> <li>• Strongly encouraged to get vaccinated or boosted</li> <li>• If symptoms develop, test and stay home, AND if test positive, follow isolations instructions</li> </ul>
<b>Asymptomatic Employees Who are Exposed to Someone with COVID-19 (No Quarantine Required)</b>	
<p>Everyone, regardless of vaccination status. Persons infected within the prior 30 days do not need to be tested, quarantined, or excluded from work unless symptoms develop.</p>	<ul style="list-style-type: none"> <li>• Should consider testing as soon as possible to determine infection status</li> <li>• Per CDPH masking guidance, close contacts should wear a well-fitting mask around others for a total of 10 days, especially in indoor settings and when near those at higher risk for severe COVID-19 disease. If testing negative before Day 3, retest at least a day later at least once, during the 3–5 day window following exposure.</li> <li>• Strongly encouraged to get vaccinated or boosted.</li> </ul>

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## 4. Instructions: Previously Positive

As per CDPH, persons previously infected in the last 31–90 days should also test, even if asymptomatic and regardless of vaccination status, given the increased transmissibility and increased repeat infections.

## 5. Resources: Employer/Employee

- **CalOSHA COVID-19 Prevention Non- Emergency Regulations**  
[Cal/OSHA Enforcement Branch](#)
- **CalOSHA**  
[COVID-19 Prevention Non-Emergency Regulations \(ca.gov\)](#)
- **COVID-19 Outbreaks**  
[California Code of Regulations, Title 8, Section 3205.1. COVID-19 Outbreaks.](#)
- **Department of Industrial Relations, Labor Commissioner’s Office**  
[https://www.dir.ca.gov/dlse/Coronavirus-\(COVID-19\)-Information.htm](https://www.dir.ca.gov/dlse/Coronavirus-(COVID-19)-Information.htm)
- **Labor & Workforce Development Agency**  
[LWDA | Labor & Workforce Development Agency \(ca.gov\)](#)
- **OnwardCA, State Employment & COVID-19 Resources**  
<https://onwardca.org/>
- **Safer At Work / California for All**  
[Safer At Work | California for All](#)

## 6. Resources: Testing, Therapeutics, & Vaccines

- **CA’s free telehealth provider via Sesame Care: 1-833-686-5051** (free COVID-19 medical consultation and medication if necessary)  
<https://sesamecare.com/covidca>
- **CDPH list of COVID testing laboratories**  
<https://testing.covid19.ca.gov/covid-19-testing-task-force-laboratory-list/>
- **CDPH COVID-19 Test to Treat Program**  
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Test-to-treat-locations.aspx#>

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- **City of Berkeley Testing Information**  
<https://berkeleyca.gov/safety-health/covid-19/get-tested-covid-19>
- **City of Berkeley Vaccine Information**  
<https://berkeleyca.gov/safety-health/covid-19/covid-19-vaccines>
- **Find a Test-to-Treat location**  
<https://covid-19-test-to-treat-locator-dhhs.hub.arcgis.com/>
- **Statewide COVID-19 hotline : 1-833-422-4255**

## 7. Other Resources

- **Alameda County COVID-19 Food Distribution**  
<http://www.acgov.org/maps/food-services.htm>
- **Berkeley Food Network**  
[Our Hours | Berkeley Food Network](#)

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