

MPCC Roundtable



January 4, 2022

For questions or additional information regarding the below update, please contact Michaelle Stanford, PHRca, M.A. at michaelles@tpohr.com. TPO Note: As a reminder, these updates are provided for informational purposes only. For unique situations to your business, please consult with your Human Resource provider or employment expert.

CDPH updated Guidance as of December 30, 2021 regarding isolation and quarantine covers additional mitigation measures including testing and clarification of fully vaccinated but have not received their booster now recommended to quarantine 5 days upon exposure. <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Guidance-on-Isolation-and-Quarantine-for-COVID-19-Contact-Tracing.aspx>

Although **there is no requirement for a negative test, as before**, some employers will require it. CDPH's update includes:

- Test on day 5
- Quarantine can end after day 5 if symptoms are not present and a diagnostic specimen collected on day 5 or later tests negative
- If unable to test or choosing not to test, and symptoms are not present, quarantine can end after day 10.

Health Care Worker Vaccine Requirement was also updated on December 22, 2021. <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Health-Care-Worker-Vaccine-Requirement.aspx>

For the workplace, **Cal/OSHA ETS states that CA CDPH guidelines will be followed.** <https://www.dir.ca.gov/dosh/coronavirus/COVID19FAQs.html#workCases>

As a reminder, according to the Department of Industrial Relations, the employer must pay for the time it takes for testing or vaccination because such time would constitute "hours worked." The term "hours worked" means the time during which a worker is subject to the control of an employer, and includes all the time the worker is suffered or permitted to work, whether or not required to do so. Under this definition, one way to determine whether time a worker spends performing a task must be paid as time worked is whether the employer exercised control over the worker by requiring the worker to perform that task. <https://www.dir.ca.gov/dlse/COVID19resources/FAQs-Testing-Vaccine.html>

Also, please join us on January 12, 2021 for TPO's 18th Annual VirtualLivesm Employment Law & Leadership Conference! Although we will not be addressing COVID-19, there are a whole host of other important HR changes in 2022 + the afternoon Leadership program will be focusing on Retaining Your Best and HireRight insights for 2022. For more information and how to register, they can visit this site <https://www.tpohr.com/training-and-development/annual-conference/>