

# COVID-19 Testing Requirements

Cal/OSHA's latest COVID-19 regulations require employers to make testing available, at no cost and during paid working hours, to employees who had close contact to a COVID-19 case in the workplace or are part of an exposed group during outbreaks. **During outbreaks, employees who had “close contact” (and during major outbreaks, all employees in the “exposed group”) must have a negative test taken 3-5 days after exposure to remain at work or must be excluded from the workplace until return to work requirements are met. In all situations, testing requirements are not applicable to “returned cases” who recently had COVID-19 unless they develop symptoms.**

## COVID-19 tests must meet the following:

- Be cleared, approved, or authorized, including in an Emergency Use Authorization (EUA), by the USFDA to detect current infection with the SARS-CoV-2 virus; **AND**
- Be administered in accordance with the authorized instructions.
- When used to meet return to work criteria, may be self-administered and self-read only if another means of independent verification of results can be provided, such as a time-stamped photo of the result.

	<b>Employees with “Close contact” to COVID-19 Case in the workplace</b>	<b>Workplace Outbreak*</b> When 3 or more employee COVID cases in an “exposed group” visited the workplace during their “infectious period” at any time during a 14-day period, or as otherwise defined by CDPH definition.	<b>Major Workplace Outbreak*</b> If 20 or more employee COVID cases in an “exposed group” visited the workplace during their “infectious period” within a 30-day period.
Make testing available at no cost and during paid time	X	X	X
Once a week testing for employees who remain at the workplace		X	
Twice a week testing for employees who remain at the workplace			X
Additional testing if recommended by local health department or Cal/OSHA			X

\*Testing requirements during outbreak incidents apply to employees in the “exposed group” present in the workplace during the defined outbreak period and can end once there are one or fewer new COVID-19 cases detected in the “exposed group” for a 14-day period.

# Definitions

## Close contact

- Indoor spaces ≤ 400,000 ft<sup>3</sup> – sharing same indoor airspace with a COVID-19 case for a cumulative total of 15 minutes or more over a 24-hour period during the COVID-19 case's "infection period" regardless of the use of face coverings.
- Indoor spaces > 400,000 ft<sup>3</sup> – being within 6 ft. of a COVID-19 case for a cumulative total of 15 minutes or more over a 24-hour period during the COVID-19 case's "infection period" regardless of the use of face coverings.
- Offices, suites, rooms, waiting areas, break or eating areas, bathrooms, or other spaces that are separated by floor-to-ceiling walls shall be considered distinct indoor spaces.

## Infectious period (unless otherwise defined by CDPH regulation or order)

- For employees who test positive but do not develop symptoms – from 2 days before until 10 days after the specimen for their first positive test was collected (or through day 5 if testing negative on day 5 or later).
- For symptomatic COVID-19 cases – from 2 days before symptoms developed until 10 days after symptoms first appeared (or through day 5 if testing negative on day 5 or later), **AND** 24 hours have passed without fever (without the use of fever-reducing medications), **AND** symptoms have improved.

## Return to work criteria

COVID-19 cases and employees excluded during outbreaks may return to the workplace when the following requirements are met:

- Asymptomatic COVID-19 cases – once their "infectious period" is over.
- Symptomatic COVID-19 cases – once their "infectious period" is over, **OR** 10 days have passed since symptom onset **AND** at least 24 hours have passed since a fever of 100.4°F or higher has resolved without the use of medication; whichever is shorter.

**Face coverings must be worn by COVID-19 cases who return to the workplace prior to 10 days since symptom onset or if asymptomatic, since their first positive COVID-19 test.**

## Exposed group

All persons at a work location, working area, or a common area at work, including within covered employer-provided transportation (3205.3) or residing in covered employer-provided housing (3205.2), where a COVID-19 case was present at any time during the infectious period with these exceptions:

- Places where people momentarily pass through are not considered a work location, working area, or common area at the workplace.
- If the COVID-19 case was part of a distinct group of employees not present at the workplace at the same time as other employees, e.g. separate shifts that don't overlap, only employees in the COVID-19 case group are part of the exposed group.
- If the COVID-19 case visited a work location, working area, or a common area for less than 15 minutes during their "infectious period," **AND** the COVID-19 case was wearing a face covering during the entire visit, the people at those locations are not part of the exposed group.
- Offices, suites, rooms, waiting areas, break or eating areas, bathrooms, or other spaces that are separated by floor-to-ceiling walls shall be considered distinct indoor spaces.

## Returned case (unless otherwise defined by CDPH regulation or order)

A returned case is a person who recently recovered from COVID-19 and is within a period of 30 days after the initial onset of COVID-19 symptoms or, for COVID-19 cases who never developed symptoms, within a period of 30 days after the first positive test.