

Local and State Employment Law Update: COVID-19 Regulations

Labor & Employment Law Update

on June 30, 2022

Below are some of the most recent updates made to various state COVID-19 regulations.

CALIFORNIA

- Cal/OSHA updated its Model Covid-19 Prevention Program (CPP) to reflect changes from the third readoption of the Covid-19 Emergency Temporary Standards. The model program, which is intended to help employers create a written CPP for their individual workplace, incorporates new requirements for face coverings, respirators, and testing. The agency has also updated its Covid-19 Emergency Temporary Standards FAQ document to reflect and explain such changes from the third readoption.
- The California Department of Public Health updated its guidance to include fully vaccinated and booster-eligible (but not boosted) to the list of individuals recommended for quarantine or work exclusion in high-risk settings. This guidance does not apply to health-care personnel in settings covered by AFL 21-08.8, who are permitted to follow guidance for quarantine of Skilled Nursing Facilities residents specified in AFL 22-13.
- A federal district court found that a “mild” case of COVID-19, where symptoms included minor fatigue, body aches, headaches, and cough—with no residual effects—does not fall within the definition of a disability protected under the California Fair Employment Practices law. *Roman v. Hertz Loc. Edition Corp.*, No. 20cv2462-BEN (AGS), 2022 BL 169039 (S.D. Cal. May 16, 2022).

ILLINOIS

- The State of Illinois has reinstated its COVID-19 orders through Executive Order No. 2022-13—also known as COVID-19 Executive Order No. 106. Part or all of the following executive orders related to COVID-19, have been extended:
 - No. 2022-12 (health care worker background checks);
 - No. 2020-23 (licensed professionals engaged in disaster response);
 - No. 2020-30 (electronic filings for state Human Rights Commission);

- No. 2021-18 (mitigation measures);
- Nos. 2021-22 and 2021-28 (vaccination and testing requirements);
- No. 2021-31 (suspending requirements for social workers); and
- Nos. 2022-06 and 2022-11 (face covering requirements).

MINNESOTA

The Frontline Worker Pay law requires that employers in a frontline sector provide notice to its employees by June 23, 2022, in a form approved by the commissioner of the Department of Labor and Industry, advising all current workers who may be eligible for Frontline Worker Pay of the assistance potentially available to them and instructions for how to apply for benefits.

WASHINGTON

The Washington Department of Labor and Industries has extended its emergency regulations, effective April 6, 2022 through August 4, 2022. The amendment sets forth employer reporting and notification requirements for workplace COVID-19 outbreaks, and adds outbreak notification requirements for certain health care facilities previously exempt from the requirements. The regulations on voluntary use of PPE were also extended.

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