



Guidance for **RETURNING TO WORK**





Beyond the Blueprint & Guidance for San Diego Businesses Returning to Work

The prospect of returning to our businesses to resume in-person work is exciting, but comes with significant questions from both the employer and employee. At the San Diego Regional Chamber of Commerce, we know that our members are doing everything they can to help keep our region safe, including trying to stay up to speed on the changing information and guidelines that come from the county, state, and federal levels.

In this guide, you'll receive an overview of how employer regulations have evolved throughout the pandemic, employer requirements for mandating vaccination or testing. We'll also cover best practices for returning to the office – or the “new normal” of the hybrid workplace. As these regulations and best practices are changing in real time – we map out what to anticipate going forward.

We hope the information included here can answer some of your questions. But if you need more support in adapting to a changing landscape, feel free to contact a member of the Chamber team.

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WHERE WE ARE NOW

- *November 30, 2020:* CalOSHA ETS goes into effect
- *June 15, 2021:* California retires Blueprint for a Safer Economy
- *June 17, 2021:* CalOSHA issues revised ETS
- *November 5, 2021:* OSHA ETS is published in the Federal Register
- *December 27, 2021:* CDC updates and shortens recommended isolation and quarantine period for general population
- *January 4, 2022:* OSHA ETS scheduled to go into effect
- *January 13, 2022:* US Supreme Court stayed the vaccine-or-test mandate issued by OSHA
- *January 14, 2022:* CalOSHA ETS Revisions (2nd version) takes effect
- *January 18, 2022:* The Biden administration begins distribution of free COVID-19 tests throughout the US
- *April 2022:* CalOSHA ETS to be replaced by a permanent standard

RETURNING TO THE OFFICE

With the COVID-19 pandemic spanning two years, health experts believe that coronavirus will become endemic. Which means: We may never fully return to traditional, fully in-person 9-5 workplaces. The question now becomes what long-term systems can provide you, your team, and your customers certainty going forward.

As we begin the new year, there are new considerations for continuing remote options or requiring (at least some) in person work. An employer can require their staff to return to the office, but there are some key things to keep in mind which are covered below.

REQUIRING THE VACCINE

As the pandemic continues on, many employers are reviewing their COVID-19 safety protocols, including vaccine requirements.

Currently, an employer can require their employees to receive a COVID-19 vaccine, which many have opted to do, citing the safety of their workforce and customers. With the vaccine fully FDA approved, vaccination requirements have surged in private and public workplaces. However, employers should prepare to consider reasonable accommodations for some employees that may refuse vaccination for medical or sincerely held religious beliefs.



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Although federal anti-discrimination measures do not disallow vaccine requirements, some COVID-19 policies have been met with litigation. However, these vaccine mandates have been [largely upheld](#), and we can reasonably expect similar employer vaccine mandates to continue.

Federal

In November, The Occupational Safety and Health Administration (OSHA) released their emergency temporary standard (ETS). The rule requires businesses with over 100 employees to mandate full vaccination, or require unvaccinated employees to wear a mask and test weekly for COVID 19. Remote and outdoor workers are excluded from the rule.

On January 13, 2022, the Supreme Court effectively blocked the vaccine-or-test mandate issued by OSHA. This means businesses can voluntarily **stop taking steps to comply** with the federal standard.

In the future, there may be additional attempts to implement a different version of the ETS with a more narrow or industry-specific focus. Employers in industries that have disproportionately faced COVID-19 related problems should remain aware of the possibility of new OSHA rules.

State

At the state level, the revised Cal/OSHA ETS became effective January 14. This **does not** include requirements to mandate vaccinations or implement routine, weekly COVID-19 testing.

OBTAINING PROOF OF VACCINATION

Employers are allowed to ask an employee their vaccination status and request proof of vaccination. According to the EEOC, this information should be considered a medical record and should be stored and maintained separately from a general personnel file.

The California Consumer Privacy Act (CCPA) requires that employers collecting vaccination status provide a “notice at collection.” This means that employers need to announce advance notice to employees that information relating to vaccination status will be collected. If an employee refuses to disclose their vaccination status, they should be treated as an unvaccinated employee.

Employers should also prepare a plan for employees who are unvaccinated and request accommodations. Employers are required to provide reasonable accommodations for employees with a disability/for medical necessity, or for sincerely held religious beliefs.



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The [EEOC offers some updated guidance](#) for employers requiring vaccinations while navigating protections under the ADA, GINA, and Title VII. Examples of employers that are requiring the vaccine (that are not healthcare providers, which are generally in a different category), include the Cal State and UC systems, Harvard University, Carhartt, Delta Airlines, and others.

Before you require vaccines, you will need to determine whether vaccination is necessary for employment broadly, or if it will only be required for those returning to office or worksites. Your next steps should be to work with your legal counsel and HR team to create a clear letter/email/memo communicating the new vaccine policy, and create the policy itself.

- You can find a “model mandatory vaccine policy” [here](#) or [here](#).
- Information about communicating the importance of the vaccine, provided by the CDC, is [here](#)

If you decide to mandate the vaccine, you’ll want to be careful about how you communicate that. First, any required testing or vaccination will require the employee to be compensated for their time doing so according to California’s [Department of Industrial Relations](#). Secondly, it’s recommended that you only ask if they’ve been vaccinated and/or ask them to provide proof. If they provide proof, the employer needs to treat documentation like a medical document, meaning being very careful about the security of the information. An employer should also be clear that no *additional* information should be volunteered. This could make an employer liable for asking for medical information, which is not allowed. If an employer wanted to streamline the process for giving proof, some companies have created trackers that are similar to what is being used for airline travel. If this is of interest to you, the Chamber team recommends you contact CLEAR*, who can help you explore such a program. The EEOC recommends that employers are mindful that some individuals or demographic groups may face greater barriers to receiving a COVID-19 vaccine. Employers may need to respond to concerns that a vaccine requirement may have a disproportionate impact on, or excludes, employees based on their race, color, religion, sex or national origin under Title VII.

If an employee refuses the vaccine, there are different options for response. The EEOC offers some [updated guidance on what an employer should do](#) if an employee refuses the vaccine. An employee *can* refuse a vaccine if they do so because of medical or religious reasons, including pregnancy. Employers should refrain from asking “why” or other probing questions, as again it could stray into legal concerns that are protected by the Americans with Disabilities Act. Instead, lay out clearly when you outline a vaccine requirement (if you have chosen to require it) that those exemptions do exist. Should someone claim either exemption, an employer has the option of asking for further documentation (i.e. a doctor’s note or further discussion about the religious complications), or simply accepting that. Note that an individual requesting an accommodation does not need to specifically cite the ADA or use the phrase “reasonable accommodation.” This



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can get very murky very quickly, and any employer who finds them self in this situation should consult counsel.

The Equal Employment Opportunity Commission, EEOC, has provided early indication that employer-required mandates are acceptable.

Another way to approach this would be to consider “**strongly encouraging**” vaccines. This comes with significantly less assurances, but also may provide relief to an employer who is concerned about the legal complications at hand. Remember, should you choose to require people to return to the office, at this point there is no legal justification for an employee citing coworkers’ vaccination status as a reason to, or not to, return.

There are a number of programs for employers that are proactively supporting employees being vaccinated. The Chamber’s own [Time To Vaccinate](#) campaign would love to highlight you. If you’re unsure what an incentive might look like for your employees to get vaccinated, some employers have created programs to give their staff additional paid time off, or cash rewards of \$100, just to give you some examples.

And finally, you can work with the County of San Diego to [host a vaccination](#) event at your worksite to help encourage vaccinations for your team.

IN SHORT: The Federal government’s requirement that your workforce be vaccinated has been blocked by the Supreme Court. California does not have such a requirement (except for healthcare workers and some public institutions). Generally speaking as a private employer, it is up to you to decide how and if to require vaccines.

PHYSICAL RETURN TO THE OFFICE OR WORKPLACE

Successful returns to the office will depend on transparency with your team, frequent check-ins to the county, state and federal guidelines, and above all, flexibility.

As stated above, **employers can require that their staff return to the office**. Many companies are opting for hybrid models with some expanded telework options while others are providing some voluntary return programs; meaning that only those that wish to return will, while those that prefer telework will be able to do so. There is no one-size-fits-all solution for the business community, but there are some practical points for employers at this time.



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When determining a return to work strategy, note that there are those people who have high-risk conditions for whom telework or even a leave of absence may be necessary. The CDC defines people who are at high-risk of getting COVID to be those with cancer, chronic kidney disease, COPD, Down syndrome, heart conditions, obesity, pregnancy, Sickle cell disease, and Type-2 diabetes. This population cannot be excluded from returning due to these medical reasons, but may be more likely to request a “reasonable accommodation” like continued telework. Simply being afraid of contracting COVID is not a sufficient reason for someone to request not to return to the office. Determining what a reasonable accommodation would be is a two-way street, meaning that the employer is not required to simply accept an employee working from home, and should work with that employee to determine the best course. However, when an employer grants such requests, they would be wise to be consistent in applying that decision making rationale across the board.

Before you determine you’re going back to the office, or if you’re reconsidering your office dynamics, and your announcement has been made to staff the employer must create a [safe reopening plan](#), as required by the County of San Diego. A prevention program, as required by CalOSHA’s emergency standards is also required, but you can find a model program that simply requires editing included in this [fact sheet](#). It’s important that a previously required document, known as the [Injury Illness Prevention Plan](#) be completed and made available to employees.

You’ll also need to purchase the appropriate PPE for staff, as you are responsible for providing that to your team (more on that below). In addition, you must train your team on limiting the spread of COVID.

Upon returning, employers will likely have decisions to make about screening protocol, physical office space, scheduling, and other complicated points.

Physical distancing of six feet between individuals (customers and employees) is still recommended, however that will not always be possible and is not sustainable permanently in most cases. In those cases, OSHA recommends reviewing the [hierarchy of controls](#), to determine how to proceed. Employers should think about redesigning the workspaces, providing physical barriers, and assessing their ventilation systems to ensure that precautions are taken where possible. In narrow walkways, identifying one-way paths may help. Physical markers on the floor of commonly used areas (such as the copy machine or kitchen), can assist individuals in remembering to provide space to their colleagues.

Before you invest in ventilation systems or filters, visit the [CDC’s recommendations](#) about minimum standards to achieve air improvement.



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When you consider the transition back, remember that not all of your peer organizations, customers, and vendors are on the same timeline. While not a legal requirement, we recommend thinking about your employee workstations (do their computers have the ability to teleconference?), and your meeting spaces (what types of technology or programs might be critical now that weren't necessary before?). Contact Chamber staff if you need a referral to a company to help you navigate such questions.

In addition to distance, in cases where further safety measures are needed, providing **staggered schedules**, breaks, or meal times can help alleviate congested areas or too many people congregating in common areas.

Although employers are required to provide information to employees on how to get tested for COVID-19, organizations can partner with the State of California to [hold a testing site in your community](#).

NAVIGATING EVENTS IN 2022

Even for companies who have managed a successful return to in-person or hybrid work, navigating events safely is a difficult task.

The California Department of Public Health has required events with over 500 attendees to provide proof of full vaccination status or a negative COVID-19 test to enter an event. Masks continue to be required for all indoor settings, regardless of vaccination status, until February 15, 2022.

Businesses that choose to hold events can take additional measures to ensure staff and attendee safety. Best practices to promote safety in large events include developing a plan to prevent crowds at the entrance or exit of an event, such as staggering entry times or using an app for [contactless event check in](#). If food and beverage services are offered, it's best to refrain from self-serve options and keep eating and drinking outdoors.

If you plan to hold an event indoors, make sure to [maximize ventilation](#) by checking the building's HVAC system and open windows and doors where possible. Consider upgrading your buildings air filters, installing portable air cleaners, or using carbon dioxide monitors to check indoor ventilation.



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TESTING FOR COVID-19

Employers can require testing of their employees, including regular screens with questions regarding symptoms such as fever, sore throat, and coughing. Any information from these screens or temperature checks, however, must be confidential.

If you pursue screening as a part of the entry process for employers before reporting to work each day or each shift, note that the California's Division of Labor Standards and Enforcement has clarified that the time waiting to be screened and being screened is compensable. This means the employer must pay that time.

Should an employee show up to work, and demonstrate signs of illness such as high temperature and as a result get sent home, note that California law does require payment for that missed shift. (This is more commonly referred to as the [California Minimum Wage Order](#)).

Whether or not employees are vaccinated, **masks are still required** in the workplace. Equally as important, employers are required to pay for and provide necessary PPE. [Per state guidance](#), employees must be masked when: interacting with the public; in a space that the public may enter; in common areas or walkways; or in any room where other people are and they cannot physically distance. So when do your employees *not* need to wear a mask? When eating or drinking; in an office or room alone; and driving alone. Businesses should also note that the California Department of Public Health temporary indoor mask mandate has been extended through February 15, 2022 for all Californians over the age of two, regardless of vaccination status.

Guidance from CalOSHA provides additional requirements for testing. Those requirements state that anyone (who is vaccinated or recovered from COVID within the past 90 days) who has had a close contact with a COVID-19 positive individual does not need to be excluded from the workplace, *however* they must be asymptomatic and wear a face covering/social distance for 14 days post exposure. Additionally, employers are now required to provide and pay for testing for all employees regardless of symptomatic status and vaccination status.

When considering what "testing" encompasses, per CalOSHA, that would mean both antigen tests and PCR tests that are approved by the FDA or that have an EUA via the FDA that are specific to COVID-19 detection. However, testing cannot be self-administered and self-read to count, meaning that if using a rapid test, another individual would need to be present to review the results.



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IN SHORT: Employers should assume that they will be required to provide and pay for testing for their workforce when outbreaks and exposures occur. As rapid-result antigen tests are approved and more available, it would behoove the employer community to acquire more supply of tests for use. For decisions about what to do if an individual tests positive, please see the “return to work flowchart” in the appendix.

DEALING WITH WORKPLACE OUTBREAKS OR POSITIVE EMPLOYEES

As an employer, you should assume you will deal with employees and/or their families getting COVID-19. There are specific guidelines from the state and county about what to do when that occurs.

First, and more generally, employers would be wise to prepare for this inevitability and plan for staffing shortages, and unexpected restrictions of the workforce during surges. If possible, a paid time off program is encouraged as it can help keep symptomatic team members from feeling the pressure to work, and is likely a necessary tool for working caregivers who are forced to take time off when an elderly parent or child gets ill.

More specifically however, there are direct steps that are required when an employee tests positive. Those are:

- 1) Notifying the county that you have a positive employee via the [County Notification Form](#).
- 2) Quarantine/isolate the employee as guided by the county’s public health order.
 - a. If tested positive [isolate](#) orders are applicable
 - b. If exposed via close contact [quarantine](#) orders are applicable
- 3) Notify your workforce of case(s) without providing identifying information of the individual
 - a. Via writing is recommended for documentation purposes
- 4) Determine what testing is necessary for close contacts
 - a. Close contact defined as a person who was within 6 feet of a COVID-19 case for a cumulative total of 15 minutes within the 24 hour period that the positive individual is at high risk.
 - i. To any staff who had a close contact, with no exception for those who are fully vaccinated or asymptomatic, testing must be provided at no cost to the staff and during regular work hours
 - ii. Tests can be PCR or rapid antigen
 - iii. Employees may be sent to an off-site location for testing but must be compensated for time/travel
 - iv. Employees can also refuse to test



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- 5) Determine who to exclude from in-person work after a close contact
 - a. Anyone who had a close contact unless they are fully vaccinated or recovered from COVID-19 within the past 90 days and do not have any symptoms

HELPFUL RESOURCES

Business Guidance:

JDSUPRA: [The US Supreme Court Stays OSHA's Vaccine Mandate: What It Means for Employers](#)

Fisher Phillips: [An Employer's 3-Step Guide to Responding to COVID-19 Vaccine Religious Objections](#)

National Law Review: [California Employers Face New Obligations Under Cal/OSHA's Revised COVID -19 ETS](#)

Federal:

Centers for Disease Control: [Toolkit for Employers](#) communicating about vaccine (*March 22, 2021*)

Centers for Disease Control: [Guidance and FAQ's About Air Filtration and Ventilation](#) (*March 23, 2021*)

IRS: [Fact Sheet for Employer Tax Credits for Employee Time of to Vaccinate](#) (*April 2021*)

US Department of Labor: [The Employer's Road Map to the FMLA](#)

US Department of Labor: [Families First Coronavirus Response Act: Questions and Answers](#)

US Chamber: [Ready to Reopen Playbook for Small Business](#)

California:

Cal/OSHA: [Revisions to the COVID-19 Prevention Emergency Temporary Standards FAQs](#) (January 14, 2022)

Cal/OSHA: [Revised Emergency Temporary Standards](#) (Effective January 14, 2022)

California Department of Public Health: [Guidance for Local Health Jurisdictions on Isolation and Quarantine of the General Public](#) (*January 8, 2022*)

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California Department of Public Health: [Self Isolation Instructions for Individuals with COVID-19](#) (January 2022)

California Department of Public Health: [Self Quarantine Instructions for Individuals Exposed to COVID-19](#) (January 2022)

California Department of Public Health: [Guidance for the Use of Face Masks](#) (January 5, 2022)

US Equal Employment Opportunity Commission: [What You Should Know About COVID-19 and ADA, the Rehabilitation Act, and Other Laws](#)

Department of Industrial Relations: [COVID Testing and Vaccination FAQs](#) (March, 2021)

Department of Industrial Relations: [Office Workplace Guidance](#) (July 29, 2020)

Department of Fair Employment and Housing: [Employment Information](#) on COVID-19 - employer vaccine guidance (March 4, 2021)

California COVID Testing Taskforce: [Start a Testing Site in Your Community](#)

County:

County of San Diego: [Support for Businesses and Employers](#)

County of San Diego: [Personalized Support for the Business Community](#)

County of San Diego: [COVID-19 Notification Form](#)

County of San Diego: [Host a Vaccination Event at Your Site](#)

FAQs:

Q: If an employee is vaccinated are they exempt from safety precautions?

A: No. The CDC and California Department of Public Health have determined that an employer can still require fully vaccinated employees to follow any safety protocols or measures including wearing masks and socially distancing.

Q: Can I require an employee to return to the office/workplace before they are fully vaccinated?



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A: Yes, an employer can require their staff to work in their offices, as long as there is no shelter in place guidelines. However, the employer has a responsibility to provide a workplace that takes appropriate measures and precautions to keep your employees safe. If an employee does not feel safe (i.e. if you are actively advocating against basic safety precautions), they could file a complaint with CalOSHA, which would trigger an investigation. A simple way to protect your workplace from such complaints is to follow the [Reopening Plan](#) required by the County and proactively, and routinely, educate your employees and customers about it.

Q: What's the difference between isolation and quarantine?

A: A chart from the CDC is available [here](#). However, in short, quarantine is the practice one would take if they have been exposed to COVID, and isolation is reserved for those who are sick or test positive with COVID-19.

Q: Can an employer require employees to be vaccinated against COVID-19?

A: Yes, so long as the employer does not discriminate or harass employees on the basis of a protected characteristic.

- According to the [Department of Fair Employment and Housing](#), “Under the FEHA, an employer may require employees to receive an FDA-approved vaccination against COVID-19 infection so long as the employer does not discriminate against or harass employees or job applicants on the basis of a protected characteristic, provides reasonable accommodations related to disability or sincerely-held religious beliefs or practices, and does not retaliate against anyone for engaging in a protected activity (such as requesting a reasonable accommodation).”
- Under the ADA, an employer can require COVID-19 vaccinations to meet a qualification standard that is job-related and consistent with business necessity, such as a safety standard. If an employee requests an exemption due to a disability under the ADA, the employer cannot require the employee to get a vaccine unless it can prove that individual would pose a “direct threat” to the health or safety of others in the workplace. A direct threat is defined as “a significant risk of substantial harm” that cannot be resolved by reasonable accommodations, like social distancing, flexible work arrangements, etc.

Q: How can an employer accommodate employees who object to vaccination on the basis of disability or sincerely-held religious beliefs?

A: A reasonable accommodation “eliminates the conflict between the religious belief or practice and the vaccination requirement,” which can include job reassignment or modification of work practices.

Q: Can I require proof of vaccination before returning to the workplace?



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A: Yes. Reasons for vaccination may or may not be related to disability or religious creed, so asking for proof of vaccination is not considered a disability related inquiry, religious creed related inquiry or medical examination. Employers are advised to instruct employees to withhold any medical information from vaccination documentation. Any proof of vaccination obtained by an employer must be [maintained as a confidential medical record](#). Employers should also avoid follow-up questions about why someone may not be vaccinated, as that can lead to complicated interactions that could trigger other legal issues.

Q: What are examples of a reasonable accommodation for an employee who does not get vaccinated due to disability; religious beliefs, practices, or observances; or pregnancy?

A: Individuals who choose not to get a vaccine for a reason protected by the ADA or Title VII [can be entitled to an accommodation](#), proven it does not cause an unreasonable hardship for the employer. This can include wearing face masks in the workplace, social distancing, alternative schedules or remote work arrangements, regular COVID-19 testing, or accept a reassignment.

Q: How can an employer recognize an accommodation request from an employee with a disability?

A: The individual [must let their employer know](#) they need an adjustment related to a medical condition. They do not need to mention the ADA or use the phrase “reasonable accommodation.”

Q: Do employers have to provide testing for their employees?

A: It depends. Employers must provide information, and in the occurrence of an “exposure”, then testing would be triggered. An employer is required to inform all employees on how they can obtain testing. This could be through the employer, local health department, a health plan, or at a community testing center.

- Offer testing to an employee at no cost and during working hours in the event of a potential COVID-19 work-related exposure.
- Provide periodic (at least weekly or twice per week depending on the magnitude of the outbreak) COVID-19 testing to all employees in an “exposed workplace” during an outbreak.
- Testing must be provided in a manner that ensures employee confidentiality.

Q: What do I need to provide employees returning to the workplace?

A: Per a California Supreme Court ruling from 1979, employers are required to cover the cost of PPE or provide PPE to their employees. You’ll also want to make sure your employees have been provided, and given ample time to review, your reopening document



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that was filed with the County. The CDC recommends identifying a “workplace coordinator” who will be responsible for “COVID-19 issues and their impact at the workplace.”

Guidance for Fully Vaccinated Employees: what follows are the formal policies, regulations, and updates for employers in San Diego that have fully vaccinated employees.

- Per the state Blueprint, vaccinated employees do not count toward capacity for indoor settings.

Key terms you should know:

The Americans with Disabilities Act (ADA) requires employers to provide reasonable accommodations to qualified individuals *unless* it would cause an undue hardship.

[Title VII of the Civil Rights Act of 1964](#) prohibits employers with at least 15 employees, as well as employment agencies and unions, from discriminating in employment based on race, color, religion, sex and national origin. It also protects from retaliation against persons who complain of discrimination or participate in an EEO investigation.

Family and Medical Leave Act (FMLA) provides eligible employees 12 weeks of unpaid, job-productive leave for certain family and medical conditions. Under the FMLA, employers *cannot* claim that the accommodation would cause undue hardship. For example, some employees may be concerned to return to the office due to a family member at high risk for COVID-19. Employers should review the FMLA employer’s guide and consult counsel to determine if the employee requires leave.

The [Families First Coronavirus Response Act](#) (FFCRA) required covered employers to provide paid sick leave or expanded family and medical leave for reasons related to COVID-19 through December 31, 2020. Employers who provided leave were eligible for tax credits. After the FFCRA mandate expired, the Consolidated Appropriations Act of 2021 provided payroll tax credits for employers that *voluntarily provide* extended paid sick leave or extended family and medical leave. This also [expanded the reasons](#) an employer can claim tax credits for providing employees leave: to receive a COVID-19 vaccine, recover from any illness related to the COVID-19 vaccine and waiting for COVID-19 test results. Employers should consult with their tax professional to review eligibility to claim these tax credits.

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APPENDIX

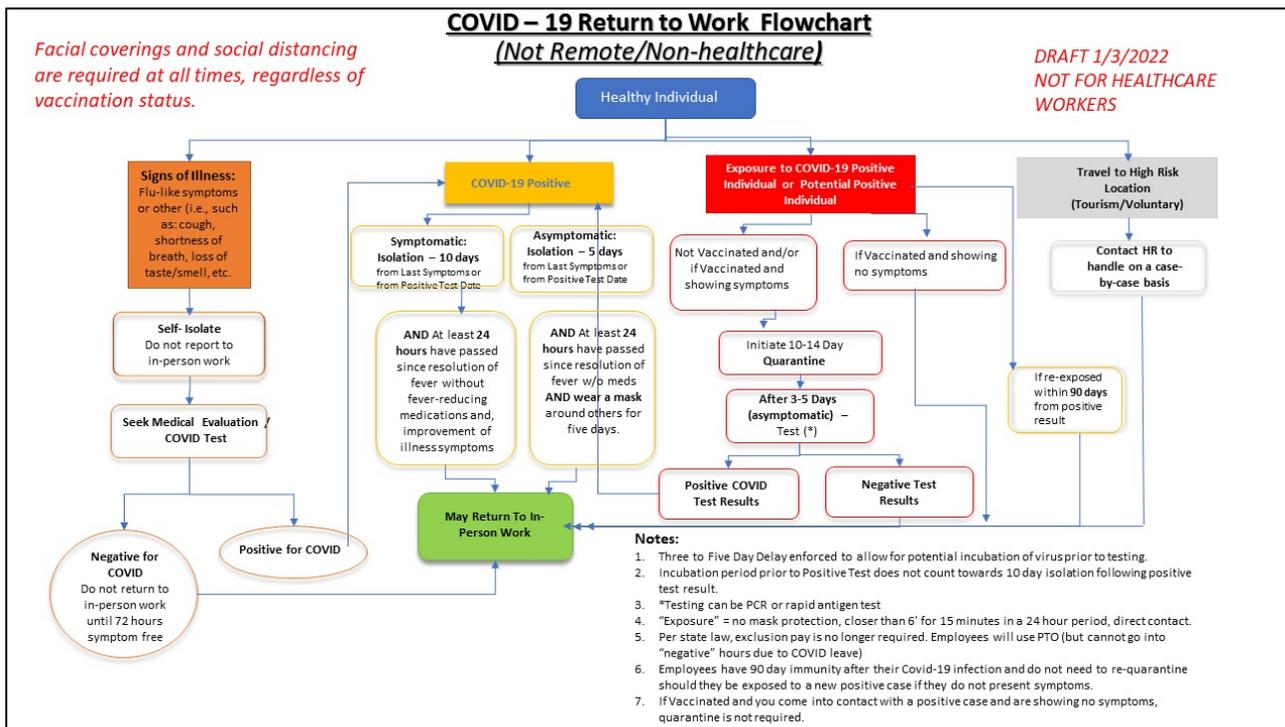
Navigating Returning to Work During COVID-19			
	Employers CAN	Employers are ENCOURAGED	Employers CANNOT
Returning to the Office	<p>Require employees to return to the physical workplace. Employers must create a safe reopening plan per County of San Diego requirements.</p> <p>Require employees to screen (questionnaire/temperature check/etc.) before coming in to the office.</p> <p>Send home any employee who is visibly ill.</p> <p>Provide PPE that meets CalOSHA standards to any employee who requests it.</p>	<p>To work with employees who are at high risk to contract COVID to determine the best course of action.</p> <p>Create a task force or other small group who can help handle logistics, scheduling, and other information sharing processes.</p> <p>Regularly communicate changes to policies, and check in with team members on status of existing policies.</p>	<p>Exclude high risk populations from returning due to medical reasons.</p> <p>Share information from screening (temperature checks, etc.) as this is protected medical information.</p>

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<p>Vaccinations</p>	<p>Require employees to be vaccinated and provide proof of vaccination, except those citing an ADA or religious exemption.</p> <p>Communicate the importance of vaccines, and their safety/ability to keep the workforce and their families healthy.</p>	<p>To determine whether vaccination is necessary for all employment, or only for those returning to the physical worksite.</p> <p>To clearly create and communicate the new vaccine policy.</p> <p>To offer incentives for vaccination, including boosters.</p>	<p>Ask for further medical information.</p> <p>Employers can only ask for proof whether or not an employee has been vaccinated</p> <p>Share information about vaccination status.</p> <p>Disclose that an employee is receiving a reasonable accommodation or retaliate against employees requesting accommodation.</p>
<p>Testing</p>	<p>Inform employees on how they can obtain testing.</p> <p>Provide testing when outbreaks/exposures occur (regardless of employees vaccination status or whether they are symptomatic).</p>	<p>To consider supply chain issues in acquiring tests.</p> <p>Host a testing event or allow for the employees' family members to also receive testing.</p>	<p>Require or request antibody testing.</p> <p>Share the results of test results outside of clearly approved channels.</p>
<p>Reporting</p>	<p>Record and report all COVID cases to OSHA (if hospitalized, reported within 24 hours. If fatality, within 8 hours)</p>		<p>Refuse to collect information</p>

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	Report all COVID cases to the County of San Diego using the online COVID-19 Notification Form		
General		Periodically consult legal counsel to stay up to date with frequently updated state and federal regulations.	



Source: San Diego Convention Center

Are you a Chamber member who has a product or service that you think can help the transition back to the workplace? Let us know and we'll include you in our guidance documents!