



December 21, 2020

Mr. Tom Hatch
Chief Human Resources Officer
County of Orange
333 W. Santa Ana Blvd.
Santa Ana, CA 92701

RE: *Cal/OSHA Emergency Temporary Standard Compliance*

Dear Mr. Hatch:

In response to the recent surge in reported positive COVID-19 cases at worksites throughout Orange County, on or about December 14, 2020, OCEA sent the County a Continuing Request for Information (RFI). The RFI targeted data related to our members' workplace safety and was based, in part, on Cal/OSHA's Emergency Temporary Standards (ETS), which went into effect on November 30, 2020.

OCEA understands the County is modifying its data collection system and establishing workflows to ensure compliance with the Cal/OSHA ETS mandates. OCEA also appreciates the RFI responses received in response to the RFI to date.

Outbreak Concern

In reviewing the RFI data, it appears more than a dozen County agency worksites are experiencing a COVID-19 outbreak. As you are aware, the ETS define a COVID-19 outbreak as three or more cases in a 14-day period present in the same "exposed workplace" during the "high-risk exposure period." The "exposed workplace" is defined as locations to which the COVID-19 case had physical access during the high-risk exposure period. The ETS define the "high-risk exposure period" differently for symptomatic and asymptomatic COVID-19 cases. For COVID-19 cases who develop COVID-19 symptoms, the high-risk exposure period is defined as "two days before they first develop symptoms until 10 days after symptoms first appeared, and 24 hours have passed with no fever, without the use of fever-reducing medications, and symptoms have improved." For persons who test positive, but never develop COVID-19 symptoms, the high-risk exposure period is from "two days before until ten days after the specimen for their first positive test for COVID-19 was collected."

Based on the chart below, which was compiled from the County's responses to our RFI, the following fourteen (14) County agency worksites appear to be experiencing an "outbreak," which triggers the County's obligation to:

- Provide immediate testing to all employees in the exposed workplace;
- Exclude positive cases and exposures from work;
- Repeat the testing one week later;
- Continue testing employees at least weekly until the workplace no longer qualifies as an outbreak; and,
- Clean areas where a COVID-19 case has been during the “high risk period.”

Agency	Program/Division	Address	# of Cases Since 11/30/20
Child Support	Customer Support Operations	1055 N. Main Street	4
District Attorney	Admin Services	300 N. Flower	3
HCA	HIV/STD Control	1725 W. 17 th Street	3
HCA	Nutrition Services	2137 E. Ball Road	3
OCCR	Animal Shelter	1630 Victory Road	3
SSA	Medi-Cal	12912 Brookhurst	8
SSA	Centralized Operations	1505 E. Warner Avenue	3
SSA	IHSS	1505 E. Warner Avenue	7
SSA	CalWorks	23330-23340 Moulton Parkway	3
SSA	Emergency Response	800-840 Eckhoff	3
SSA	Operational Support/ Personnel	800-840 Eckhoff	3
SSA	CalWorks	3320 E. La Palma	3
SSA	CalWorks	1928 S. Grand Avenue	4
SSA	Medi-Cal	1928 S. Grand Avenue	3

Continuing Request for Information

For each agency worksite listed above, OCEA is requesting information that evidences the County’s implementation of the ETS mandates and the County’s compliance therewith:

- Documentation that confirms immediate testing was provided to all employees in the exposed worksite;
- Documentation that confirms positive cases and exposures were excluded from the worksite;
- Documentation that confirms testing was repeated one week later;
- Documentation that confirms employees testing is continuing, or has continued, at least weekly until the workplace no longer qualifies as an outbreak; and,
- Documentation that confirms the County has cleaned areas where a COVID-19 case had been during the “high risk period.”

Please provide the information requested above to Heather Sutherland (hsutherland@oceca.org), each business day, until the agency worksite's daily confirmed COVID-19 case numbers abate to non-outbreak levels.

Thank you in advance for your support of County workers.

Sincerely,

ORANGE COUNTY EMPLOYEES ASSOCIATION

/s/

Charles G. Barfield
General Manager

cc: Collette Farnes, Director of Employee and Labor Relations

