

COVID-19: FREQUENTLY ASKED QUESTIONS AND INFORMATION RESOURCES

This document is intended to be a compilation of information and resources pulled from federal, state and local agencies. This is not intended to be legal advice. For up to the minute information and guidance on COVID-19, please follow the guidelines of the Centers for Disease Control and Prevention (CDC) and your local health organizations.

The following subjects are covered:

- Where to find information about the Coronavirus COVID-19
- Where to get help to make decisions such as quarantines, sites/class closures, travel, etc.
- Guidance for Schools and Colleges
- Guide for Employees Unable to Work (Wage and Hour Laws)
- Student Issues
- Prevention Tips
- Information about Disinfectants and Hand Sanitizers
- Disinfectants, Hand Sanitizers and Healthy School Act (HSA) training requirements
- Hand Sanitizer Shortages
- Guidelines for determining if an exposure, or potential exposure is work related for purposes of workers' compensation benefits
- Guidelines for determining if an exposure is OSHA recordable and reportable
- Cal/OSHA Guidelines Specific to Healthcare Workers
- Keenan Client Briefings/Blogs

Where to find information about the Coronavirus COVID-19

- The Centers for Disease Control and Prevention (CDC) and local health officials are the best source for information: <https://www.cdc.gov/coronavirus/2019-ncov/index.html>
- CDC "What You Need to Know about the Coronavirus Disease 2019 (COVID-19)" <https://www.cdc.gov/coronavirus/2019-ncov/downloads/2019-ncov-factsheet.pdf>
- CDC "What do if you are sick with the coronavirus disease (COVID-19)" <https://www.cdc.gov/coronavirus/2019-ncov/downloads/sick-with-2019-nCoV-fact-sheet.pdf>
- Cal/OSHA "The California Workplace Guide to Aerosol Transmittable Diseases" https://www.dir.ca.gov/dosh/dosh_publications/ATD-Guide.pdf

Keenan

Where to get help to make decisions such as quarantines, sites/class closures, travel, etc.

- Follow the guidelines of the CDC and your local health authorities.
- California Department of Public Health – School Guidance on Novel Coronavirus or COVID-19 https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/School%20Guidance_ADA%20Compliant_FINAL.pdf?cldee=Y2dlcmJhc2lAa2VlbnFuLmNvbQ%3d%3d&recipientid=contact-efe2c8c3e9e4e41180e2005056b02a09-9fefaaec5584bcc8299147328ba0455&esid=62836f2d-eb62-ca11-8129-005056b02a09

Guidance for Schools and Colleges

- Liebert, Cassidy & Whitmore “How School Districts and Community Colleges Should Respond to Employee Exposure to COVID-19” <https://www.lcwlegal.com/news/how-school-districts-and-community-college-districts-should-respond-to-employees-exposure-to-covid-19>
- Ed Source “California Health Officials issue guidance for schools and colleges as UC Berkeley also suspends in person instruction” <https://edsources.org/2020/california-health-officials-issue-guidance-for-schools-and-colleges-on-how-to-handle-coronavirus-spread/624950>
- Request for Allowance of Attendance Due to Emergency Conditions Form J-13A <https://www.cde.ca.gov/fg/aa/pa/j13a.asp>

Guide for Employees Unable to Work (Wage and Hour Laws)

- Atkinson, Andelson, Loya, Ruud & Romo <https://www.aalrr.com/Labor-Employment-Law-Blog/california-department-of-industrial-relations-issues-coronavirus>

Student Issues:

- FAQs for School Districts Responding to Coronavirus (COVID-19) Outbreaks: Student Issues <https://www.lcwlegal.com/news/faqs-for-school-districts-on-responding-to-the-coronavirus-covid-19-outbreak-student-issues>
- FAQs for Community Colleges Responding to Coronavirus (COVID-19) Outbreaks: Student Issues <https://www.lcwlegal.com/news/faqs-for-community-college-districts-on-responding-to-the-coronavirus-covid-19-outbreak-student-issues>

Prevention Tips

- Cal/OSHA Guidance on Requirements to Protect Workers from Coronavirus <https://www.dir.ca.gov/dosh/coronavirus/Health-Care-General-Industry.html>

Keenan

- CDC Steps to Prevent Illness https://www.cdc.gov/coronavirus/2019-ncov/about/prevention.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fabout%2Fprevention-treatment.html
- CDC Handwashing Posters <http://www.cdc.gov/handwashing/posters.html>
- CDC Handwashing Fact Sheets <https://www.cdc.gov/handwashing/fact-sheets.html>
- CDC Handwashing in Healthcare Settings at <https://www.cdc.gov/handhygiene/index.html>

Information about Disinfectants and Hand Sanitizers

- California Department of Pesticide Regulations “Reminders for Using Disinfectants at Schools and Child Care” https://apps.cdpr.ca.gov/schoolipm/pubs/reminders_for_using_disinfectants.pdf
- California Dept of Ed “Guidance for Use of Hand Sanitizers in California Public Schools” <https://www.cde.ca.gov/ls/he/hn/handsanitizers.asp>

Disinfectants, Hand Sanitizers and Healthy School Act (HSA) training requirements:

- Use of hand sanitizers does not require training https://apps.cdpr.ca.gov/schoolipm/school_ipm_law/hand_sanitizers.pdf
- The Difference Between Antimicrobial Pesticides and General-Purpose Cleaners https://apps.cdpr.ca.gov/schoolipm/school_ipm_law/antimicrobial_gpc_factsheet.pdf

Hand Sanitizer Shortage

- The CDC recommends handwashing as one of the best ways to help prevent the spread of germs <https://www.cdc.gov/handwashing/index.html>
- The World Health Organization provides guidelines for making your own hand sanitizer https://www.who.int/gpsc/5may/Guide_to_Local_Production.pdf
- Why you should not make your own hand sanitizer <https://www.cnet.com/how-to/why-you-shouldnt-make-your-own-hand-sanitizer/>
- Risk Management considerations if you choose to make homemade hand sanitizer:
 - Individuals may have a potential allergic or adverse reactions to the hand sanitizers.
 - Employ the advice/assistance from individuals who are knowledgeable in chemical formulas and compounds to ensure the appropriate and most effective formula is concocted.

- Advise through signage that the use of the formulated hand sanitizer is at their own discretion and that individuals are encouraged to wash their hands with soap and water instead of the hand sanitizers.
- Explain through signage that the district/agency is unable to access or purchase hand sanitizer and has formulated this in an effort to provide this as an option.
- Provide labels with the ingredients used in the formula and first aid instructions in the event of allergies, adverse reactions or consumption.
- Consider limiting the use of the hand sanitizer to staff, adult visitors and middle school aged students or older.
- Due to the alcohol content of the hand sanitizers, there is a potential risk for using it as a fuel source for fire and a risk of consumption.
 - Limit access to the hand sanitizer in areas where there is an adult to supervise its use. Potentially put it in areas where students would need to ask to use it.
 - Consider limiting the use of the hand sanitizer to staff and adult visitors only.
- As you are exploring and weighing your options, here are some ideas for reminding students of appropriate hand washing practices:
 - Encourage and communicate proper hand washing techniques.
 - **Elementary school aged students** – have teachers incorporate a quick reminder at the start of classes on practices to prevent the spread of germs and viruses cough and sneeze in your elbow, avoid touching your face, wash your hands, etc.).
 - **Middle school/High school aged students** – encourage fun learning modalities i.e., create a video competition for raising awareness around illness prevention.

Guidelines for determining if an exposure, or potential exposure is work related for purposes of workers' compensation benefits

- Sullivan On Comp Special Report “Workers’ Compensation Liability for the Coronavirus” dated 3/9/20 <https://www.sullivanoncomp.com/blog>
- Laughlin, Falbo, Ley & Moresi “Containing COVID19: Initial Impression on Assessing and Mitigating Claim Exposure” <https://www.lflm.com/wp-content/uploads/2020/03/03092020-COVID19-FLASH.pdf>

Guidelines for determining if a COVID-19 exposure is OSHA recordable and reportable

- COVID-19 is considered a recordable illness (OSHA 300 log) if it occurred from the workplace (as opposed to the common cold/flu) <https://www.osha.gov/SLTC/covid-19/standards.html>
- If it is determined that an employee became ill from COVID-19 as a work-related illness, then the employer will need to adhere to the current triggers of when to report serious illnesses and deaths to OSHA:
 - How to report: <https://www.dir.ca.gov/title8/342.html>
 - What is a serious injury/illness (part (h)): <https://www.dir.ca.gov/title8/330.html>

Cal/OSHA Guidelines Specific to Healthcare Workers:

- Cal/OSHA Issues Guidance on Requirements to Protect Health Care Workers from 2019 Novel Coronavirus” <https://dir.ca.gov/DIRNews/2020/2020-08.html>

Keenan Client Briefings/Blogs:

- 2/27/20 “Coronavirus Calls for Reasonable Preparation not Panic” by Eric Preston <https://www.keenan.com/Knowledge-Center/Blog/Details/coronavirus-calls-for-reasonable-preparation-not-panic-1>
- 3/9/20 California Department of Insurance (CDI) and Department of Managed Health Care (DMHC) issued bulletins directing health insurers to waive patient cost-sharing for medically necessary screening and testing for COVID-19. The *Briefing* found at the link below describes the bulletins and discusses the impact on carriers and self-insured plans. <https://www.keenan.com/Resources/Briefings/Briefings-Detail/california-regulators-order-waiver-of-cost-sharing-in-response-to-coronavirus>

Keenan & Associates is not a law firm and no opinion, suggestion, or recommendation of the firm or its employees shall constitute legal advice. Clients are advised to consult with their own attorney for a determination of their legal rights, responsibilities and liabilities, including the interpretation of any statute or regulation, or its application to the clients’ business activities.