CALIFORNIA COVID19 REPORTING REQUIREMENTS

The following reporting requirements were enacted into law (SB1159) on September 17, 2020 and apply retroactively to 07/06/2020 and remain in effect until 1/1/2024, although it can be extended by law.

REPORTING REQUIREMENTS

WHO: All employers with five (5) or more employees who know or reasonably should have known that an employee has tested positive for COVID 19, regardless of the source of infection

WHEN: Within three (3) business days of knowledge that an employee has tested positive or reasonably should have had knowledge that an employee tested positive for COVID 19.

HOW: In writing, via email or facsimile, to the claim administrator for that employer at the time the test specimen was taken

DETAIL: The employer must report the following:

- The date the employee tested positive, which is defined as the date the test specimen was collected, not the date the results were received.

- ***No personal identifying information is to be reported unless the employee is alleging the COVID 19 infection is work-related and/or they have filed a DWC 1 (Claim Form of Workers Compensation Benefits)***

- The specific addresses or employment locations the employee testing positive worked at during the 14 days prior to the date the test was taken.

- For all the addresses or locations that are identified above, the highest number of employees testing positive in each location during the 45 days preceding the last day an employee tested positive at a location.

NOTE: THE EMPLOYER MUST REVIEW ALL PAST CASES WITH POSITIVE TEST RESULTS ON OR AFTER 07/06/2020 AND PRIOR TO 09/17/2020, THE DATE THIS LAW WAS ENACTED, AND REPORT THEM NO LATER THAN <u>10/17/2020</u>.

FINES AND PENALTIES FOR FAILING TO REPORT OR FILING A FRAUDULENT OR MISLEADING REPORT

A Civil Penalty of up to $10,000 can be assessed by the Labor Commissioner for the State of California for either failing to report the requested information and/or intentionally reporting fraudulent or misleading information.