

Spread The Word: California Signs COVID-19 Exposure Notification Law

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Late last week, Gov. Newsom signed [AB 685](#) into law which, among other things, adds section 6409.6 (“Section 6409.6”) to the Labor Code. The new statute, **which takes effect January 1, 2021**, requires that employers notify employees and, in some instances, public health officials about COVID-19 exposures at work.

Specifically, Section 6409.6 requires that employers take all of the following steps **within one business day** of notice of a potential exposure in the workplace:

- Provide written notice to all employees (and employers of subcontracted employees), who were on the premises at the same “worksite” as the infected or potentially infected individual that they may have been exposed to COVID-19.
- Provide a written notice of the exposure or potential exposure to any union, if any.
- Provide all potentially exposed employees and any union, if any, with information regarding COVID-19-related benefits, as well as the anti-retaliation and anti-discrimination protections under California law.
- Notify all employees, and the employers of subcontracted employees and the exclusive representative, if any, on the disinfection and safety plan that the employer plans to implement and complete, per CDC guidelines.

Section 6409.6 also requires that, when an employer is notified of the number of cases that meet the State Department of Public Health’s definition of a COVID-19 outbreak, **within 48 hours**, the employer must notify the local public health agency of the names, number, occupation, and worksite of each employee with COVID-19.

Section 6409.6 establishes penalties for non-compliance. Therefore, employers should review their COVID-19 infection control and notification procedures—and keep them updated—so that they are ready to comply on January 1st.

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