

INDIAN WELLS CITY COUNCIL

July 6, 2023



To: City Council
From: City Manager Department
Prepared by: Kristen Nelson, Senior Management Analyst
Subject: **Updates to the Indian Wells COVID-19 Prevention Program**

RECOMMENDED ACTIONS:

Council **ADOPTS** the revised Indian Wells COVID-19 Prevention Program in compliance with the California Occupational Safety and Health Act (Lab. Code §§ 6300, et seq.) and associated regulations (8 C.C.R. §§ 3203 and 3205-3205.3).

DISCUSSION:

The State of California Occupational Safety and Health Standards Board (OSHSB) adopted Emergency Temporary Standards (ETS) concerning COVID-19, which require that employers adopt and implement a COVID-19 Prevention Program (CPP). The purpose of the CPP is to provide employees with a healthy and safe workplace as required by the California Occupational Safety and Health Act.

On October 21, 2021, the City Council approved the implementation of the Indian Wells COVID-19 Prevention Program in compliance with the Emergency Temporary Standards (ETS) set by the State of California Occupational Safety and Health Standards Board (OSHSB). The plan covered a variety of items such as a system for communicating with employees about potential COVID-19 exposures, COVID-19 testing, screening for symptoms of COVID-19, and return to work criteria.

On February 17, 2022, the City Council approved the implementation of an updated version of the Indian Wells COVID-19 Prevention Program. The updated plan covered a variety of items such as the type of facemask that can be worn in the workplace, testing requirements, exclusions from Indian Wells facilities if there is a COVID-19 exposure/positive test and return to work requirements. The update followed updated ETS requirements from the OSHSB.

On February 28, 2023, Governor Gavin Newsom announced the end of the State of Emergency for California; mask and vaccine mandates have also ended, even in healthcare and high-risk settings. As of April 2023, all of California's counties have, for weeks, been in the low COVID-19 community level, a category designation by the U.S.

Centers for Disease Control and Prevention that indicates the coronavirus is neither spreading rapidly nor causing undue stress on healthcare systems.

Indian Wells' CPP is now outdated and burdensome.

The California Occupational Safety and Health Act (Lab. Code §§ 6300, et seq.) and associated regulations (8 C.C.R. §§ 3203 and 3205-3205.3) identify COVID-19 as a workplace hazard and require that the City maintain an effective Injury and Illness Prevention Program. The employer's COVID-19 procedures shall either be addressed in the written Injury and Illness Prevention Program or maintained in a separate document. The City of Indian Wells has maintained the CPP as a standalone document to simplify the review, implementation, and update process.

Staff recommends that the Council adopt this latest update to the CPP to ensure that all actions taken to provide employees with a healthy and safe workplace are in line with the latest guidance.

FISCAL IMPACT:

There is no financial component to the CPP.

ATTACHMENTS:

1. Indian Wells COVID-19 Prevention Program
2. DIR COVID-19 Prevention Regulations