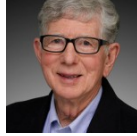


## When to Record, Report COVID-19 Occurrence in Workplace

By **Mel Davis** - August 21, 2020



*What are the California Department of Occupational Safety and Health (Cal/OSHA) requirements for reporting occurrences of COVID-19 in the workplace?*

Cal/OSHA has provided guidelines in a question-and-answer format in its Frequently Asked Questions (FAQ) at [www.dir.ca.gov](http://www.dir.ca.gov).

The reporting requirements are predicated on the same requirements as any other occupational illness:

- Death.
- Days away from work.
- Restricted work or transfer to another job.
- Medical treatment beyond first aid.
- Loss of consciousness.
- A significant injury or illness diagnosed by a physician or other licensed health care provider.

### Recording Occurrence

If the COVID-19 incident results in any of the above conditions, then it is to be recorded on the forms 300, 300A and 301.

Federal guidelines state that COVID-19 cases should "generally" be confirmed through testing to be recordable, although this may not always be possible.

Cal/OSHA considers a positive test for COVID-19 determinative of recordability; however, a positive test is not necessary to trigger the recording requirements. Being in quarantine is not considered "days away from work" for recording purposes.

As in any illness, exposure to potential sources of infection must be considered for recordkeeping purposes. Interacting with the general public can be a contributing factor, as are known interaction with infected coworkers and lack of physical distancing.

### Notifying Cal/OSHA

The occurrence of COVID-19 within the workplace does not require the employer to immediately notify Cal/OSHA. The reporting requirements are consistent to the effect that when there is hospitalization, loss of consciousness, or death, Cal/OSHA must be notified immediately or within eight hours.

The FAQ also addresses the condition that an employee may become ill at work, but it is not work related. If it is a serious illness, then Cal/OSHA should be notified.

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*Column based on questions asked by callers on the Labor Law Helpline, a service to California Chamber of Commerce preferred and executive members. For expert explanations of labor laws and Cal/OSHA regulations, not legal counsel for specific situations, call (800) 348-2262 or submit your question at [www.hrcalifornia.com](http://www.hrcalifornia.com).*

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#### **Mel Davis**

Mel Davis joined the CalChamber in 2000 as a Cal/OSHA adviser specializing in Cal/OSHA and safety-related matters. He worked for Cal/OSHA for more than 23 years as a principal safety engineer and construction safety engineer. His responsibilities included managing the technical staff responsible for developing and revising California safety and health regulations, evaluating requests for variances from regulations, and conducting complaint and accident investigations at all types of construction sites.