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To: Donna Boggs
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SPECIAL **COVID-19 UPDATE**
FROM YOUR TEAM AT AAMSI



Vaccine Roll Out for Essential Workers

We are expecting additional updates regarding the status of vaccines for essential workers as early as this afternoon. As of Monday, it appears that food and ag workers are will be vaccinated in what the state calls “Round 1B.” This phase will begin when those in Round 1A – which includes healthcare workers and long-term care residents – have been vaccinated.

As has been widely reported, both the federal and state distribution of vaccines has been delayed. For example, it was predicted that 2 million doses would be in California by the end of the year and approximately 1.5 million arrived. Approximately 417,000 people, primarily healthcare workers, have been vaccinated in CA as of January 1. This represents 17% of healthcare workers, so we anticipate there will still be some time before 1B is eligible.

Initially, it was believed that frontline essential workers would likely start getting the vaccines next in late winter 2021. It has also been reported that Phase 1B may be divided into two tiers. The first could include 1.4 million education and child-care workers including teachers, 1.1 million emergency services workers, 3.4 million food and agriculture workers including grocery store workers and 2.6 million people who are 75 or older.

Additional information is available from the California Department of Public Health [here](#).

We will continue to provide updates as they are available.

County Ordinance Updates

The latest information on county ordinances can be found [here](#). Counties with changes include:

- Contra Costa
- Del Norte
- Fresno
- Los Angeles
- City of Los Angeles
- Madera
- Merced
- Mono
- Monterey
- Orange
- Riverside
- Sacramento
- San Bernardino
- San Francisco
- San Luis Obispo
- San Mateo
- Santa Clara
- Santa Cruz
- Siskiyou
- Solano
- Sonoma
- Stanislaus
- Sutter
- Tulare
- Ventura
- Yolo
- Yuba

As of January 5th, the ICU bed availability is:

- Northern CA – 29.8%
- **Bay Area – 5.9% - Regional Order effective Dec. 17th – Earliest date for RSAHO to be lifted Jan. 8**
- **Greater Sacramento – 11.7% - Regional Order effective Dec. 10th – 4-week ICU projections do not meet criteria to exit order**
- **San Joaquin Valley – 0.0% - Regional Order effective Dec. 6th – 4-week ICU projections do not meet criteria to exit order**
- **Southern CA – 0.0% - Regional Order effective Dec. 6th – 4-week ICU projections do not meet criteria to exit order**

Well, Happy New Year!

Below is a summary of new legislation that has gone into effect beginning January 1, 2021 that may have an impact on your business.

Minimum Wage Increase

In accordance with the timeline established by [SB 3 \(Leno\)](#), which was signed in 2016 by California’s previous Governor Jerry Brown, the state’s minimum wage will increase by one dollar until it reaches \$15.00/hr for all employees in 2023. At that point, “the rate will be adjusted annually for inflation based on the national consumer price index for urban wage earners and clerical workers (CPI-W).” This year, the new minimum wage rates are as follows:

- For employers with 25 employees or less, minimum wage will go up to \$13.00/hr.
- For employers with 26 employees or more, minimum wage will go up to \$14.00/hr.

COVID Notification Requirements for Employers

Beginning January 1, 2021, [AB 685](#) creates a notice requirement at the workplace if an employee is exposed to COVID-19, with “exposed” defined as, “exposure to a person with any of the following”: (1) “a positive COVID-19 test,” (2) “a COVID-19 diagnosis,” (3) “a COVID-19-related order to quarantine” or (4) “a fatality that was caused by COVID-19.” The employer must notify exposed employees within one business day of the exposure as well as the employees’ rights to sick leave and other COVID-19 related policies.

The bill requires an employer if the employer or representative of the employer is notified of the number of cases that meet the definition of a COVID-19 outbreak, within 48 hours, to report prescribed information to the local public health agency in the jurisdiction of the

worksite. The bill also requires an employer that has an outbreak to continue to give notice to the local health department of any subsequent laboratory-confirmed cases of COVID-19 at the worksite. AAMSI's legal firm, Kahn Soares and Conway, has provided some additional information and guidance on this legislation which can be found [here](#).

Board Representation for Publicly Held Corporations

AB 979 states that a publicly held domestic or foreign corporation whose principal executive offices are in California shall have at least one director from an underrepresented community on its board no later than 12/31/2021. "Publicly held corporation" is defined as "a corporation with outstanding shares listed on a major United States stock exchange."

The bill further establishes that no later than 12/31/2022, those corporations shall comply as follows:

- A corporation with four or less directors have at least one director from an underrepresented community.
- A corporation with more than four but fewer than nine directors have a minimum of two directors from underrepresented communities.
- A corporation with nine or more directors have a minimum of three directors from underrepresented communities.

"Director from an underrepresented community" is defined as "an individual who self-identifies as Black, African American, Hispanic, Latino, Asian, Pacific Islander, Native American, Native Hawaiian, or Alaska Native, or who self-identifies as gay, lesbian, bisexual, or transgender."

Unpaid Protected Leave Update

The California Family Rights Act makes it an unlawful employment practice for an employer with 50 or more employees to refuse to grant a request by an employee to take up to 12 workweeks of unpaid protected leave during any 12-month period to bond with a new child of the employee or to care for themselves, a child, a parent, or spouse. SB 1383 amended the CFRA to make it unlawful for any employer with five or more employees to refuse to grant a request by an employee to take up to 12 workweeks of unpaid protected leave during any 12-month period to bond with a new child of the employee or to care for themselves or a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner. This expansion creates an inconsistency with the federal Family and Medical Leave Act (FMLA), which also provides employees of employers with 50 or more employees with up to 12 weeks of unpaid, job-protected leave per year. This means employees of employers with 50 or more employees could take up to 24 weeks of unpaid, job-protected leave per year. To review our KSC Update regarding SB 1383, click [here](#).



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