

BARSAMIAN & MOODY

A Professional Corporation

Attorneys at Law

1141 West Shaw Avenue, Suite 104

Fresno, California 93711-3704

Tel: (559) 248-2360

E-mail: LaborLaw@TheEmployersLawFirm.com

Fax: (559) 248-2370

Cal/OSHA Standards Board Voted to Withdraw the June 3 Revisions to the Emergency Temporary Standards (ETS)

In yet another update concerning Cal/OSHA's COVID-19 prevention emergency temporary standards (the "ETS"), the Standards Board voted late last night (June 3) to withdraw the revisions that the Board voted to approve on June 3. Accordingly, employers must continue to follow the initial ETS that was adopted last November. A copy of the Board's press release can be accessed at:

<https://www.dir.ca.gov/DIRNews/2021/2021-60.html>

What This Means for Employers:

While the fast-paced, ever-changing, highly-convoluted regulatory environment that is Cal/OSHA's ETS is extremely frustrating, the Board's decision should ultimately be welcome news for employers. The Board's decision will give Cal/OSHA a little more time to revise the ETS—which is to say repeal it altogether—to more closely conform with the current guidance from the federal Centers for Disease Control and Prevention (CDC) and the California Department of Public Health (CDPH). That said, Cal/OSHA is expected to present revisions to the Standards Board at a future meeting, which could be as early as the next regular meeting on June 17. In the meantime, employers must continue to apply the ETS adopted in November of 2020. If you have any questions about the ETS and its implications for your workforce, please contact the attorneys at Barsamian & Moody at (559) 248-2360.

The goal of this article is to provide employers with current labor and employment law information. The contents should neither be interpreted as, nor construed as legal advice or opinion. The reader should consult with Barsamian & Moody at (559) 248-2360 for individual responses to questions or concerns regarding any given situation.