California Nurses Know Your Rights:
Protections at Work for COVID-19

It’s the Law: Your Employer Must Protect You

• The Cal/OSHA Aerosol Transmissible Diseases Standard (ATD Standard) requires airborne and contact precautions for patients with suspected or confirmed COVID-19.*

• PPE for COVID-19 must include, at minimum, N95 respirators or higher, isolation gowns, eye protection, and gloves. Surgical and non-respirator face masks do not protect persons from airborne infectious diseases and cannot be relied upon for novel pathogens such as COVID-19.

• A Powered Air-Purifying Respirator (PAPR) with high efficiency particulate air filters must be worn during aerosol generating procedures on suspected or confirmed COVID-19 cases.

ATD Standard Requirements for COVID-19:

• Screening protocols to identify patients who may have COVID-19 infections.

• Open and continuous communication. Employers must continually inform nurses and other health care workers about any potential exposure to suspected or confirmed COVID-19 case(s).

• Plans to ensure prompt isolation of patients with suspected or confirmed COVID-19 infections in negative pressure isolation rooms.

• Protective PPE for nurses and other health care workers providing care to patients with suspected or confirmed COVID-19 infections including airborne and contact precautions. PPE for COVID-19 must include, at minimum, N95 respirators or higher, isolation gowns, eye protection, and gloves. Employers must ensure the adequate supply of PPE necessary to reduce worker exposure to COVID-19 in routine operations, foreseeable emergencies, and surge events.

• A Powered Air-Purifying Respirator (PAPR) with high efficiency particulate air filters must be worn during aerosol generating procedures on suspected or confirmed COVID-19 cases. These procedures include endotracheal intubation, airway suction, tracheostomy, bronchoscopy, and sputum induction.

• 14 days paid precautionary leave for a nurse or other health care worker who is exposed to COVID-19. The employer must notify the employee in a timely fashion in the event of an exposure to a suspected or confirmed patient(s).

• Exposure incident procedures. Employers must identify, evaluate, and investigate potential worker exposures including the cause and chain of employee/patient transmission. Medical follow-up services must be provided, free of charge, to all exposed employees.

* See the full Aerosol Transmissible Diseases (ATD) at https://www.dir.ca.gov/title8/5199.html. Cal/OSHA’s guidance on COVID-19 is available at https://www.dir.ca.gov/dosh/Coronavirus-info.html.