**Instructions for Complying with AB 685 and 8 CCR §3205 Notice Requirements:**

**(Required Notice of Potential COVID‐19 Exposure)**

Two recent laws, AB 685 (effective January 1, 2021) and 8 CCR §3205 (effective November 30, 2020), now collectively require California employers like UCSB to provide notification of potential exposure to COVID‐19 cases in the workplace within one business day to the following three categories of persons/entities:

1. UC employees who may have been exposed (including all staff, academic personnel and student employees);

2. the exclusive (*i.e.,* union) representative of those employees; and

3. the employers of any subcontracted employees who may have been exposed.

These notifications must include information regarding COVID‐19‐related benefits, anti‐retaliation and anti‐discrimination protections, and the disinfection and safety plan for responding to the COVID‐19 case.

**The AB 685 and 8 CCR §3205 fillable notice forms can be found on this website at:**

<https://www.ehs.ucsb.edu/files/docs/rm/3205_685_Template_UC_Employees.pdf>

<https://www.ehs.ucsb.edu/files/docs/rm/3205_685_Template_Contractors.pdf>

These form templates contain the required information for employee notices and subcontracting employer notices, respectively.

**AB 685 and 8 CCR §3205** **Notice Instructions:**

Once a department has been notified that these notice requirements have been triggered, the following must happen **immediately** to ensure that the department, Employee & Labor Relations and Risk Management can comply with their notice responsibilities **within one business day**.

1. Communicate with UCSB COVID-19 Call Center: Email: UCSB-COVID19@ucsb.edu

· The name, contact email address, and CBU (if applicable) of all employees and employers of subcontractors who may potentially have been exposed to COVID-19 in the workplace;

· The specific facility/worksite at which the potential exposure occurred; and

· The period during which the infected individual was potentially infectious in the workplace.

2. Determine who, within the unit, department, or division, will be responsible for signing the notice, as well as who will be sending the notice to the employee (or subcontracting employer) as well as Employee & Labor Relations (insert email) and Risk Management (insert email).

3. Access the appropriate AB 685 and 8 CCR §3205 notice form in the links above. If a majority of the employees in the department speak a language other than English, complete both the English language form and the form in that other language. The employee notice templates are provided in Spanish, Vietnamese and Chinese. Please contact Leticia Martinez at leticiamartinez@ucsb.edu should you need the form in any of these languages.

4. Complete the form(s) with the information provided by the COVID-19 Response Team.

5. Route the form(s) to the appropriate person(s) for signature, if needed.

6. Finalize the form(s).

7. A separate email needs to be drafted to each individual employee or employer subcontractor to attach the notice of potential exposure (which you will have filled out from the template found at the link above. It is recommended you use the email as a cover letter to the notice. Suggested language can be found below, however departments have discretion to tailor this language to suit an individual employee’s needs and/or to conform with the department’s culture and communication style.

8. **It is important to simultaneously cc Employee and Labor Relations** at laborrelations@hr.ucsb.edu, **Risk Management** at leticiamartinez@ucsb.edu, EHS Covid19 Reporting at ehs-covid19reporting@ucsb.edu.

***Suggested cover message language for employees:***

Dear [employee name],

I [am hoping /understand] that you have already been contacted by either the campus’ COVID-19 Response Team or Santa Barbara County Public Health, as it has been determined that you may have been exposed to COVID-19 in the workplace. I know this is heavy news and that you will certainly have questions and concerns. The attached notice, which is required by law, contains additional details about this potential exposure, as well as information on leaves, benefits and other rights.

We encourage you to be tested for COVID-19 as quickly as possible. On-campus COVID-19 testing information can be found here: <https://studenthealth.sa.ucsb.edu/coronavirus/testing>. Additional testing information from the Santa Barbara County Public Health Department's website: <https://publichealthsbc.org/testing/>

We also urge you to take all necessary precautions to keep yourself and your household safe and healthy and please seek medical assistance if you experience any of the symptoms commonly related to COVID-19.

If you need any additional information or require emotional support or assistance, please do not hesitate to reach out to me at \_\_\_\_\_\_\_\_\_\_\_, or the Academic & Staff Assistance Program at <https://www.hr.ucsb.edu/hr-units/employee-services/asap>. We would be happy to connect you with campus resources to help you navigate this situation.

Sincerely,

[Name(s)]

***Suggested language for subcontracting employers:***

Dear [subcontractor contact],

You may have already been contacted by Santa Barbara County Public Health, but it has been determined that one or more of your employees may have been exposed to COVID-19 on a UCSB worksite. The attached notice, which is required by law, contains additional details about this potential exposure.

We encourage you to reach out to your employees and encourage them to be tested for COVID-19 as quickly as possible.

If you need any additional information, please do not hesitate to reach out to [me or \_\_\_\_\_].

Sincerely,

[Name(s)]

**REMINDER: The department, Employee & Labor Relations and Risk Management are all required to provide notice within one business day of being notified by the Covid Response Team of the potential exposure. It is critical that you immediately provide Employee & Labor Relations and Risk Management with all copies of employee or subcontracting employer notices quickly enough to allow them to meet this very tight deadline.**