



Important AB 685 Notice Changes

Important Update to: New California Employment Laws Start January 1, 2021

There has been a critical change to the shared AB 685 notices as we have received additional clarification from the California Department of Public Health (CDPH).

Since January 1, 2021, the California employment laws regarding COVID-19, the California Family Rights Act (CFRA), and equal pay reporting have taken effect statewide. Our lobbyist has provided us with a summary of these legislations to help employers refresh their memories on what to expect.

AB 685 (new Labor Code Section 6409.6) requires all employers to provide a written notice to their signatory union that represents any exposed employees and also requires that the notice to the union contain the same information as is required in a Cal/OSHA Form 300 Log, which includes the employee's name. However, many contractors have expressed concerns about possible HIPAA violations in disclosing the full identity of the individual infected with COVID-19.

CDPH has amended its [AB 685 Compliance Guidance](#) to advise that employers provide "the exclusive labor representative" (the union) with the same information as is provided to exposed employees and subcontractors, and goes on to clarify that employers should "not share information that could identify the affected individual."

In light of this new information, we have attached amended draft notices. Please use these notice documents instead of the ones sent in yesterday's e-newsletter to comply with AB 685.

- [COVID-19 Notice to Union](#)
- [COVID-19 Notice to Employees](#)
- [COVID-19 Notice to Subcontractors](#)

[Click here to access the New California Employment Laws Summary.](#)