

## Even vaccinated California workers may have to keep masks on

June 3 2021, by Don Thompson

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In this May 14, 2021, file photo, a worker wears a mask while prepares desserts at the Universal City Walk, in Universal City, Calif. California workplace regulators are considering Thursday, June 3, 2021, whether to end mask rules if every employee in a room has been fully vaccinated against the coronavirus, frustrating business groups by eyeing a higher standard than the state plans to soon adopt for social settings. Credit: AP Photo/Marcio Jose Sanchez, File

California is set to fully reopen in less than two weeks and do away with virtually all mask and social distancing requirements for vaccinated people, but those who regulate workplaces in the state aren't ready to go that far and that has business groups upset.

The California Occupational Safety and Health Standards Board meets Thursday and will consider new workplace rules that would only allow workers to go maskless if everyone in a room is fully vaccinated against the coronavirus. The rules could remain in place into early next year even though coronavirus cases have fallen dramatically after a severe winter spike and as more people are vaccinated.

Recent U.S. Centers for Disease Control and Prevention guidance says that fully vaccinated people can now skip face coverings and distancing in nearly all situations, and the state is set to follow that recommendation starting June 15.

But the state safety board's staff says conditions are different among workers, leading to their proposed rule that even vaccinated employees remain masked unless everyone else in their workspace is inoculated.

Helen Cleary, director of the Phylmar Regulatory Roundtable, a coalition of large businesses, called it "astonishing" that the staff didn't align with guidelines from federal and state health officials, describing the Cal/OSHA proposal as a "rogue [public policy](#)."

The California Chamber of Commerce also is upset.



In this May 20, 2021, file photo, a worker wears a mask as he dries a car amid the COVID-19 pandemic at hand car wash shop, in Los Angeles. California workplace regulators are considering Thursday, June 3, 2021, whether to end mask rules if every employee in a room has been fully vaccinated against the coronavirus, frustrating business groups by eyeing a higher standard than the state plans to soon adopt for social settings. Credit: AP Photo/Marcio Jose Sanchez, File

"If you are fully vaccinated, (under CDC recommendations) you don't need to wear a mask inside or outside. That's the science!" chamber President and CEO Allan Zaremborg said in a statement. "Under these (proposed Cal/OSHA) rules, workers' freedoms will be controlled by their fellow workers decisions to get vaccinated, not by their own choices."

That sets up "an inconsistent standard" between members of the public and employees, the chamber and more than five dozen other [business organizations](#) said in [a letter to the board](#).

"Starting June 15, vaccinated individuals will be able to go to most public settings without having to wear masks, even if other unvaccinated individuals are present," they wrote. "But vaccinated employees at that same location will have to wear a mask."

The [Cal/OSHA regulations](#) being considered by the board apply in almost every workplace in the state. Its pandemic rules apply to all employees except those working from home or where there is a single [employee](#) who does not have contact with other people.

"A very large proportion of California employees will remain unvaccinated as of June 15, 2021," the staff said in its recommendation. "Due to changes in social norms, as mask-wearing and physical distancing decline among fully vaccinated people, those precautions are likely to decline among unvaccinated and partially vaccinated people as well."

Yet unvaccinated employees will remain at risk particularly from more contagious coronavirus variants, the staff reasoned.





In this May 20, 2021, file photo, a bartender wears a mask while working at an outdoor bar amid the COVID-19 pandemic, at The Grove in Los Angeles. California workplace regulators are considering Thursday, June 3, 2021, whether to end mask rules if every employee in a room has been fully vaccinated against the coronavirus, frustrating business groups by eyeing a higher standard than the state plans to soon adopt for social settings. Credit: AP Photo/Marcio Jose Sanchez, File

Business groups are upset the staff didn't ease its masking recommendation during a two-week delay since the board postponed its consideration while its staff reviewed the CDC guidelines.

"I'm a little mystified why they didn't do more," said California Farm Bureau director of employment policy Bryan Little, whose organization

joined more than three-dozen agribusiness opponents of the proposed rules. "I think that's an unreasonable expectation on their part."

More than 17.4 million of California's nearly 40 million residents are fully vaccinated, state health officials said Thursday, and the positivity rate for the virus has dropped to 0.8%.

But worker advocates at the board's last hearing said regulators should continue protections for vulnerable employees, while board members said they were inclined to keep safeguards for fear of another surge or emerging virus mutations.

Employer organizations were additionally critical of a proposed rule that starting July 31 would require them to provide the most effective N95 masks for voluntary use by employees who are working indoors or at outdoor mega events and are not fully vaccinated.

That will require require employers to track workers' vaccination status and stockpile masks in competition with health care workers and as the state's wildfire season heats up.

But the Cal/OSHA staff said its proposed rules "would significantly reduce the number (of) COVID-19 related illnesses, disabilities and deaths in California's workforce."

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