

Insights

CALIFORNIA'S NEW NORMAL: RELAXED COVID-19 RESTRICTIONS

Jun 15, 2021

Governor Gavin Newsom announced that the entire state of California is going to relax many of the COVID-19 restrictions starting on June 15, 2021. There has been a great deal of uncertainty about what that actually means though, so BCLP has summarized the key takeaways for businesses below.

Before describing those details, it is important to note that counties are still allowed to impose regulations that are more stringent than what the state requires. So far no counties have indicated that they will diverge from the statewide guidance, but several are still considering the issue, so businesses should remember to check whether any county guidance applies. In addition, businesses are free to continue requiring more stringent COVID-19 protections provided that they otherwise comply with the law, so there may be some facility-specific discrepancies with the state guidance.

No Capacity Limitations and “Mega Events”

All industries can open at 100% capacity for customers and staff, both indoors and outdoors. All of the color-coded county reopening tiers and restrictions will end. Additionally, there will be no social distancing requirements for customers in most situations, although some distancing requirements may remain in place for workplaces.

“Mega Events” – defined as events with over 5,000 people indoors, and 10,000 people outdoors - are subject to some limitations. Indoor events must require a proof of vaccination or a pre-entry negative COVID-19 test, while outdoor events are strongly recommended to require proof of vaccination or a pre-entry negative COVID-19 test.

When are Facemasks Required?

This question has been a huge source of confusion over the past few weeks. The State Department of Public Health issued guidance in line with the CDC's recommendation that masks were no longer required for fully vaccinated people in many circumstances. However, the California Occupational Safety and Health Standards Board (“CalOSHA”) voted to approve revised workplace guidance that

required vaccinated employees to wear facemasks if any employees at a facility are unvaccinated, which is not in line with the CDC recommendation. CalOSHA has since withdrawn those components of the proposed revisions, and has proposed [revised guidance](#) in line with the CDC and State Department of Public Health requirements, which would *not* require vaccinated individuals to wear masks in workplaces.

The CalOSHA Board is expected to vote to approve their revised guidance on July 17th, and Governor Newsom has pledged to take executive action to make those guidelines immediately effective, rather than waiting the usual ten day period prior to the new guidance becoming effective.

All of which means that the expectation is that as of June 17th, fully vaccinated individuals will no longer be required to wear masks at work, but the issue is not fully resolved at the moment.

In addition, facemasks are still required for everyone, vaccinated or not, in the following settings:

- Any Form of Public Transportation;
- Health care settings, including long-term care facilities;
- K-12 Schools and childcare facilities (indoors only);
- Prisons; and
- Homeless Shelters.

Conclusion

Despite the fact that the June 15th date was announced months ago, the details of what California's reopening would entail have been developing up to the final minutes (and in the case of the workplace facemask requirement, are still in process), so businesses should review the state and county guidance documents before making any operational decisions.

BCLP is carefully monitoring COVID-19 regulations and orders across the country, including the California actions. Our [COVID-19 Reopening Team](#) would be happy to discuss any questions regarding your particular business.

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