



March 23, 2022

TO: Members, Assembly Labor and Employment Committee

**SUBJECT: AB 2693 (REYES) COVID-19 EXPOSURE
OPPOSE - AS INTRODUCED FEBRUARY 18, 2022
SCHEDULED FOR HEARING MARCH 30, 2022**

The California Chamber of Commerce and the listed organizations are **OPPOSED** to **AB 2693 (Reyes)** as introduced on February 18, 2022, because it extends COVID-19 notice requirements that are no longer appropriate as the state moves into the endemic phase of COVID-19 in 2023.

Background on COVID-19 Notice and Prior Legislation:

AB 685 (2020) initially created notice requirements for COVID-19 in the workplace and included a sunset of January 2023 for some of its provisions. AB 685 was subsequently amended in AB 654 (2021), which also featured the addition of a January 2023 sunset to certain provisions. These notice provisions were also reflected in the Cal/OSHA COVID-19 Emergency Temporary Standard.

Specifically, this prior legislation provided for two different types of notice within one business day of a COVID-19 case in the workplace: (1) notice for close contacts (and their elected representatives) of their exposure; and (2) notice for all workers on the “premises” that a case was present.

AB 2693 Extends Emergency-Style Notice into the Endemic Phase of COVID-19 – Where It Will Serve No Purpose.

AB 2693 extends COVID-19 notice provisions which were passed in the first year of the pandemic for two additional years - meaning they will remain in effect until January 2025.

Thankfully, we are in a different world from the one where these notice requirements were put into place. The vast majority of people in California are vaccinated – and those who are not mostly remain that way by choice.¹ Test availability has improved considerably. Case rates are low – despite the economy re-opening and in-person schooling recommencing. By way of example: even at the peak of the Omicron spike in December 2021, California’s hospitalizations were still below the 2020 holiday spike – despite the state having re-opened.²

To be clear: we do not oppose notification of close contacts – such notice and testing is critical to our ongoing efforts and the Governor’s SMARTERx plan. However, workplace-wide (or “premises-wide”) notice no longer serves the purposes it did then. First off, the notices do not carry the same importance they used to, as a COVID-19 case is no longer the same risk it once was due to increased vaccination and immunity in the population. Second, these notices have ceased to serve their purpose. They have instead become daily email spam for large workplaces for employees who were not close contacts – but nevertheless receive repeated emails informing them of a case “on the premises”.

Conclusion

We understand your concerns – and appreciate the engagement thus far with your staff on this issue and look forward to continuing discussions.

However – looking at the present language of **AB 2693** – we do not believe that the present emergency-level notice precautions continue to make sense when our ability to fight COVID-19 has materially changed since they were put into place.

For these reasons, we are **OPPOSED** to **AB 2693 (Reyes)**.

Sincerely,



Robert Moutrie
Policy Advocate
California Chamber of Commerce
on behalf of

Acclamation Management Services
Allied Managed Care
Associated General Contractors
California Apartment Association
California Association of Health Services at Home
California Association of Joint Powers Authorities
California Association of Winegrape Growers
California Bankers Association
California Building Industry Association
California Business Roundtable
California Cable & Telecommunications Association
California Chamber of Commerce

¹ Obviously, there is a small subset of individuals who are unable to vaccinate due to health reasons – but they are not the majority of the unvaccinated population.

² Data on comparative hospital admissions from: <https://www.nytimes.com/interactive/2021/us/california-covid-cases.html>.

California Credit Union League
California Farm Bureau
California Framing Contractors Association
California League of Food Producers
California Manufacturers & Technology Association
California Restaurant Association
California Retailers Association
California State Association of Counties
California Trucking Association
Carlsbad Chamber of Commerce
Coalition of Small and Disabled Veteran Businesses
Construction Employers' Association
Family Business Association of California
Flasher Barricade Association
Housing Contractors of California
League of California Cities
National Federation of Independent Business
Oceanside Chamber of Commerce
Official Police Garages of Los Angeles
Residential Contractors Association
Torrance Area Chamber of Commerce
West Ventura County Business Alliance
Western Electrical Contractors Association
Western Growers Association
Western Steel Council

cc: Legislative Affairs, Office of the Governor
Melissa Cosio, Office of Assemblymember Reyes
Consultant, Assembly Labor and Employment Committee
Lauren Prichard, Consultant, Assembly Republican Caucus