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COVID-19 AND THE ROAD AHEAD

How to keep your volunteers and
congregants safe

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- ▶ Proposed vaccination mandates
- ▶ Proof of vaccination requirements
- ▶ Status of legal challenges to restrictions on attendance at religious gatherings
- ▶ Covid safety requirements

THE ROAD AHEAD ON COVID

- ▶ Federal OSHA employer mandate (ETS)
 - ▶ Only apply to businesses with 100 employees or more
 - ▶ Would require vaccination or weekly testing
 - ▶ OSHA still must publish the ETS and fill in the details
- ▶ Proposed California mandate for employers
 - ▶ Bill that had an employer mandate to require vaccination failed to pass before the end of the legislative year
 - ▶ Sponsor may revive the bill in January to apply to smaller employers
 - ▶ Cal OSHA will have to revise its ETS to match the federal OSHA mandate

VACCINE MANDATES

- ▶ Employer mandates are still lawful
 - ▶ May adopt policy requiring employees to be vaccinated
 - ▶ Must allow for exemption for medical conditions or sincere religious beliefs
- ▶ Vaccine mandates for volunteers and congregants
 - ▶ No prohibition on requiring vaccination as a condition of participation
 - ▶ Not governed by EEOC and DFEH guidelines requiring exemptions

VACCINE MANDATES

- ▶ Employers are required to ascertain vaccination status of employees under Cal OSHA guidelines
 - ▶ Don't have to ask for proof, but employer can if it chooses
 - ▶ Not a HIPAA issue to ask, but required to maintain confidentiality of information
- ▶ Vaccination exempts employees from some covid safety rules
 - ▶ Not required to wear mask indoors
 - ▶ Not required to quarantine if have close contact with infected individual at work

PROOF OF VACCINATION

- ▶ No requirement to ascertain vaccination status of volunteers, guests or congregants
 - ▶ Exception for events with more than 1000 attendees
 - ▶ Bill was introduced to require bars, restaurants and gyms to verify vaccination status
- ▶ In most states, can require proof of vaccination to participate in events or enter facilities
 - ▶ Practically may be difficult to obtain compliance
- ▶ 20 states have prohibited issuing and/or requiring vaccine “passports”
 - ▶ California likely to adopt vaccine passports next year

PROOF OF VACCINATION

- ▶ Supreme Court issued injunction overturning ban on attendance
 - ▶ Restrictions greater than those placed on private businesses
- ▶ Settlements reached in June of pending cases
 - ▶ State agreed any future restrictions on number of congregants must be same as those on private business

RESTRICTIONS ON CHURCH ATTENDANCE

- ▶ Cal OSHA employee COVID rules in effect until January 2022
 - ▶ Unvaccinated employees must wear masks indoors around other employees and maintain social distancing
 - ▶ Unvaccinated employees must be quarantined if they are exposed at work and paid for the quarantine period
 - ▶ Training, providing masks, cleaning and distancing rules all remain in effect
- ▶ Federal OSHA likely to add similar rules when it publishes its ETS
- ▶ California Supplemental COVID sick pay expires 9/30

COVID SAFETY REQUIREMENTS

- ▶ Rules for volunteers, congregants and guests vary by jurisdiction
 - ▶ Must follow rules on masking and social distancing based on state or county guidelines
- ▶ Churches can require staff, volunteers and congregants to follow masking and social distancing requirements

COVID SAFETY REQUIREMENTS



THANK YOU FOR ATTENDING!

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