

San Diego County Issues Revised COVID-19 Health Officer's Order

April 6, 2020

On Friday April 3, San Diego County issued an addendum to its March 29 Order of the Health Officer and Emergency Regulations containing additional requirements and guidance related to COVID-19. The March 29 order and April 3 addendum apply to all businesses and residents of San Diego County.

San Diego County's March 29 order incorporates California's statewide stay-at-home Executive Order N-33-20 issued by Governor Gavin Newsom on March 19, which requires, among other things, that all California residents stay at home except for certain individuals needed to maintain continuity of operations working in essential critical infrastructure sectors.

The San Diego County March 29 order

San Diego County's March 29 order also adopts additional regulations including, but not limited to:

- Requiring all businesses to enact social distancing and increased sanitation standards and to make every effort to use telecommuting for their workforce
- Requiring all employers to suspend any policy or procedure requiring doctor verification for sick or other leave approval
- Prohibiting all public and private *gatherings*, as defined, except for business operations falling within the designated essential critical infrastructure sectors who can meet certain social distancing standards
- Closing all establishments that serve alcohol but not food and all gyms and fitness centers
- Limiting all restaurants and other businesses serving food to only delivery, pick up or drive-thru
- Requiring hospitals and healthcare providers to take measures to preserve and prioritize resources, including delaying non-emergent or elective surgeries or procedures where feasible
- Requiring a 14-day home quarantine and self-monitoring of all persons arriving in San Diego County from international locations identified on the Centers for Disease Control and Prevention (CDC) Warning Level 2 or 3 Travel Advisory
- Strongly recommending that individuals with mild to moderate symptoms of COVID-19 to self-isolate themselves in their place of residence unless seeking medical treatment

The San Diego County April 3 addendum

San Diego County's April 3 addendum amends the March 29 order to add further regulations including, but not limited to:

- New direction that the face covering guidance issued by the State of California Department of Public Health on April 1 shall be followed in San Diego County, except as noted
- A new requirement that all businesses that remain in operation under applicable state and local orders **and that allow members of the public to enter a facility must prepare and post by no later than 12:00 AM on April 7, a "Social Distancing and Sanitation Protocol"** at each of their facilities in San Diego County
- A new requirement that, starting April 4, all employees who may have contact with the public in any grocery store, pharmacy/drug store, convenience store, gas station, restaurant or other business establishment that serves food **shall wear a cloth face covering** as described in the California Department of Public Health's face covering guidance

Recommendations for San Diego County employers

Continue to comply with the California governor's executive order. Employers should continue to evaluate if or which members of their workforce fall within any of the essential critical infrastructure sectors identified by the governor's office. Employers should check this list periodically, as the governor's office has provided updates to it since initial publication.

Consider if any employees are required to wear cloth face coverings. San Diego County is one of the first localities to adopt the April 1 face covering guidance issued by the California Department of Public Health. Although the state's guidance only recommends – and does not mandate – face coverings be worn statewide, San Diego County's amended order mandates cloth face coverings for certain employees in San Diego County who may have contact with the public in specified settings.

Prepare and post Social Distancing and Sanitation Protocols by no later than 12:00 am on April 7. A copy of the required Social Distancing and Sanitation Protocol form is available from the [San Diego County website](#). At this time, only businesses with operations remaining open to the public are required to prepare and post a Social Distancing and Sanitation Protocol. The posting must be made at or near the public entrance of the facility so that it is easily viewable by the public and employees. **Additionally, covered businesses must provide each employee performing work at the facility with a copy of the Social Distancing and Sanitation Protocol.** Covered businesses should also be aware that they may be required to provide evidence of compliance with this protocol and its effectiveness in implementing social distancing and sanitation to San Diego County officials upon request.

Employers with operations in California Bay Area counties should note that a similar protocol is required of all Essential Businesses, as detailed in our previous [Cooley alert](#).

If you have any questions about the San Diego County March 29 order, the April 3 addendum or the California Executive Order, or have any other employment questions or issues that have arisen given the Orders, please reach out to a member of the Cooley employment team to assist you with your questions.

Coronavirus resource hub

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