



August 17, 2020

Christina Montserrat, Chief
Department of Public Health
Email: Christina.Montserrat@cdph.ca.gov

**RE: State Notice Response
COVID Testing Policy
SEIU Notice No.: C-2020-356-CDPH**

Dear Christina Montserrat:

This letter is in response to the attached letter dated July 30, 2020, and received on July 30, 2020; regarding the COVID Testing Policy.

This constitutes the Union's request to meet regarding any potential impacts on represented employees as outlined in Article 24.1 B of the MOU between SEIU Local 1000 and the State of California.

Mo Kashmiri in our Contract Department has been assigned to this issue and will be in contact with you shortly in order to schedule a meeting(s) to discuss any potential impacts. Mo Kashmiri can be reached by calling (866) 471-7348.

Sincerely,

Lezlie Uko
Director
SEIU Local 1000 Resource Centers
Phone: (866) 471-7348
FAX: (916) 554-1349
LU/cr

Attachment

- CC: Anica Walls, VP for Organizing/Representation
Tony Owens, VP for Bargaining
Anne Giese, Chief Counsel, SEIU Local 1000
Bargaining Unit Chairs, SEIU Local 1000
Brooke Pierman, Director of Contracts, SEIU Local 1000
Eloise Merrifield, Contract Department, SEIU Local 1000
Mo Kashmiri, Contract Department, SEIU Local 1000
Janeen Tang, Contract Department, SEIU Local 1000
Connie Vallas, Field Department, SEIU Local 1000
Ted Burnett, Field Department, SEIU Local 1000
Courtney Ragusa, Secretary, SEIU Local 1000

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SERVICE EMPLOYEES
INTERNATIONAL UNION
CTW, CLC

1808 14th Street
Sacramento, CA 95811

866.471.SEIU (7348)
www.seiu1000.org



**DECLARATION OF PROOF OF SERVICE BY MAIL:
C.C.P. 1013A**

I declare that I am a resident of or employed in the County of Sacramento, California. I am over the age of 18 years of age and not a party to the within entitled cause. The name and address of my place of business is SEIU Local 1000, 1808 14th. Street, Sacramento, CA 95811.

I am readily familiar with the ordinary practice of the business of collecting, processing and depositing correspondence in the United States Postal Service and that the correspondence will be deposited the same day with postage thereon fully prepaid.

On **August 17, 2020**, caused the following document(s) to be served:

State Notice Response

(BY MAIL) placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States mail at Sacramento, California, addressed as follows:

(BY E-MAIL) by causing the document to be sent to the person at the e-mail address shown below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

christina.montserrat@cdph.ca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this Declaration was executed on **August 17, 2020**, in Sacramento, California.

8/17/20
Date

Courtney Ragusa
Courtney Ragusa
Secretary, SEIU Local 1000

COVID-19 TESTING POLICY**8-6200**

It is the policy of the California Department of Public Health (CDPH) to protect employees, patients and residents in healthcare facilities through public health prevention measures. There is risk of exposure for CDPH employees and a risk that asymptotically infected CDPH employees could introduce and spread Coronavirus Disease 2019 (COVID-19) among healthcare facilities visited. The rapid increase of COVID-19 infection rates, combined with the inherent risks of congregate living in a healthcare setting, requires aggressive efforts to limit COVID-19 exposure and to prevent the spread of COVID-19 within healthcare facilities. To mitigate the risk of this spread, all CDPH employees who are conducting CDPH business in healthcare facilities are required to have a baseline test and ongoing surveillance testing for COVID-19.

All CDPH employees who conduct CDPH business in healthcare facilities must be tested. Employees who are working from home, on leave, or do not conduct CDPH business at healthcare facilities, do not need to be tested.

Authority**8-6210**

[Title 8 California Code of Regulations Section 5199](#)– The Cal/OSHA Aerosol Transmissible Diseases (ATD) Standard applies to public health services rendered in healthcare facilities or in connection with the provision of health care.

To comply with the regulation, the employer must establish, implement, and maintain an effective, written ATD Exposure Control Plan that is specific to the work place or operations.

Process**8-6220**

To mitigate the risk of CDPH employees contracting or spreading COVID-19, employees conducting CDPH business in a healthcare facility must receive initial viral testing along with monthly viral testing thereafter, for as long as the conduct of CDPH business in a healthcare facility continues. The testing frequency may be adjusted from the recommended monthly viral testing of CDPH employees based on the prevalence of the virus in their community; for example, performing weekly testing in areas with moderate-to-substantial community transmission and monthly testing in areas with minimal-to-no community transmission.

CDPH employees can receive COVID-19 testing with no out of pocket costs at a Verily or Optum clinic. To obtain testing through Verily or Optum, CDPH employees must locate a clinic and follow the location specific directions for setting up an appointment. If CDPH employees test with their personal health care provider, as a condition of employment, CDPH will reimburse any cost incurred by the employee through the department's [CalATERS](#) process. Testing will be completed during work time.

Testing is a fundamental part of the [United States SARS-CoV-2 Surveillance Plan](#) which uses multiple surveillance systems and epidemiology networks to monitor the progression and impact of COVID-19 spread in the United States.

At this time, CDPH employees who have had a reactive serologic test for antibodies against SARS-CoV-2 are still required to be tested to meet this requirement. Employees who had a positive viral test (i.e., polymerase chain reaction (PCR) test) in the prior three months and are now asymptomatic do not need to be retested as part of surveillance testing; testing may resume for surveillance or in response to an exposure only if it is three months after the date of onset of the prior infection. However, this requirement may be reconsidered at a later time for previously COVID-19 positive individuals as more is learned about immunity following COVID-19.

Responsibility**8-6230**

Test results are only provided to the employee and local public health office of the employee's home residence. To maintain CDPH employee confidentiality, employees must provide test results directly to the CDPH Disability Management Unit (DMU), at DMU@cdph.ca.gov within 24 hours of receipt.

CDPH will use test results to determine if CDPH employees can conduct CDPH business in a healthcare facility and to assist healthcare facilities and individuals that may have had COVID-19 exposure from CDPH employees.

Any CDPH employees that refuse testing must work with DMU to determine if there is a reasonable accommodation available.



SONIA Y. ANGELL, MD, MPH
State Public Health Officer & Director

State of California—Health and Human Services Agency
California Department of Public Health



GAVIN NEWSOM
Governor

July 30, 2020

Yvonne Walker, President
Service Employees International Union
1808 14th Street
Sacramento, CA 95811

Dear Ms. Walker:

This letter is to provide notice that the California Department of Public Health (CDPH) has established a new policy on Coronavirus Disease 2019 (COVID-19) testing. This policy will affect all employees who conduct CDPH business in healthcare facilities. As stated in the policy, there is risk of exposure for CDPH employees and a risk that asymptotically infected CDPH employees could introduce and spread COVID-19 among healthcare facilities visited. To mitigate these risks, all CDPH employees who conduct CDPH business in healthcare facilities are required to have a baseline test and ongoing surveillance testing for COVID-19.

The proposed implementation of this policy is July 30, 2020. A copy of the new policy is attached to this notice. If you have any questions or wish to meet, please contact Christina Montserrat at (916) 440-7348.

Sincerely,

Kristanna Rivera, Deputy Director
Human Resources Division

cc: California Department of Human Resources
1515 S Street, North Building, Suite 400
Sacramento, CA 95811-1758

Attachment