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Subchapter 7. General Industry Safety Orders  
Introduction

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## §3205.2. COVID-19 Prevention in Employer-Provided Housing.

(a) Scope. Until February 3, 2025, this section applies to employer-provided housing. Employer-provided housing is any place or area of land, any portion of any housing accommodation, or property upon which a housing accommodation is located, consisting of: living quarters, dwelling, boardinghouse, tent, bunkhouse, maintenance-of-way car, mobile home, manufactured home, recreational vehicle, travel trailer, or other housing accommodations. Employer-provided housing includes a “labor camp” as that term is used in title 8 of the California Code of Regulations or other regulations or codes. The employer-provided housing may be maintained in one or more buildings or one or more sites, including hotels and motels, and the premises upon which they are situated, or the area set aside and provided for parking of mobile homes or camping. Employer-provided housing is housing that is arranged for or provided by an employer, other person, or entity to workers, and in some cases to workers and persons in their households, in connection with the workers' employment, whether or not rent or fees are paid or collected.

The following exceptions apply:

(1) This section does not apply to housing provided for the purpose of emergency response, including firefighting, rescue, and evacuation, and support activities directly aiding response such as utilities, communications, and medical operations, if:

(A) The employer is a government entity; or

(B) The housing is provided temporarily by a private employer and is necessary to conduct the emergency response operations.

(2) This section does not apply to housing in which all residents maintained a household together prior to residing in employer-provided housing, such as family members.

(3) This section does not apply to employees with occupational exposure as defined by section 5199, when covered by that section.

(4) This section does not apply to employer-provided housing used exclusively to house COVID-19 cases or where a housing unit houses one employee.

(b) Assignment of housing units. To the extent feasible, employers shall assign employee housing to cohorts that travel and work together, separate from other workers. To the extent feasible, residents who usually maintain a household together shall be housed in a single housing unit without other persons.

(c) Ventilation. In housing units, employers shall maximize the quantity and supply of outdoor air and increase filtration efficiency to the highest level compatible with the existing ventilation system. If there is not a Minimum Efficiency Reporting Value (MERV)-13 or higher filter in use, portable or mounted High Efficiency Particulate Air (HEPA) filtration units shall be used, to the extent feasible, in all sleeping areas.

(d) Face coverings. Employers shall provide face coverings to all residents and provide information to residents on when they should be used in accordance with state or local health department orders or guidance.

(e) Reporting symptoms. The employer shall encourage residents to report COVID-19 symptoms to the employer.

(f) COVID-19 testing. The employer shall establish, implement, and maintain effective policies and procedures for COVID-19 testing of residents who had a close contact or COVID-19 symptoms. These policies and procedures shall be communicated to the

residents.

(g) COVID-19 cases and close contacts.

(1) Employers shall effectively isolate COVID-19 cases from all residents who are not COVID-19 cases, for the period established by subsection 3205(c)(5)(A). Effective isolation shall include housing COVID-19 cases only with other COVID-19 cases, and providing COVID-19 case residents with a sleeping area and bathroom that is not shared by non-COVID-19 case residents.

(2) Employers shall effectively quarantine residents who have had a close contact from all other residents, in accordance with subsection 3205(c)(5)(B). Effective quarantine shall include providing residents who had a close contact with a private bathroom and sleeping area.

## Credits

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

### History

1. New section filed 11-30-2020 as an emergency; operative 11-30-2020. Emergency expiration extended 60 days (Executive Order N-40-20) plus an additional 60 days (Executive Order N-71-20) (Register 2020, No. 49). A Certificate of Compliance must be transmitted to OAL by 10-1-2021 or emergency language will be repealed by operation of law on the following day.
2. New section refiled with amendments 6-17-2021 as an emergency; operative 6-17-2021 pursuant to Executive Order N-09-21 (Register 2021, No. 25). Exempt from the APA pursuant to Government Code sections 8567, 8571 and 8627 (Executive Order N-09-21). Emergency expiration extended 60 days (Executive Order N-40-20) plus an additional 60 days (Executive Order N-71-20). A Certificate of Compliance must be transmitted to OAL by 1-13-2022 or emergency language will be repealed by operation of law on the following day.
3. New section, including amendments, refiled 1-5-2022 as an emergency; operative 1-14-2022 (Register 2022, No. 1). A Certificate of Compliance must be transmitted to OAL by 4-14-2022 or emergency language will be repealed by operation of law on the following day.
4. Editorial correction of History 5 (Register 2022, No. 9).
5. Emergency filed 1-5-2022 extended an additional 21 calendar days pursuant to Executive Order N-5-22. A Certificate of Compliance must be transmitted to OAL by 5-5-2022 or emergency language will be repealed by operation of law on the following day.
6. New section, including amendments, refiled 5-5-2022 as an emergency pursuant to EO N-23-21; operative 5-5-2022 pursuant to EO N-23-21 (Register 2022, No. 18). Pursuant to EO N-23-21, a Certificate of Compliance must be transmitted to OAL by 12-31-2022 or emergency language will be repealed by operation of law on the following day.
7. Certificate of Compliance as to 5-5-2022 order, including renumbering of former section 3205.2 to section 3205.1 and renumbering and amendment of former section 3205.3 to section 3205.2, transmitted to OAL 12-20-2023 and filed 2-3-2023; amendments effective 2-3-2023 pursuant to Government Code section 11343.4(b)(3) (Register 2023, No. 5).

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