

# Phase 2 Domestic Services Industry

## COVID-19 Requirements

***Phase 2:*** Employers in the domestic services sector must adopt a written procedure for worker safety and customer interaction that is at least as strict as the Phase 2 procedure below and complies with safety and health requirements. Employers and individual domestic service workers must follow all operational and safety guidelines in order to receive or provide services.

To the extent that any provision is *entirely* inapplicable to an employer of a single worker, it need not be followed by such an employer. It is the employer's responsibility to ensure safety standards are maintained for all workers, independent of the business arrangement.

It is acknowledged that workers in the domestic service industry will disproportionately encounter limitations in their ability to refuse to perform work, access paid sick leave, and access unemployment benefits. In all employment situations, employers will provide all safety measures described below and should be aware of the limitations their workers may have in accessing worker protections.

This document applies to the domestic services industry. For the purposes of this document, a domestic service worker is any worker who is paid by one or more employer and provides domestic services to an individual or household in or about a private home as a nanny, house cleaner, cook, or household manager. A domestic service worker includes hourly and salaried employees, independent contractors providing personal labor, full-time and part-time workers, and temporary workers. An employer includes a hiring entity, individuals, households, and employers (e.g., businesses that provide direct services, including employment agencies and online platforms) that directly or indirectly pay a domestic worker to provide services as a nanny, house cleaner, cook, and/or household manager. Where there is more than one employer, each employer is responsible for meeting these requirements.

For the purposes of this document, a nanny is someone who provides care and protection, during any part of the 24-hour day, to infants and children under the age of 18 in or about a private home. A house cleaner is a worker who provides cleaning services for an individual or household in or about a private home. A cook is a worker who prepares food for eating for an individual or household in or about a private home. Cooks may also be referred to as private chefs. A household manager is a worker who manages the daily operation of a private home, including planning, organizing and coordinating events, managing household calendars and schedules, arranging appointments, scheduling and supervising home maintenance projects, running errands, paying household bills, and similar activities.

Gardeners, defined as workers who provides landscape care or maintenance services for the garden, yard or grounds in or about a private home, for an individual or household, are covered under the [Phase 1 opening guidelines for Landscape Services and Outdoor Maintenance](#) Industries.

### **Safety and Health Requirements**

All domestic service employers have a general obligation to keep a safe and healthy workplace in accordance with state and federal law and rules. In addition, employers must comply with the following COVID-19 worksite-specific safety practices, as outlined in Governor Jay Inslee's "Stay Home, Stay Healthy" Proclamation 20-25, and in accordance with the Washington State Department of Labor & Industries [General Requirements and Prevention Ideas for Workplaces](#) and the Washington State Department of Health [Workplace and Employer Resources & Recommendations](#).

Employers must specifically ensure operations follow the main L&I COVID-19 requirements to protect workers, including:

- Educate workers in the language they understand best about coronavirus and how to prevent transmission and the employer's COVID-19 policies.
- Maintain minimum six-foot separation between staff and customers in all interactions at all times. When strict physical distancing is not feasible for a specific task, other prevention measures are required, such as use of barriers, minimize staff or customers in narrow or enclosed areas, stagger breaks, and work shift starts.
- Provide at no cost to workers and require to be worn personal protective equipment (PPE) such as gloves, goggles, face shields and face masks as appropriate or required for the activity being performed. Cloth facial coverings must be worn by every worker not working alone unless their exposure dictates a higher level of protection under Department of Labor & Industries safety and health rules and guidance. Refer to [Coronavirus Facial Covering and Mask Requirements](#) for additional details. A cloth facial covering is described in the [Department of Health guidance](#).
- Ensure frequent and adequate hand washing with adequate maintenance of supplies. Use disposable gloves where safe and applicable to prevent transmission on tools or other items that are shared.
- Establish a housekeeping schedule that includes frequent cleaning and sanitizing with a particular emphasis on commonly touched surfaces.
- Screen workers for signs/symptoms of COVID-19 at start of their shift. Make sure sick workers stay home or immediately go home if they feel or appear sick. Cordon off any areas where a worker with probable or confirmed COVID-19 illness worked, touched surfaces, etc. until the area and equipment is cleaned and sanitized. Follow the [cleaning guidelines set by the CDC](#) to deep clean and sanitize.

A COVID-19 supervisor shall be designated by the employer to monitor their health and enforce this COVID-19 safety plan.

A worker may refuse to perform unsafe work, including hazards created by COVID-19. And, it is unlawful for any employer subject to RCW 49.17 to take adverse action against a worker who has engaged in safety-protected activities under the law if their work refusal meets certain requirements. Additional information is available in these publications: [Safety and Health Discrimination in the Workplace brochure](#) and [Spanish Safety and Health Discrimination brochure](#).

Workers who choose to remove themselves from a worksite because they do not believe it is safe to work due to the risk of COVID-19 exposure may have access to certain leave or unemployment benefits. Employers must provide high-risk individuals covered by Proclamation 20-46 with their choice of access to available employer-granted accrued leave or unemployment benefits if an alternative work arrangement is not feasible. Other workers may have access to expanded family and medical leave included in the Families First Coronavirus Response Act, access to use unemployment benefits, or access to other paid time off depending on the circumstances. Additional information is available at: [Novel Coronavirus Outbreak \(COVID-19\) Resources](#) and [Paid Leave under the WA Family Care Act and the Families First Coronavirus Response Act](#).

**All domestic service employers are required to comply with the following COVID-19 worksite-specific safety practices:**

Below is a list of additional practices for domestic service employers to follow in order to provide a safe back to work environment for workers and customers.

Always educate your workers on the COVID-19 Safety Plan. If possible, implement regular, remote all-hands communications within the company to inform, educate and reinforce standard operating procedures, safety plan and possible next steps. Employers contracting directly with a single individuals or small work crews will strive to maintain open communications on safety procedures and other key information specific to the workplace with their domestic workers. This includes ensuring information is communicated in the language the domestic worker best understands. The situation remains dynamic and workers need to understand this

is a fluid action plan that is being discussed regularly and may change frequently. Clearly communicate changes as needed.

Failure to follow these requirements for covered workers will be considered a violation of these duties and be penalized accordingly. Under RCW 49.17.060, “each employer shall furnish to each of their employees a place of employment free from recognized hazards that are causing or likely to cause serious injury or death to his or her employees and shall comply with the rules, regulations, and orders promulgated under this chapter.”

### **Workplace guidelines**

1. Whenever possible, the employer, as well as any other individual at the workplace, should be absent while the domestic work is in progress. As part of a hazard assessment employers should also identify and control and high risk areas in the workplace where workers and persons present in the workplace are likely to come into close and/or extended contact.
2. Any adult individual or older child present during the time domestic services should wear at least a cloth face covering to protect the health of the worker and avoid risk of community transmission. Children under two are not advised to wear facial coverings in childcare settings. Such individuals are also strongly encouraged to follow all PPE requirements. When possible, persons present in the household while a domestic worker is working should relocate to areas away from the domestic worker and from smaller rooms into larger rooms to accommodate greater social distancing with respect to a domestic worker.
3. Keep interactions short. If unable to discuss important details virtually, keep your in-person interaction short and maintain a six-foot distance throughout any conversation.
4. Tissues and trashcans must be made available throughout the worksite or home.
5. Practice contactless services:
  - Keep a minimum of six feet between domestic worker, employer and any other individual present in workplace at all times.
  - The employer should make all efforts to allow the domestic worker to let themselves in and all essential materials should be left out and easily accessible.
  - Clean and sanitize all materials upon completion of services, including cleaning materials and tools.
6. Employers will inform workers about their right to remove themselves from a worksite if they do not believe it is safe, as well as their potential for access to leave or unemployment benefits in these scenarios.
7. If a domestic worker is expected to complete additional tasks, such as frequent cleaning and sanitizing, this should be reflected in a written agreement and workers must be compensated for any additional time.

### **When domestic service employers require an office or retail location**

8. Gatherings of any size must be prevented by taking breaks, performing activities and lunch in shifts. Any time two or more persons must meet, ensure minimum 6-feet of separation.
9. Identify and control “choke points” and “high-risk areas” at locations where workers and members of the public typically congregate so that social distancing is always maintained. Consider relocating from small areas into larger rooms to accommodate more area for social distancing.
10. Minimize interactions during activities; ensure minimum 6-foot separation by physical barriers, and/or marking floors with tape. Limit the number of participants based on facility size and activities to allow for six-foot separation.

11. Arrange furniture to encourage social distancing.
12. Limit guest occupancy to 50% of maximum building occupancy or lower.
13. Whenever possible workers will drive separately to job sites, only one person per vehicle.
14. If workers meet at a central location and travel to job site in company owned vehicles, assign one vehicle to one crew and do not rotate. Travel in company-owned vehicles or other multi-occupancy vehicle will be limited to 50% capacity of the vehicle and social distance and PPE requirements as described in [Coronavirus Facial Covering and Mask Requirements](#).

### **Hand Washing**

15. Workers, employers, and any other individual present at the workplace, should wash their hands regularly, before and after all interactions, before and after going to the bathroom, before and after eating and after coughing, sneezing, or blowing their nose.
16. Employers should supply supplemental hand sanitizer with at least 60% ethanol or 70% isopropanol alcohol in the home.
17. Employers must supply running water. When running water is not available, portable washing stations, with soap, are required. Hand sanitizers are not a replacement for the water requirement.
18. Employers will distribute to workers or post, in areas of the workplace or business office visible to all workers and customers required hygienic practices, including not to touch face with unwashed hands or with gloves; washing hands often with soap and water for at least 20 seconds; use hand sanitizer with at least 60% ethanol or 70% isopropanol alcohol, covering the mouth and nose when coughing or sneezing as well as other hygienic recommendations by the U.S. Centers for Disease Control (CDC).

### **Sanitation and Cleanliness**

19. All employer-owned vehicles must have hand sanitizer available and all workers shall sterilize their hands when arriving on-site. Travel in company-owned vehicles or other multi-occupancy vehicle will be limited to 50% capacity of the vehicle and occupants will follow social distance and PPE requirements as described in [Coronavirus Facial Covering and Mask Requirements](#).
20. Employers shall frequently clean and disinfect frequently touched objects and surfaces such as keyboards, telephones, handrails, machines, shared tools, elevator control buttons, and doorknobs and restrooms.
21. Make disinfectants available to workers throughout the location and ensure cleaning supplies are frequently replenished.
22. Minimize or eliminate use of shared equipment and tools. Sanitize accordingly to meet CDC guidelines.
23. Sanitize employer-owned vehicles; dashboard controls, steering wheel, handles, etc. Use CDC approved cleaning products.

### **Sick Worker or Employer Plan**

24. Employers will screen all workers at the beginning of their day by asking them if they have a fever, cough, shortness of breath, fatigue, muscle aches, or new loss of taste or smell.
25. The employer is required to inform domestic workers of any symptoms within the entire household or workplace 24 hours in advance or at minimum prior to the worker's arrival and entry into the household to avoid any exposure of the worker to COVID-19, and cancel the domestic services, and cancel all domestic services.
26. Ask workers to take their temperature at home prior to arriving at work or take their temperature when they arrive. Thermometers used shall be 'no touch' or 'no contact' to the greatest extent possible. If a 'no touch' or 'no contact' thermometer is not available, the thermometer must be

properly sanitized between each use. All individuals present at the workplace will also have their temperature taken. Any worker or individual present at the workplace with a temperature of 100.4°F or higher is considered to have a fever and must be sent home. Domestic services will be canceled if symptoms are present in the workplace.

27. Create policies that encourage workers to stay home or leave the location when feeling sick or when they have been in close contact with a confirmed positive case. If they develop symptoms of acute respiratory illness, they must seek medical attention and inform their employer. Employers are required to do the same if anyone present in the workplace has symptoms. Domestic workers will be informed of any signs or symptoms present in the workplace.
28. Have workers inform their supervisors if they have a sick family member at home with COVID-19. If a worker has a family member sick with COVID-19, that worker must follow the isolation/quarantine requirements as established by the State Department of Health.
29. Instruct workers to report to their supervisor if they develop symptoms of COVID-19 (e.g., fever, cough, shortness of breath, fatigue, muscle aches, or new loss of taste or smell). If symptoms develop during a shift, the worker should be immediately sent home and the area where the person worked should be immediately disinfected. If symptoms develop while the worker is not working, the worker should not return to work until they have been evaluated by a healthcare provider.
30. If a worker or any individual in the workplace is confirmed to have COVID-19 infection, employers must inform workers of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act (ADA). The employer should instruct fellow workers about how to proceed based on the CDC Public Health Recommendations for Community-Related Exposure.

#### **Training:**

31. All on-site workers must be trained on the employer's policies, these requirements and all relevant sanitization and social distancing protocols. They must also be trained about COVID-19 and how to prevent its transmission. This can be accomplished through weekly safety meetings, where attendance is logged by the employer, supervisor, or COVID site supervisor. Employers should be informed on these procedures and requirements, and be able to develop and communicate similar policies within the home or work space to the extent possible.
32. All training of on-site workers must occur during paid time

**No domestic service work may proceed until employers and domestic workers can meet and maintain all the requirements in this document, including providing materials, schedules and equipment required to comply. Additional considerations are made as suggestions and may be adopted, as appropriate.**

Where applicable, issues regarding worker safety and health are subject to enforcement action under L&I's Division of Occupational Safety and Health (DOSH).

- Employers can request COVID-19 [prevention advice and help](#) from L&I's Division of Occupational Safety and Health (DOSH).
- Employee Workplace safety and health complaints may be submitted to the L&I DOSH Safety Call Center: (1-800-423-7233) or via e-mail to [adag235@lni.wa.gov](mailto:adag235@lni.wa.gov).
- General questions about how to comply with the agreement practices can be submitted to the state's Business Response Center at <https://coronavirus.wa.gov/how-you-can-help/covid-19-business-and-worker-inquiries>.
- All other violations related to Proclamation 20-25 can be submitted at <https://bit.ly/covid-compliance>.