

Domestic Services Industry: Home Care Workers

COVID-19 Requirements

This document applies to the domestic services industry and is specific to home care workers. 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 home care worker. 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 home care worker. Where there is more than one employer, requirements apply to each employer/employee employment relationship.

Other domestic workers are covered in [separate guidelines](#) as their work was not defined as essential under the Governor’s Proclamation 20-05. Home care workers are those who, in or about a private home, provide personal care services to people who have functional disabilities, or those who are ill, elderly, or otherwise vulnerable, helping them perform “activities of daily living”, such as eating, bathing, and getting dressed. In addition to helping with activities of daily living, a home care worker might also assist with “instrumental activities of daily living”, that allow individuals to live independently in a community. Home care workers include, but are not limited to, those certified by the State Department of Health under [RCW 18.88B](#).

The work performed by Home Care Workers was considered essential under the Governor’s Proclamation 20-05 and therefore many services have remained in place through the COVID-19 pandemic. Health and safety requirements are to be followed as documented below by employers and individual home care workers.

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 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 should be aware of the limitations their workers may have in accessing worker protections.

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, they must comply with the following COVID-19 work site-specific safety practices as outlined in the Governor’s “Safe Start” Proclamation 20-25.4, and in accordance with L&I [General Requirements and Prevention Ideas for Workplaces](#). The Washington State Department of Health and the Washington State Department of Social and Health Services have developed safety guidance documents for workers:

- [Washington State Department of Health Recommendations For In-Home Care Providers](#)
- [Washington State Department of Social and Health Services Individual Providers \(IPs\) Guidance for Providing Safe Care During the COVID-19 Outbreak](#)

The Employer or co-Employer that performs administrative functions, such as Home Care Agencies and the State of Washington, must follow the COVID-19 requirements and guidelines 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 six-foot separation between all employees and customers in all interactions to the greatest extent feasible. When strict physical distancing is not feasible for a specific task, other prevention measures may be used, such as use of barriers, minimizing staff or customers in narrow or enclosed areas, and staggering breaks and work shift starts.
- Provide at no cost to the employee and require the wearing of personal protective equipment (PPE) such as gloves, goggles, face shields and face masks as appropriate for the activity being performed. Refer to [Coronavirus Facial Covering and Mask Requirements](#) for additional details. Home care workers providing care to COVID positive or symptomatic clients are presumed to be in an "Extremely High Risk" situation and must be provided appropriate PPE. Home care workers who are providing care to asymptomatic clients should be considered to be in the "Medium Risk" category and should be provided with surgical masks, as well as potentially additional PPE as appropriate depending on the situation. In addition, cloth facial coverings must be provided by employers and be worn by every worker not working alone or when performing tasks in the community unless their exposure dictates a higher level of protection under Department of Labor & Industries safety and health rules and guidance. A cloth facial covering is described in the [Department of Health guidance](#). Exceptions to this requirement for cloth face coverings include when working alone in an office, vehicle, or at a job site; if the individual is deaf or hard of hearing, and is communicating with someone who relies on language cues such as facial markers and expression and mouth movements as a part of communication; if the individual has a medical condition or disability that makes wearing a facial covering inappropriate; or when the job has no in-person interaction.

The Employer must follow the COVID-19 requirements and guidelines to protect workers including items listed below. Home care workers hired by individual consumers and paid through DSHS as Individual Providers are selected, scheduled and supervised by the client-employer. In these instances, DSHS issues guidance on how to prevent infection and spread of COVID:

- Ensure frequent and adequate hand washing with adequate maintenance of supplies. Use disposable gloves where safe and applicable to prevent virus transmission on tools or other items that are shared.
- Ensure frequent cleaning and sanitizing of commonly touched surfaces.
- Screen employees and clients for signs/symptoms of COVID-19 at the start of their shift. Home care workers should stay home or immediately go home if they feel or appear sick. Cordon off any non-residential employer office areas where an employee 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 Centers for Disease Control to deep clean and sanitize.
- Notify home care workers immediately after the employer finds out that it is known that as a result of their work they were exposed to individuals confirmed as COVID positive.

A worker may refuse to perform unsafe work, including hazards created by COVID-19. A home care worker who believes their situation is unsafe must contact either the social worker or agency supervisor. 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.

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, unemployment benefits, or other paid time off depending on the circumstances. Additional information is available at [Novel Coronavirus Outbreak \(COVID-19\) Resources](#) and [Paid Leave under the Washington Family Care Act and the Families First Coronavirus Response Act](#).

Home Care Workers:

In addition, workers must:

1. Stay home when sick. Notify employer when suspected or confirmed as COVID positive.
2. Inform supervisor if there is 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.
3. Before reporting to work, call ahead and ask if the person you are providing care to is experiencing symptoms such as a fever, cough or shortness of breath that is new to them. If so, consider whether services can be delayed or follow precautions listed in the COVID-19 Home Care Guidance document.
4. Maintain minimum six-foot separation between yourself and others in the home whenever possible. When physical distancing is not feasible for a specific task, other prevention measures are to be used such as use of cloth face coverings and PPE.
5. Wash hands frequently, at the beginning and end of your shift and before and after preparing food or coming into contact with body fluids. Wash hands with soap and water for at least 20 seconds or use an alcohol-based hand sanitizer that contains at least 60% alcohol.
6. Avoid touching surfaces or objects within the home as much as possible. Wash down frequently touched surfaces while working.

Individual client employer who hires a home care worker to provide services in their own home:

7. Inform home care worker when the client is under home quarantine, sick, or developing COVID-19 related symptoms.
8. When home care worker is or appears sick, require them to not work until they are no longer sick.
9. Wash hands frequently when home care worker is present.
10. Maintain at least a six foot distance from home care worker when possible and reduce the time spent in close proximity to the home care worker.

Workplace guidelines

11. Any individual who is present and capable of wearing a mask during the time home care services are being provided should wear at least a cloth face covering to avoid risk of community transmission. 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. Individuals in the workplace may not be able to comply, and are not required to comply, with wearing a cloth face

- covering and/or PPE due to cognitive, developmental or functional disabilities.
12. 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. Individuals receiving home care may not be able to comply, and are not required to comply, with distance and time requirements when due to cognitive, developmental or functional disabilities.
 13. Tissues and trashcans must be made available in the worksite or home.
 14. 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.
 15. 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 time worked.
 16. All training of on-site workers must occur during paid time.
 17. Whenever possible workers will drive separately to job sites, only one person per vehicle.
 18. 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](#).

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.
- 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>.