

What Workers Need to Know About Bird Flu

Bird flu, also known as avian influenza, is an illness that infects birds and many other animals, including poultry and dairy cattle. Bird flu can also infect people. Bird flu can be a mild illness or a very serious one.

Workers who have contact with sick birds, animals, dairy cows and/or their waste, are at risk of becoming infected with bird flu.

How is Bird Flu Spread?

Diseases that can be spread from animals to humans are called zoonotic diseases. Workers can become infected with bird flu when they:

- Are splashed in eyes, nose, or mouth with liquids such as milk from infected cattle, or saliva, mucus, and feces from infected birds and animals.
- Breathe in tiny particles containing the virus.
- Touch a surface contaminated with the virus and then touch their eyes, nose, or mouth.
- Workers are unlikely to get bird flu from another person.

Employers must ensure a safe and healthy workplace for their employees. When bird flu is detected in animals, poultry, or in a dairy herd, employers must provide and ensure that exposed employees wear respirators, goggles or face shield, gloves, and other personal protective equipment (PPE) needed for the task.

Who is at Risk?

- Workers who have contact with birds, cows, or other sick animals are at risk of becoming infected with bird flu.
- This includes workers at bird rehabilitation centers, bird and animal sanctuaries, animal, poultry, or dairy farms, slaughterhouses, laboratories that test samples for the virus, and responders during bird flu outbreaks in birds or other animals.



What are the Symptoms of Bird Flu?

Symptoms can include one or more of the following:

- Eye redness or discharge
- Fever (100 °F or higher)
- Fatigue
- Cough
- Muscle or body aches
- Sore throat
- Nausea and vomiting
- Diarrhea
- Stuffy or runny nose
- Headaches
- Shortness of breath or trouble breathing
- Pneumonia

What Are Employers Required to Do to Protect Workers?

Your employer must protect workers from potential exposure, and infection with bird flu through protective measures.

The primary Cal/OSHA regulation that applies is the Zoonotic Aerosol Transmissible Diseases regulation, title 8 **section 5199.1**. Zoonotic means the disease comes from animals. Aerosol means the disease is spread through splashes

or through tiny droplets and particles that float in the air. Employers of workers who work with or around birds and cows are required to address potential worker exposures to bird flu through a variety of protective measures.

- **Sanitation:** Employers must keep work areas clean:
 - Animal-related dust may contain the virus. Employers must keep the work area clean, and dust must be kept from being kicked up into the air.
 - Employers must make sure handwashing facilities are kept in good condition and stocked with soap and paper towels.
 - Employers also provide showers when the risk of infection is higher.
 - Do not eat or drink in areas where you work with animals.
- **Safe work practices:** Employers must have written safety procedures to protect workers from animal diseases.
- **Investigation of work-related injuries and illnesses:** If you start to feel symptoms that could be bird flu, report them to your employer. Your employer must send you for medical attention and investigate how you got sick.
- **Training:** Your employer must provide you with training on workplace hazards. They must train you on how they are controlling exposure to hazards and how to use the PPE provided to you.
- **Personal protective equipment and clothing:** Depending on your work tasks, your employer may need to provide you with the following PPE:
 - Eye protection
 - Respiratory protection
 - Coveralls
 - Aprons
 - Gloves
 - Head coverings
 - Shoe covers

If your worksite is under a quarantine order, movement restrictions, or other infection control order, your employer must use additional protections even if there are no infected animals.

- **Additional protections:** If there are infected animals, your employer must use more stringent protective measures.
- **Medical services:** If you work in a quarantined area, or with infected or dead animals, their waste, or their environment, your employer must have a doctor give you regular medical check-ups.

How Can You Protect Yourself?

- Wear PPE, protective clothing, goggles/face shield, and respirators your employer provides you.
- If you feel the protective equipment your employer provides is not enough, you are allowed to bring and wear your own respirator, at least an N95.
- Follow the employer's written safety procedures.
- Use work practices that do not produce dust.
- When working with animals, wash your hands often and do not touch your eyes, nose, or mouth.
- If needed, adjust how you work to minimize dust in the air. For example, wet down the area with water when cleaning bird droppings or animal pens.

What Should You Do if You Feel Sick?

Report any bird flu symptoms to your supervisor. Your employer must send you to the doctor, provide any medical testing and treatment needed, and investigate how you got sick. Employers must cover all medical costs for workers who get bird flu.

You Have Rights!

You have the right to a safe and healthy workplace, regardless of immigration status, and may file confidential complaints about workplace safety and health hazards with Cal/OSHA.

For work-related questions or complaints, contact the Cal/OSHA Call Center in English or Spanish at 833-579-0927.

Workers' Compensation

Employers must provide workers' compensation benefits for workers that get bird flu on the job.

Employees exposed to animals on the job can likely prove that their illness is from work, unless they were exposed to bird flu away from work.

Workers' Compensation benefits:

- **Medical Care** – employer pays all reasonable and necessary testing and treatment
- **Temporary Disability Benefits** – employer pays portion of lost wages if employees misses three or more days of work because of the illness.
- **Permanent Disability Benefits** – if illness causes permanent impairment.

Paid Sick Leave

Employers are required to provide employees paid sick leave.

Employers must allow employees to use up to 40 hours or 5 days, whichever is more, of earned paid sick leave in a 12-month period.

To qualify, employees must have:

- Worked at least 30 days for the same employer in a year.

An employee is entitled to use what they have earned on the 90th day of employment, although an employer can lend paid sick leave in advance of accrual.

Retaliation is Illegal

All workers in California are protected by labor laws, including retaliation protections, regardless of immigration status. It is illegal for employers to fire, reduce the pay or work hours, or otherwise punish workers for following California laws or threaten to report a worker to immigration authorities for following California laws.

Some of the many activities that are protected from retaliation under California law include speaking up about unsafe conditions or unpaid wages, refusing to work in unsafe conditions, or reporting an unsafe workplace or labor violation.

Employers who commit retaliation may be required to reinstate the employee, pay back wages and pay penalties.

Workers who believe they have experienced retaliation can get more information at www.wagetheftisacrime.com, file a retaliation complaint online at www.dir.ca.gov/dlse/dlseRetaliation.html, or call the Labor Commissioner's Office at 1-833-526-4636.

Resources for Workers

- Cal/OSHA
 - [File a Complaint with Cal/OSHA](#)
 - [How to File a Complaint with Cal/OSHA](#)
 - [Cal/OSHA Outreach Services](#)
 - [Understand Your Workplace Safety and Health Rights](#)
 - [Protection from Avian Influenza](#)
- CDC Influenza (flu)
 - [H5N1 Bird Flu: What to do if you get sick](#)
 - [Protect Yourself from H5N1 When Working with Farm Animals](#)
 - [Information for Workers Exposed to H5N1 Bird Flu](#)
- California Department of Public Health
 - [Current Bird Flu Situation](#)
 - [Worker Protection for Bird Flu \(English\)](#)
 - [Worker Protection for Bird Flu \(Spanish\)](#)
- UC Davis Western Center for Agricultural Health and Safety
 - [Limiting Farmworker Exposure to Bird Flu](#)

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This document is available with active links at www.dir.ca.gov/dosh/dosh_publications

For assistance regarding this subject matter, employers may contact
Cal/OSHA Consultation Services at 1-800-963-9424 or InfoCons@dir.ca.gov

www.dir.ca.gov/dosh/consultation.html

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