

Public Employer Health Emergency Plan for the Town of Middlefield

February 8, 2021

This plan has been developed in accordance with NYS legislation S8617B/A10832

Promulgation

This plan has been developed in accordance with the amended New York State Labor Law section 27-c and New

York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable.

This plan has been developed with the input of Teamsters Local 317, as required by the amended New York State Labor Law.

No content of this plan is intended to impede, infringe, diminish, or impair the rights of us or our valued employees under any law, rule, regulation, or collectively negotiated agreement, or the rights and benefits which accrue to employees through collective bargaining agreements, or otherwise diminish the integrity of the existing collective bargaining relationship.

This plan has been approved in accordance with requirements applicable to the agency, jurisdiction, authority, or district, as represented by the signature of the authorized individual below.

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As the authorized official of the Town of Middlefield, I hereby attest that this plan has been developed, approved, and placed in full effect in accordance with S8617B/A10832 which amends New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable, to address public health emergency planning requirements.

Signed on this day:

By: Joseph Harris
Title: Supervisor, Town of Middlefield, NY

Signature: _____

Record of Changes

Date of Change	Description of Change	Implemented by
	2	

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Purpose

This plan has been developed in accordance with the amended New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable. These laws were amended by the passing of legislation S8617B/A10832 signed by the Governor of New York State on September 7, 2020, requires public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease. The plan includes the identification of essential positions, facilitation of remote work for non-essential positions, provision of personal protective equipment, and protocols for supporting contact tracing.

Scope

This plan was developed exclusively for and is applicable to Town of Middlefield. This plan is pertinent to a declared public health emergency in the State of New York which may impact our operations; and it is in the interest of the safety of our employees and contractors, and the continuity of our operations that we have promulgated this plan.

Situation Overview

On March 11, 2020 the World Health Organization declared a pandemic for the novel coronavirus which causes the COVID-19 severe acute respiratory syndrome. This plan has been developed in accordance with amended laws to support continued resilience for a continuation of the spread of this disease or for other infectious diseases which may emerge and cause a declaration of a public health emergency.

The health and safety of our employees and contractors is crucial to maintaining our mission essential operations. We encourage all employees and contractors to use [CDC Guidance for Keeping Workplaces, Schools, Homes, and Commercial Establishments Safe](#). The fundamentals of reducing the spread of infection include:

- Using hand sanitizer and washing hands with soap and water frequently, including:
 - After using the restroom
 - After returning from a public outing
 - After touching/disposing of garbage
 - After using public computers, touching public tables, and countertops, etc.
- Practice social distancing when possible
- If you are feeling ill or have a fever, notify your supervisor immediately and go home
- If you start to experience coughing or sneezing, step away from people and food, cough or sneeze into the crook of your arm or a tissue, the latter of which should be disposed of immediately
- Clean and disinfect workstations at the beginning, middle, and end of each shift
- Other guidance which may be published by the CDC, the State Department of Health, or County health officials.

Planning Assumptions

This plan was developed based on information, best practices, and guidance available as of the date of publication. The plan was developed to largely reflect the circumstances of the current Coronavirus pandemic but may also be applicable to other infectious disease outbreaks.

The following assumptions have been made in the development of this plan:

- The health and safety of our employees and contractors, and their families, is of utmost importance
- The circumstances of a public health emergency may directly impact our own operations.
- Impacts of a public health emergency will take time for us to respond to, with appropriate safety measures put into place and adjustments made to operations to maximize safety
- The public and our constituency expects us to maintain a level of mission essential operations
- Resource support from other jurisdictions may be limited based upon the level of impact the public health emergency has upon them
- Supply chains, particularly those for personal protective equipment (PPE) and cleaning supplies, may be

heavily impacted, resulting in considerable delays in procurement

- The operations of other entities, including the private sector (vendors, contractors, etc.), non-profit organizations, and other governmental agencies and services may also be impacted due to the public health emergency, causing delays or other disruptions in their services
- Emergency measures and operational changes may need to be adjusted based upon the specific circumstances and impacts of the public health emergency, as well as guidance and direction from public health officials and the governor
- Per S8617B/A10832, 'essential employee' is defined as a public employee or contractor that is required to be physically present at a work site to perform their job
- Per S8617B/A10832, 'non-essential employee' is defined as a public employee or contractor that is not required to be physically present at a work site to perform their job

Concept of Operations

The Supervisor of the Town of Middlefield, their designee, or their successor holds the authority to execute and direct the implementation of this plan. Implementation, monitoring of operations, and adjustments to plan implementation may be supported by additional personnel, at the discretion of the Supervisor.

Upon the determination of implementing this plan, all employees and contractors of the Town of Middlefield shall be notified by email and telephone, with details provided as possible and necessary, with additional information and updates provided on a regular basis. Residents will be notified of pertinent operational changes by way of Town Website and if necessary through the local papers. Other interested parties, such as vendors, will be notified by phone and/or email as necessary. Website administrator and Town Clerk will maintain communications with the public and constituents as needed throughout the implementation of this plan.

The Supervisor of the Town of Middlefield, their designee, or their successor will maintain awareness of information, direction, and guidance from public health officials and the Governor's office, directing the implementation of changes as necessary.

Upon resolution of the public health emergency, the Supervisor of the Town of Middlefield, their designee, or their successor will direct the resumption of normal operations or operations with modifications as necessary.

Mission Essential Functions

When confronting events that disrupt normal operations, the Town of Middlefield is committed to ensuring that essential functions will be continued even under the most challenging circumstances.

Essential functions are those functions that enable an organization to:

- Maintain the safety of employees, contractors, and our constituency
- Provide vital services

- Provide services required by law
- Sustain quality operations
- Uphold the core values of the Town of Middlefield

The Town of Middlefield has identified as critical only those priority functions that are required or are necessary to provide vital services. During activation of this plan, all other activities may be suspended to enable the organization to concentrate on providing the critical functions and building the internal capabilities necessary to increase and eventually restore operations. Appropriate communications with employees, contractors, our constituents, and other stakeholders will be an ongoing priority.

Essential functions are prioritized according to:

- The time criticality of each essential function
- Interdependency of a one function to others
- The recovery sequence of essential functions and their vital processes

Priority 1 identifies the most essential of functions, with priority 4 identifying functions that are essential, but least among them.

The mission essential functions for the Town of Middlefield have been identified as:

Essential Function	Description	Priority
Highway Department	Maintains roads and vehicles for travel and emergency services	1
Justice Court	Justice Court Functions	1
Town Clerk	Maintains essential records and business transactions such as licenses, taxes, etc.	1
Web Administrator	Maintains IT and updates website with pertinent information	2
Town Supervisor	Oversees town business	2

Essential Positions

Each essential function identified above requires certain positions on-site to effectively operate. The table below identifies the positions or titles that are essential to be staffed on-site for the continued operation of each essential function. Note that while some functions and associated personnel may be essential, some of these can be conducted remotely and do not need to be identified in this section.

Essential Function	Essential Positions/Titles	Justification for Each
Highway Department	<ul style="list-style-type: none"> Superintendent Staff 	Superintendent establishes all priorities for highway maintenance and organizes staff, work schedule, work load and tasks. Maintains and manages all town highway vehicles. Highway staff members provide essential road maintenance and road clearance as directed by Supervisor.
Information Technology	<ul style="list-style-type: none"> Web Administrator 	Hardware, software, network management, occasional onsite meeting connectivity, website administration for town webpage.
Justice Court	<ul style="list-style-type: none"> Justice 	All Court functions using onsite software or in court appearances.
Town Clerk	<ul style="list-style-type: none"> Town Clerk 	Maintains records, tax collection, licenses using onsite technology
Supervisor	<ul style="list-style-type: none"> Supervisor 	Maintains and oversees town business with need for occasional onsite work

It is important to note that Justice Court is a vital component to town government, with Justice Court functions budgeted and supported by the Town Board and Town Supervisor. However, we recognize that the New York State Office of Court Administration holds dominion over Justice Courts and, as such, may issue orders which suspend or alter the hours of operations over Justice Courts and, as such, may not fully align with this plan or other measures taken by the Town Board or Town Supervisor. As such, the Town Board, Town Supervisor, and Town Clerk will coordinate as necessary with Justice Court personnel to ensure safe and effective continuity of town Justice Court.

Reducing Risk Through Remote Work and Staggered Shifts

Through assigning certain staff to work remotely and by staggering work shifts, we can decrease crowding and density at work sites and on public transportation

Remote Work Protocols

Non-essential employees and contractors able to accomplish their functions remotely will be enabled to do so at the greatest extent possible. Working remotely requires:

- Identification of staff who will work remotely
- Approval and assignment of remote work
- Equipping staff for remote work, which may include:
 - Internet capable laptop
 - Necessary peripherals
 - Access to VPN and/or secure network drives
 - Access to software and databases necessary to perform their duties
 - A solution for telephone communications
 - Note that phone lines may need to be forwarded to off-site staff

As possible, 'essential' staff may be assigned to work remotely for part of their work week to reduce exposures. Further, business hours and locations of Town government may be altered to best accommodate public health protective actions for employees and the public. Alterations to building access and the means by which the public interacts with Town employees may also take place to support these protections. Protective actions may include, but are not limited to occupancy restrictions, protective barriers, and increased conduct of business by internet, phone, or other means. Protective actions will be taken in accordance with County and State Health Department, and CDC guidelines and requirements.

Staggered Shifts

Implementing staggered shifts may be possible for personnel performing duties which are necessary to be performed on-site but perhaps less sensitive to being accomplished only within core business hours. As possible, management will identify opportunities for staff to work outside core business hours as a strategy of limiting exposure. Regardless of changes in start and end times of shifts, Town of Middlefield will ensure that employees are provided with their typical or contracted minimum work hours per week. Staggering shifts requires:

- Identification of positions for which work hours will be staggered
- Approval and assignment of changed work hours

Town Supervisor, Town Clerk, Town Justice and Web Administrator will coordinate staggered working times, or work from home if necessary. Cleaning and protective actions will be taken in accordance with County and State Health Department, and CDC guidelines and requirements to ensure safe shared working spaces.

Highway Superintendent with Supervisor's oversight will ensure safe working conditions with a focus on CDC,

State and County Health Department recommendations for use of social distancing, use of PPE, cleaning protocols for vehicle interiors and work scheduling as necessary to ensure safe shared working spaces.

Personal Protective Equipment

The use of personal protective equipment (PPE) to reduce the spread of infectious disease is important to supporting the health and safety of our employees and contractors. PPE which may be needed can include:

- Masks
- Face shields
- Gloves

Note that while cleaning supplies are not PPE, there is a related need for cleaning supplies used to sanitize surfaces, as well as hand soap and hand sanitizer. The Coronavirus pandemic demonstrated that supply chains were not able to keep up with increased demand for these products early in the pandemic. As such, we are including these supplies in this section as they are pertinent to protecting the health and safety of our employees and contractors.

Protocols for providing PPE include the following:

- Identification of need for PPE based upon job duties and work location
- Procurement of PPE
 - As specified in the amended law, public employers must be able to provide at least two pieces of each required type of PPE to each essential employee and contractor during any given work shift for at least six months
 - Public employers must be able to mitigate supply chain disruptions to meet this requirement
- Storage of, access to, and monitoring of PPE stock
 - PPE must be stored in a manner which will prevent degradation
 - Employees and contractors must have immediate access to PPE in the event of an emergency
 - The supply of PPE must be monitored to ensure integrity and to track usage rates

Town Supervisor is responsible for procurement, monitoring and maintenance of PPE and cleaning supplies for Town Hall. A stockpile of 8 weeks is recommended. PPE will be stored in the supplies closet in the Town Hall and available on requests. Highway Department will monitor PPE needs and procurement, with Supervisor oversight, and maintain PPE in a location readily available to staff.

Staff Exposures, Cleaning, and Disinfection

Staff Exposures

Staff exposures are organized under several categories based upon the type of exposure and presence of symptoms. Following CDC guidelines, we have established the following protocols:

- If employees or contractors are exposed to a known case of communicable disease that is the subject of the public health emergency (defined as a 'close contact' with someone who is confirmed infected, which is a prolonged presence within six feet with that person):
 - Potentially exposed employees or contractors who do not have symptoms should remain at home or in a comparable setting and practice social distancing for the lesser of 14 days or other current CDC/public health guidance for the communicable disease in question.
 - As possible, these employees will be permitted to work remotely during this period of time if they are not ill.
 - Town Supervisor, Town Highway Superintendent should be notified and each is responsible for ensuring CDC and Health Department protocols being followed by the workers under their jurisdiction. Town Board will be notified.
 - See the section titled Documentation of Work Hours and Locations for additional information on contact tracing.
 - CDC guidelines for COVID-19 provide that critical essential employees may be permitted to continue work following potential exposure, provided they remain symptom-free and additional precautions are taken to protect them, other employees and contractors, and our constituency/public.
 - Additional precautions will include the requirement of the subject employee or contractor, as well as others working in their proximity, to wear appropriate PPE at all times to limit the potential of transmission.
 - In-person interactions with the subject employee or contractor will be limited as much as possible.
 - Work areas in which the subject employee or contractor are present will be disinfected according to current CDC/public health protocol at least every hour, as practical. See the section on Cleaning and Disinfection for additional information on that subject.
 - If at any time they exhibit symptoms, refer to item B below.
 - Town Supervisor and Town Highway Superintendent will each be the decision maker should these circumstances arise within their purview and will be responsible for ensuring these protocols are followed. Town Board will be notified.
 - If an employee or contractor exhibits symptoms of the communicable disease that is the subject of the public health emergency:
 - Employees and contractors who exhibit symptoms in the workplace should be immediately separated from other employees, customers, and visitors. They should immediately be sent home with a recommendation to contact their physician.
 - Employees and contractors who exhibit symptoms outside of work should notify their supervisor and stay home, with a recommendation to contact their physician.
 - Employees should not return to work until they have met the criteria to discontinue home isolation per CDC/public health guidance and have consulted with a healthcare provider.

- Town of Middlefield will not require sick employees to provide a negative test result for the disease in question or healthcare provider's note to validate their illness, qualify for sick leave, or return to work; unless there is a recommendation from the CDC/public health officials to do so.
- CDC criteria for COVID-19 provides that persons exhibiting symptoms may return to work if at least 24 hours have passed since the last instance of fever without the use of fever-reducing medications. If the disease in question is other than COVID-19, CDC and other public guidance shall be referenced.
- Town Supervisor and Town Highway Superintendent will each be informed should these circumstances arise within their purview and will be responsible for ensuring these protocols are followed.
- If an employee or contractor has tested positive for the communicable disease that is the subject of the public health emergency:
 - Apply the steps identified in item B, above, as applicable.
 - Areas occupied for prolonged periods of time by the subject employee or contractor will be closed off.
 - CDC guidance for COVID-19 indicates that a period of 24 hours is ideally given before cleaning, disinfecting, and reoccupation of those spaces will take place. If this time period is not possible, a period of as long as possible will be given. CDC/public health guidance for the disease in question will be followed.
 - Any common areas entered, surfaces touched, or equipment used shall be cleaned and disinfected immediately.
 - See the section on Cleaning and Disinfection for additional information on that subject.
- Identification of potential employee and contractor exposures will be conducted, County DOH will be notified.
 - If an employee or contractor is confirmed to have the disease in question, Town Supervisor Town Highway Superintendent, depending on the purview should inform all contacts of their possible exposure. Confidentiality shall be maintained as required by law.
 - Apply the steps identified in item A, above, as applicable, for all potentially exposed personnel.
- Town Supervisor and Town Highway Superintendent will each be notified should these circumstances arise within their purview and will be responsible for ensuring these protocols are followed.

We recognize there may be nuances or complexities associated with potential exposures, close contacts, symptomatic persons, and those testing positive. We will follow CDC/public health recommendations and requirements and coordinate with our local public health office for additional guidance and support as needed.

Cleaning and Disinfecting

CDC/public health guidelines will be followed for cleaning and disinfection of surfaces/areas. Present guidance for routine cleaning during a public health emergency includes:

- As possible, employees and contractors will clean their own workspaces in the beginning, middle, and end of their shifts, at a minimum.
 - High traffic/high touch areas and areas which are accessible to the public/constituents will be disinfected after each use.
 - Cleaning of common areas will come under the responsibility of the official working at the time and should be monitored by the Town Supervisor.
 - Staff tasked with cleaning and disinfecting areas will be issued and required to wear PPE appropriate to the task.
- Soiled surfaces will be cleaned with soap and water before being disinfected.
- Surfaces will be disinfected with products that meet EPA criteria for use against the virus in question and which are appropriate for that surface.
- Staff will follow instructions of cleaning products to ensure safe and effective use of the products.

Employee and Contractor Leave

Public health emergencies are extenuating and unanticipated circumstances in which the Town of Middlefield is committed to reducing the burden on our employees and contractors. The Town of Middlefield will implement leave guidelines consistent with the Otsego County Department of Transportation in the attached documents: Sick Leave Pay Flowchart and Employee Request for NYS Paid Sick Leave for Quarantine or Isolation Form. This policy may be altered based upon changes in law or regulation, as applicable.

It is our policy that employees of the Town of Middlefield will not be charged with leave time for testing. Additional provisions may be enacted based upon need and the guidance and requirements in place by federal and state employment laws, FMLA, executive orders, and other potential sources.

Elected or appointed officials and contractors, either independent or affiliated with a contracted firm, are not classified as employees of the Town of Middlefield, and as such are not provided with paid leave time by the Town of Middlefield, unless required by law.

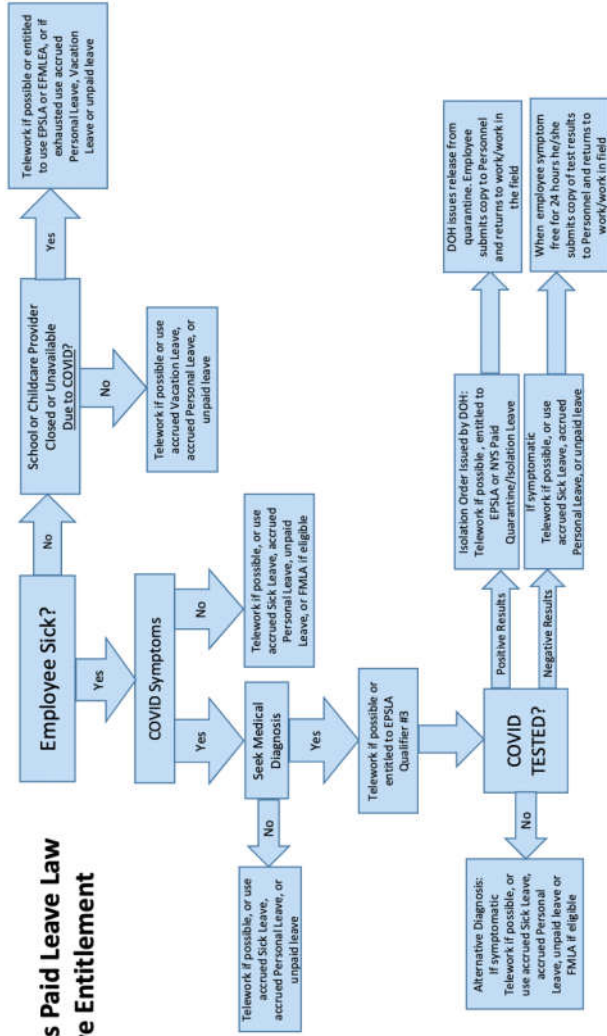
Documentation of Work Hours and Locations

In a public health emergency, it may be necessary to document work hours and locations of each employee and contractor to support contact tracing efforts. Identification of locations shall include on-site work, off-site visits. This information may be used by the Town of Middlefield to support contact tracing within the organization and may be shared with local public health officials.

The Highway Superintendent is in charge of tracking hours for his workers in coordination with the Town Supervisor and will follow flow chart and operation plan provided by County DOT. Other essential workers track

their own hours in coordination with Town Supervisor.

Accrued Leave vs Paid Leave Law vs FMLA Leave Entitlement



NOTES:

- Employees must be symptom free for 24 hours before returning to work, and are responsible for getting test results to Personnel Department prior to returning to work.
- If an employee is sick/he/she can't come to work! We have sick leave benefits for this purpose. Part-time employees can flex their days as the NY's and Federal Laws apply to them as well.
- Employees are not entitled to telework, but may telework when the department head permits the employee to do so (Refer to Otsego County Teleworking Policy and Agreement).
- Employee does not qualify for FCRA if they choose to keep their child home from school to learn remotely or choose not to send them to daycare, or daycare is closed due to a holiday.
- Refer to April 1st Memo explaining the NYS Paid Quarantine/Isolation Leave, Emergency Paid Sick Leave Act (EPSLA), or the Emergency Family and Medical Leave Expansion Act (EFMLEA).
- Call the Personnel Department if you have any questions!



Personnel Department
County Office Building
197 Main Street
Cooperstown, New York 13326-1129
Phone: (607) 547-4239
Fax: (607) 547-6496
Web page: www.otsegocounty.com
E-mail: personnel@otsegocounty.com

***Employee Request for New York State Paid Sick Leave
for Quarantine or Isolation***

I am requesting New York State Paid Sick leave for Quarantine or Isolation due to COVID-19:

A. **Dates.** I request leave for the following dates: _____;

B. **Certification.** I certify that I am unable to either work or telework from home based on the following Qualifying Reason(s) below: *[Initial the qualifying reason that applies.]*

- _____ (1) The employee is issued a mandatory or precautionary quarantine or isolation order by New York State, New York State Department of Health, local Health Department or any governmental entity authorized to issue such orders due to COVID-19. (See Note below)
- _____ (2) The employee has to care for a dependent child requiring care due to a mandatory or precautionary quarantine or isolation order by New York State, New York State Department of Health, local Health Department or any governmental entity authorized to issue such orders due to COVID-19. (See Note below)
- _____ (3) The employee's child's school is under a mandatory or precautionary quarantine or isolation order by New York State, New York State Department of Health, local Health Department or any governmental entity authorized to issue such orders due to COVID-19. (See Note below)

C. **Documentation.** I have provided the following documents in support of my request *[List and Attach]*:

Signature: _____ Date: _____, 2020

Name: _____

Notes: (1) An exception applies to an employee who is subject to quarantine and is unable to work or telework from home, after returning from a location that they went to on their own, not at the direction of the employer or as part of their job duties. These employees can use accrued sick leave time or personal time, or otherwise go unpaid. (2) If you are eligible for Emergency Family and Medical Leave Expansion Act (EFMLEA) under the Families First Coronavirus Response Act (FFCRA), you must provide additional documentation required by the FMLA.

12/10/2020

