

**RESOLUTION NO. 10-2021—PUBLIC EMPLOYER HEALTH EMERGENCY PLAN**

Councilman Carroll offered the following:

# Public Employer Health Emergency Plan for Town of Oakfield

**March 9, 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 input of the Town Clerk, Superintendent of Highways and Disaster Coordinator 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 Town of Oakfield, 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: Matthew E. Martin

Title: Supervisor

Signature: Matthew E. Martin

## Record of Changes

Date of Change	Description of Change	Implemented by

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## Purpose, Scope, Situation Overview, and Assumptions

### 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 Oakfield. 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 Oakfield, 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 Town of Oakfield shall be notified by memo and/or email, with details provided as possible and necessary, with additional information and updates provided on a regular basis. The Public will be notified of pertinent operational changes by way of legal notice and/or website posting. Other interested parties, such as vendors, will be notified by phone and/or email as necessary. The Supervisor will maintain communications with the public and constituents as needed throughout the implementation of this plan.

The Supervisor of the Town of Oakfield, 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 Oakfield, 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 Oakfield 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:



1. Maintain the safety of employees, contractors, and our constituency
2. Provide vital services
3. Provide services required by law
4. Sustain quality operations
5. Uphold the core values of the Town of Oakfield

The Town of Oakfield 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 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 Oakfield have been identified as:

Essential Function	Description	Priority
Roads and Equipment	All personnel and equipment necessary for the maintenance of roads.	1
Town Administration	Town, management, correspondence and other necessary operations	1
Building Inspection	Addresses life safety issues.	1
Finance	Ensure Town's financial obligations are met.	1
Justice Court	As ordered by NYS Justice Court Administration.	1
Tax collection	Essential during tax collection season.	2
Cleaning/disinfecting	Essential if building is used.	1
Vital Records	Receipt and filing, including collection of fees as appropriate.	1
Annual Board of Assessment Review	Review of grieved assessments	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
Roads and Equipment	<ul style="list-style-type: none"> <li>• Highway Superintendent</li> <li>• Highway MEO's</li> </ul>	Manages snow removal, road and town property maintenance
Building Inspection	<ul style="list-style-type: none"> <li>• CEO/ZEO</li> </ul>	Performs inspections to determine the safety of a structure.



Finance	<ul style="list-style-type: none"> <li>• Supervisor</li> <li>• Town Accounting Firm</li> </ul>	-Supervisor is the Chief Financial Officer and oversees all financial functions; most can be done remotely. Bookkeeper prepares payroll, cuts accounts payable checks and makes bank deposits; some can be done remotely. -Town Accounting Firm assists with financial functions; all done remotely. -(requires the Town Board to convene at least monthly to approve payments)
Justice Court	<ul style="list-style-type: none"> <li>• Justices</li> <li>• Clerk</li> </ul>	Maintain and process court docket, including traffic tickets, criminal matters, small claims, and local code violations. Receive fines and fees. Develop and submit reports. Could be done remotely depending on State requirements. Clerk assists judges; could be done remotely depending on State requirements.
Tax Collection	<ul style="list-style-type: none"> <li>• Town Clerk</li> </ul>	Collects property taxes and deposits.
Cleaning/disinfecting	<ul style="list-style-type: none"> <li>• Cleaning contractor</li> </ul>	Cleans/disinfects spaces that are used.
Vital Records	<ul style="list-style-type: none"> <li>• Town Clerk</li> </ul>	Receipt and filing, including collection of fees as appropriate.
Town Administration	<ul style="list-style-type: none"> <li>• Town Supervisor</li> <li>• Town Board</li> <li>• Town Clerk</li> </ul>	Executive and legislative management of daily town functions.
Annual Board of Assessment Review	<ul style="list-style-type: none"> <li>• Assessor</li> <li>• Board of Assessment</li> </ul>	Provides assessment of private property. Reviews assessment grievances.

It is important to note that the Justice Court is a vital component of 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 operation or means by which Justice Courts operate; which 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 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.

### 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:

1. Identification of staff who will work remotely
  - a. Assessor
  - b. Town Historian



- c. Planning and Zoning Boards
  - d. Judges and Court Clerks to the extent possible
  - e. Town Clerk to the extent possible
- 2. Approval and assignment of remote work
  - a. Supervisor for Assessor, Town Historian and Planning and Zoning Boards
  - b. NYS Justice Court Administration
  - c. Town Clerk for Town Clerk's office
- 3. Equipping staff for remote work, which may include:
  - a. Internet capable laptop
  - b. Necessary peripherals
  - c. Access to VPN and/or secure network drives
  - d. Access to software and databases necessary to perform their duties
  - e. A solution for telephone communications
    - i. Note that phone lines may need to be forwarded to off-site staff

### 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 Oakfield will ensure that employees are provided with their typical or contracted minimum work hours per week. Staggering shifts requires:

- 1. Identification of positions for which work hours could be staggered
  - a. Highway Department
- 2. Approval and assignment of changed work hours
  - b. Highway Superintendent

### 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
- Gloves (maintenance/cleaning operations)

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:

1. Identification of need for PPE based upon job duties and work location

a. Town Hall (as required)		
Supervisor masks	156 masks	
Town Clerk masks	156 masks	
Justice (2) 104 each masks	208 masks	
Court Clerk (1) 104 each masks	104 masks	
Maintenance/cleaning masks & gloves	<u>260 masks</u>	<u>260</u>
TOTAL	936 masks	260
b. Town Building (assessor, building inspector)		
Assessor (one day per week)	52 masks	
CEO/ZEO	<u>104 masks</u>	
TOTAL	156 masks	
c. Highway Garage		
Four employees possibly seven days per week (snow & Ice)	1,820 masks	

2. Procurement of PPE

- a. 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. Two pieces per shift for one day per week for six months equals 52 pieces. Two pieces per shift for two days per week for six months equals 104 pieces. Two pieces per shift for three days per week for six months equals 156 pieces. Two pieces per shift for five days per week for six months equals 260 pieces. Two pieces per shift for seven days per week for six months equals 364 pieces.
- b. Public employers must be able to mitigate supply chain disruptions to meet this requirement

3. Storage of, access to, and monitoring of PPE stock

- a. PPE must be stored in a manner which will prevent degradation.
- b. Employees and contractors must have immediate access to PPE in the event of an emergency
- c. The supply of PPE must be monitored to ensure integrity and to track usage rates

The Town of Oakfield will store the appropriate amounts of PPE indoors in unopened packages at each workplace: Town of Oakfield Community & Government Center. The person responsible for monitoring and maintain the stock of PPE is:

• Town Hall:	Disaster Coordinator	6 mo. supply =	990 masks	261 gloves
• Highway Garage:	Highway Superintendent	6 mo. supply =	1821 masks	

#### Suppliers for PPE:

Genesee County Office of Emergency  
Preparedness Regional Distributors

#### Cleaning supplies/disinfectants will be kept at each building. Suppliers for cleaning supplies:

Regional  
Distribut  
ors Quill

The Town will make all efforts to procure PPE and cleaning supplies through established vendors, with the County Emergency Service Office identified as a backup in the event of an inadequate supply chain.

## 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:

- A. 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):
  1. 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.
    - a. As possible, these employees will be permitted to work remotely during this period of time if they are not ill.
    - b. The Supervisor of the Town of Oakfield and the Highway Superintendent (if the employee is in the highway department) must be notified and who is responsible for ensuring these protocols are followed.
    - c. See the section titled Documentation of Work Hours and Locations for additional information on contact tracing
  2. 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.
    - a. 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.
- b. In-person interactions with the subject employee or contractor will be limited as much as possible.
  - c. 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.
  - d. If at any time they exhibit symptoms, refer to item B below.
  - e. The Supervisor of the Town of Oakfield or the Highway Superintendent (if the employee is in the highway department) is the decision-maker in these circumstances and who is responsible for ensuring these protocols are followed.
- B. If an employee or contractor exhibits symptoms of the communicable disease that is the subject of the public health emergency:
1. 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.
  2. Employees and contractors who exhibit symptoms outside of work should notify their supervisor and stay home, with a recommendation to contact their physician.
  3. 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.
  4. Town of Oakfield 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.
  5. 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.
  6. The Supervisor of the Town of Oakfield or the Highway Superintendent must be informed in these circumstances and who is responsible for ensuring these protocols are followed
- C. If an employee or contractor has tested positive for the communicable disease that is the subject of the public health emergency:
1. Apply the steps identified in item B, above, as applicable.
  2. Areas occupied for prolonged periods of time by the subject employee or contractor will be closed off.
    - a. 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.
    - b. Any common areas entered, surfaces touched, or equipment used shall be cleaned and disinfected immediately.
    - c. See the section on Cleaning and Disinfection for additional information on that

subject.

3. Identification of potential employee and contractor exposures will be conducted
  - a. If an employee or contractor is confirmed to have the disease in question, the Supervisor of the Town of Oakfield, the Highway Superintendent (if the employee is in the highway department) or their designee should inform all contacts of their possible exposure. Confidentiality shall be maintained as required by the Americans with Disabilities Act (ADA).
  - b. Apply the steps identified in item A, above, as applicable, for all potentially exposed personnel.
4. The Supervisor of the Town of Oakfield and the Highway Superintendent (if the employee is in the highway department) must be notified in these circumstances and who is 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:

1. As possible, employees and contractors will clean their own workspaces in the beginning, middle, and end of their shifts, at a minimum.
  - a. High traffic/high touch areas and areas which are accessible to the public/constituents will be disinfected daily by staff or by an assigned MEO at the highway garage.
  - b. Cleaning contractor cleans bi-weekly at the town hall, all spaces will be cleaned in accordance with cleaning guidelines provided by county and state health departments and the CDC.
    - i. All town employees will clean their work areas, meeting rooms and town vehicles after use
    - ii. The Town will ensure adequate cleaning supplies are available.
2. Staff tasked with cleaning and disinfecting areas will be issued and required to wear PPE appropriate to the task.
3. Soiled surfaces will be cleaned with cleaning agent before being disinfected.
4. Surfaces will be disinfected with products that meet EPA criteria for use against the virus in question and which are appropriate for that surface.
5. 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 Town of Oakfield is committed to reducing the burden on our employees and contractors. The *Families First Coronavirus Response Act* provided requirements related to the COVID-19 pandemic, which form the

policies outlined below. This policy may be altered based upon changes in law or regulation, as applicable.

It is our policy that employees of Town of Oakfield will not be charged with leave time for testing. Employees will be provided with up to two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay for a period which the employee is unable to work due to quarantine (in accordance with federal, state, or local orders or advice of a healthcare provider), and/or experiencing symptoms and seeking medical diagnosis.

Further, the Town will provide up to two weeks (80 hours) of paid sick leave at two-thirds the employee's regular rate of pay if the employee is unable to work because of a bona fide need to care for an individual subject to quarantine as directed by a health care provider, or to care for a child (under 18 years of age) whose school is closed or child care provider is unavailable for reasons related to the public health emergency, and/or the employee is experiencing a substantially similar condition as specified by the CDC/public health officials. This provision may be modified if an employee is able to effectively work remotely and the need exists for them to do so or in the event that another individual is available to provide such services in the household such as a spouse or other member of the immediate family.

Contractors, either independent or affiliated with a contracted firm, are not classified as employees of Town of Oakfield, and as such are not provided with paid leave time by Town of Oakfield, 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 Town of Oakfield to support contact tracing within the organization and may be shared with local public health officials.

1. During a Public Health emergency, and for the purpose of contact tracing, Town of Oakfield employees will be required to keep a log of hours worked:
  - a. On-site at their normally assigned job site
  - b. On-site at alternate locations
2. For the purposes of contact tracing, a Town of Oakfield employee is defined as one appointed or elected who receives remunerations from the Town of Oakfield.
3. The log will record the date, time in, time out, and location. A log document will be supplied by the Supervisor of the Town of Oakfield. The log does not need to include time spent working from home.
4. The logs will be turned in weekly to the Supervisor of the Town of Oakfield and kept on file in the Supervisor's office.



5. The logs will be used for contact tracing and shared only with appropriate health agencies or governmental authorities.

## Housing for Essential Employees

There are circumstances within a public health emergency when it may be prudent to have essential employees lodged in such a manner which will help prevent the spread of the subject communicable disease to protect these employees from potential exposures, thus helping to ensure their health and safety and the continuity of Town of Oakfield's essential operations.

If such a need arises, hotel rooms are expected to be the most viable option. If hotel rooms are for some reason deemed not practical or ideal, or if there are no hotel rooms available, Town of Oakfield will coordinate with Genesee County Office of Emergency Management and Social Services to help identify and arrange for these housing needs.