

Public Employer Health Emergency Plan for the **Town of Germantown**

Last Revised February 1, 2021

Promulgation

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

This plan has been developed with the input of the United Public Service Employees Union, as required by the New York State Labor Law.

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

Approved by Resolution of the Town Board of the Town of Germantown on March 9, 2021.

As the authorized official of the Town of Germantown, I hereby attest that this plan has been developed, approved, and placed in full effect in accordance with New York State Labor Law § 27-c to address public health emergency planning requirements.

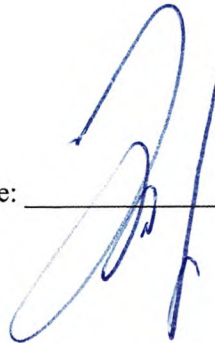
Signed on this day:

March 9, 2021

By: Robert Beaury

Title: Supervisor

Signature: _____



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 New York State Labor Law § 27-c, as amended by the passing of legislation S8617B/A10832 signed by the Governor of New York State on September 7, 2020, which 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 the Town of Germantown. 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 are crucial to maintaining our mission essential operations. All public officials, employees and contractors must follow the protocols in the Town of Germantown's NY Forward Safety Plan (as amended from time to time) to reduce the spread of infection, along with the following protocols:

- 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.
- Current guidance 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 public officials, 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 New York Labor Law § 27-c, “essential” shall refer to a designation made by the Town that the employee or contractor is required to be physically present at a work site to perform their job.
- Per New York Labor Law § 27-c, “non-essential” shall refer to a designation made by the Town that the employee or contractor is not required to be physically present at a work site to perform their job.

Concept of Operations

The Supervisor of the Town of Germantown (as approved by the Town Board), 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 Germantown shall be notified by phone and/or email. All employees and current contractors will be notified of pertinent operational changes by phone and/or email. Other interested parties, such as vendors, will be notified by phone and/or email as necessary. The Supervisor and Town Board will maintain communications with the public and constituents as needed throughout the implementation of this plan.

The Supervisor, 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, 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 Germantown 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 Germantown.

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
Building Inspector	<ul style="list-style-type: none">• Code and Zoning Enforcement	The CEO is responsible for reviewing applications for permits and handling inspections and all associated functions.
Department of Public Works	<ul style="list-style-type: none">• Superintendent• Motor Equipment Operators• Maintenance Workers	<p>The DPW Superintendent is responsible for highway and maintenance for the Town.</p> <p>These employees report to the DPW Superintendent and perform duties under their supervision. These employees clear roads, plow and remove snow, repair roads, etc.</p> <p>These employees report to the DPW Superintendent and perform duties under their supervision. These employees clean buildings and make repairs.</p>
Sewer Department	<ul style="list-style-type: none">• Contractor	The Contractor performs all work related to maintenance and operations of the sewer plant, pump stations and the lines within the Sewer District. The employees of the Contractor are under the supervision of the Contractor.
Town Clerk	<ul style="list-style-type: none">• Clerk and Deputy	Perform all functions customary for Town Clerks.
Supervisor's Office	<ul style="list-style-type: none">• Supervisor• Administrative Assistant• Tax Collector	<p>Manages town business.</p> <p>Handles day-to-day office matters.</p> <p>Collects and processes tax payments.</p>

It is important to note that 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, 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.

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. The Town Supervisor, in consultation with department heads and the Town's Information Technology consultants, shall implement the following protocols as necessary and desirable:

1. Identification of staff who will work remotely.
2. Approval and assignment of remote work.
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

As possible, "essential" employees 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, the Town of Germantown will ensure that employees are provided with their typical or contracted minimum work hours per week. The Town Supervisor, in consultation with department heads, shall implement the following protocols as necessary and desirable:

1. Identification of positions for which work hours will be staggered
2. Approval and assignment of changed work hours

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
- Disposable gowns and aprons

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.
2. Procurement of PPE
 - a. Minimum of 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.
 - 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 Administrative Assistant is responsible for monitoring and maintaining the procurement, storage, and distribution of PPE. PPE will be stored in the Town Hall, Highway Garage and Maintenance Building. The Town of Germantown will maintain a minimum supply of 75 masks and two gallons of hand sanitizer at all times and when we reach that level we will submit a requisition for additional masks and sanitizer from Columbia County. The Town will distribute masks in packs of five to all employees and the masks may be washed up to 15 times each. Employees will be responsible for washing their Town-issued masks. In the event that PPE cannot be obtained from Columbia County or the State, the Town will source PPE from private vendors.

Staff Exposures, Cleaning, and Disinfection

Staff Exposures

Following CDC and Columbia County Department of Health guidelines, the Town of Germantown has established the following protocols to address situations in which an employee is exposed to a known case of the communicable disease that is the subject of the public health emergency, exhibits symptoms of such disease, or tests positive for such disease in order to prevent the spread or contraction of such disease in the workplace.

- A. Employee Screening
 - a. At the start of every shift on Town property or in Town buildings (both inside and outside work), all Town employees must complete a health screening questionnaire before they are allowed to begin their shift. If they answer “yes” to any of the questions they will not be allowed to begin their shift, must leave Town property immediately, and will be contacted by the Town Supervisor or Deputy Supervisor before the end of the day regarding the screening. Employees will be given the option to complete the screening via a paper questionnaire to be completed before arriving at work or upon arriving at work and prior to clocking in. All health questionnaires must be presented to the department head or other designated employee and delivered daily to the Town Supervisor’s office.
- B. Public Screening
 - a. In the event a member of the public seeks to enter a Town building, they will be met at the entrance, logged in (name and telephone number), and will undergo a health screening questionnaire. If they answer “yes” to any of the questions or if they refuse to answer the health screening questionnaire, they will not be allowed to enter the building.
 - b. Daily logs will be maintained by the department head or their designee.
- C. Employees or contractors 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) but 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. After consultation with the

Department of Health, employees deemed essential may be permitted to continue working following potential exposure provided they remain symptom-free and additional precautions are taken to protect them, other employees and contractors, and visitors.

- D. An employee who exhibits symptoms of the communicable disease that is the subject of the public health emergency should remain at home or be sent home immediately with a recommendation to contact their physician. Employees may 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.
- E. An employee who tests positive for the communicable disease that is the subject of the public health emergency must remain at home and notify the Town Supervisor. Employees may 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. The Town Supervisor or their designee in consultation with the Columbia County Department of Health should inform all contacts of their possible exposure. Confidentiality shall be maintained as required by law.

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. Maintenance and Highway employees will disinfect their workspace, vehicles and tools at the beginning of every shift.
2. Maintenance employees will sanitize common areas of Town Hall daily.
3. Town Hall employees will be responsible for cleaning their own offices and desks.
4. Employees tasked with cleaning and disinfecting areas will be issued and required to wear PPE appropriate to the task.
5. Soiled surfaces will be cleaned with soap and water before being disinfected.
6. Surfaces will be disinfected with products that meet EPA criteria for use against the virus in question and which are appropriate for that surface.
7. Employees will follow instructions of cleaning products to ensure safe and effective use of the products.
8. A Cleaning Log for all Town Facilities will be maintained by the Town Supervisor's designee and kept in the Maintenance Building.
9. When an employee has a confirmed or suspected case of the communicable disease that is the subject of the public health emergency, the Town will:
 - a. Immediately notify state and local health departments and cooperate with contact tracing efforts, including notification of potential contacts, such as workers or visitors who had close contact with the individual, while maintaining confidentiality required by state and federal law and regulations
 - b. In conjunction with the Columbia County Department of Health, send employees home as necessary.
 - c. Close the office area the employee was working. CDC guidance indicates that a period of 24 hours is ideally given before cleaning, disinfecting, and reoccupation of those spaces. If this time period is not possible, a period of as long as possible will be given.
 - d. Any common areas entered, surfaces touched, or equipment used shall be cleaned and disinfected immediately.
 - e. Maintenance workers will be responsible for cleaning and disinfecting.

Employee Leave

These protocols on employee leave in the event of the need of an employee to receive testing, treatment, isolation, or quarantine during a declared public health emergency involving a communicable disease shall be amended from time to time based upon current law and regulations. These protocols shall not involve any action that would violate any existing federal, state, or local law, including regarding sick leave or health information privacy.

The *Families First Coronavirus Response Act* provided requirements related to the COVID-19 pandemic, which form the policies outlined below. While this Act expired on December 31, 2020, the Town has determined to extend the provisions of the Act through March 31, 2021. This policy may be altered thereafter based upon changes in law or regulations in the interim.

Town of Germantown employees will not be charged with leave time for testing. Employees will be provided with up to two weeks (hours dependent on regular scheduled two week pay period) 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, through March 31, 2021, the Town of Germantown will provide up to two weeks (hours dependent on regular scheduled two week pay period) 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 (pursuant to federal, state, or local orders or advice of a healthcare provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or 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.

Additionally, the Town of Germantown will provide up to an additional 10 weeks of paid expanded family and medical leave at two-thirds of the employee's regular rate of pay where an employee, who has been employed for at least 30 calendar days by the Town, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to the public health emergency. This provision may be modified if an employee is able to effectively work remotely and the need exists for them to do so.

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.

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

The Town will maintain a continuous log of every person, including workers and visitors, who may have close contact with other individuals at each Town building; excluding deliveries that are performed with appropriate PPE or through contactless means in accordance with the following protocols:

1. Maintenance and Highway sites will not allow unauthorized visitors.

2. Existing time card system will log employee presence.
3. Each department will maintain a log of members of the public.

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 the Town of Germantown'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, the Town will coordinate with the Columbia County Department of Health and Columbia County Sheriff's Department to help identify and arrange for these housing needs. The Town Supervisor or their designee will be responsible for coordinating this.