

# Public Employer Health Emergency Plan City of Cortland, New York

Approved by Common Council \_\_\_\_\_, 2021

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

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## 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 leadership of Collective Bargaining Units from, 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 the City or its 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.

As the authorized official of City of Cortland, 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: \_\_\_\_\_, 2021

By: Brian Tobin

Signature: \_\_\_\_\_

Title: Mayor

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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 the City of Cortland. This plan is pertinent to a declared public health emergency in the State of New York which may impact City operations; and it is in the interest of the safety of City employees, and the continuity of City operations that have promulgated this plan. This policy is intended to set forth minimum standards. Due to diversity of City's operations unique each department may implement supplemental department plans as appropriate and necessary to the operation of an individual department. Such plans may not lessen the protocols and standards set forth in this policy.

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

- Wearing of masks – preferably a surgical procedure mask, covering your nose and mouth.
- 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 City employees, and their families, is of utmost importance
- The circumstances of a public health emergency may directly impact City operations.
- Impacts of a public health emergency will take time for the City to respond to, with appropriate safety measures put into place and adjustments made to operations to maximize safety
- The public and constituency expects the City 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 Mayor of the City of Cortland, designee, or 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 Mayor.

Upon the determination of implementing this plan, all employees of the City of Cortland shall be notified by Mayor (or designee) via email or memorandum, with details provided as possible and necessary, with additional information and updates provided on a regular basis. Public will be notified of pertinent operational changes by way of public information releases and social media posts. Other interested parties, such as vendors, will be notified by phone and/or email, as necessary. The City Clerk will maintain communications with the public and constituents as needed throughout the implementation of this plan.

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

Upon resolution of the public health emergency, the Mayor, designee, or 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 City is committed to ensuring that essential functions will be continued even under the most challenging circumstances.

Essential functions are those functions that enable the City to:

1. Maintain the safety of employees, customers, and constituency

2. Provide vital services
3. Provide services required by law
4. Sustain quality operations
5. Uphold the core values of the City of Cortland

The City 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 table below identifies each essential function with a description and priority level of essential personnel.

The mission essential functions for the City have been identified as:

Essential Function	Description	Priority
Mayor	Provides Emergency Management direction and establishes level of state of emergency.	1
Information Technology	Provides all hardware and software for the City. Maintains the City's network and phone system.	1
Public Works , Waste Water & Water	Provide assurance of infrastructure availability to public and emergency response for water, sewer, snow, ice, and storm water.	1
City Clerk	Provides communications to the media and public regarding operations and associated records management. Receives incoming calls from the public.	2
Police Department	Maintain and protect the health, safety and safety of City employees, residents, property owners and visitors.	1
Fire Department	Maintain and protect the health, safety and safety of City employees, residents, property owners and visitors.	1
Code Enforcement	Provide guidance to contractors and homeowners regarding inspections and continuity with state requirements. Coordination with City of Cortland Fire Department and responds to damaged buildings and provides assessments of those buildings. Respond to life safety housing issues.	2
Corporation Counsel	Provides guidance to the Mayor and management team regarding staffing, operations, safety, and health compliance. Continuity of pay and benefits.	3
Finance	Provides access and availability of funds to establish and maintain operations. Processes payments for water and sewer billings and tax collections.	3
Youth Bureau	Maintain community contract and city own park and recreational facilities	3

## 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.

Provided below is justification for each position, answering the question ‘Why must this position be staffed on-site?’

Essential Function	Essential Positions/Titles	Justification for Each
Mayor	<ul style="list-style-type: none"> <li>Mayor</li> </ul>	Coordinates all emergency management activities of the City. Declares state of emergency and establishes operations protocols. Closes facilities to public and staff, as necessary. After initial work, some can be done remotely.
Information Technology	<ul style="list-style-type: none"> <li>Director of Technology</li> </ul>	Establishes all priorities for IT tasks and provides support in setting up hardware and software, network management, help desk support and communications. After initial work, some can be done remotely.
Public Works	<ul style="list-style-type: none"> <li>Director of Public Works</li> <li>PW deputies*</li> <li>Maintenance staff*</li> <li>PW crews*</li> </ul> <p>*(as needed)</p>	<ul style="list-style-type: none"> <li>Maintain communication with emergency contacts to establish necessary staffing needs as emergencies arise.</li> <li>Manage the emergency response staffing decisions.</li> <li>Maintain security and operations of water &amp; sewer infrastructure and other facilities.</li> <li>Emergency response for water, sewer, snow, ice, and other emergencies as occur.</li> </ul> <p>After initial work, some can be done remotely.</p>
City Clerk	<ul style="list-style-type: none"> <li>City Clerk or designee</li> </ul>	Coordinates with the Mayor is or on communication with media. Maintains recorded and live telephone traffic, emails, and website responses to customers regarding current operations and directions for appropriate assistance when applicable. Receive and distribute mail and deliveries at City Hall. After initial work, some can be done remotely.
Police	<ul style="list-style-type: none"> <li>Chief or designee</li> <li>Deputy Chief*</li> <li>Patrol Lt.</li> <li>Detective Lt.</li> <li>Patrol Officers*</li> </ul> <p>(as needed)</p>	Personnel necessary to maintain and protect the community's health, safety and welfare
Fire	<ul style="list-style-type: none"> <li>Chief or designee</li> <li>Deputy Chief*</li> <li>Shift Captains</li> <li>Firefighters*</li> </ul> <p>(as needed)</p>	Personnel necessary to maintain and protect the community's health, safety and welfare
Code Enforcement	<ul style="list-style-type: none"> <li>Director of Code Enforcement</li> <li>Inspectors*</li> </ul>	Coordinates emergency response regarding fire and building security of damaged buildings. Conduct mandatory inspections requiring onsite follow up of documentation.

	<ul style="list-style-type: none"> <li>(As needed)</li> </ul>	After initial work, some can be done remotely. Respond to life safety housing conditions
Corporation Counsel	<ul style="list-style-type: none"> <li>Corporation Counsel</li> </ul>	Assists Mayor and management team on policies and protocol to follow for the health and safety of the staff and customers. Set up for continuation of pay and benefits. After initial work, some can be done remotely.
Finance	<ul style="list-style-type: none"> <li>Finance Officer</li> <li>Accounting Clerks</li> </ul>	<ul style="list-style-type: none"> <li>Coordinates with banking institutions for availability and mobility of funds. Tracks expenses for federal aid.</li> <li>Maintains processing of accounts payables, receivables, and payroll</li> </ul> <p>After initial work, some can be done remotely, depending on software.</p>
Waste Water	<ul style="list-style-type: none"> <li>DEC Designated Operator</li> <li>Staff* *(as needed)</li> </ul>	Maintain operations and functional capacity to service community needs in accordance with regulatory standards.
Water	<ul style="list-style-type: none"> <li>DEC Designated Operator</li> <li>Staff* *(as needed)</li> </ul>	Maintain operations and functional capacity to service community needs in accordance with regulatory standards.
Youth Bureau	<ul style="list-style-type: none"> <li>Director</li> <li>Maintenance Staff* *(as needed)</li> </ul>	Maintain community contacts and facilities

## Reducing Risk Through Remote Work and Staggered Shifts

Through assigning certain staff to work remotely and by staggering work shifts, the City can decrease crowding and density at work sites.

### Remote Work Protocols

Non-essential employees 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
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

. Department Heads in coordination with IT Director will establish protocol for staff to take hardware home for remote work. Annually, Department Heads should discuss software and hardware needs to be able to provide remote work opportunities.

## Staggered Shifts / Alternating On-Site Days

Implementing staggered shifts or alternating on-site days 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 or on certain days. As possible, Department Heads will identify opportunities for staff to work outside core business hours as a strategy of limiting exposure. Department Heads may identify an alternating work schedule to allow a minimum level of on-site days per week. Corporation Counsel will coordinate all contract negotiations regarding work schedules and work locations, as needed.

Staggering shifts requires:

1. Identification of positions for which work hours will be staggered
2. Approval and assignment of changed work hours
3. Ensure that employees are provided with their regular work hours per week.

Alternating On-Site Days requires:

1. Identification of positions that have capability to work on and off site.
2. Approval and assignment of staff's schedule of on-site days.
3. Ensure that employees are provided with their regular work hours per week.

## 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 City 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, the City is including these supplies in this section as they are pertinent to protecting the health and safety of our employees and customers.

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. 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 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
  - c. Administrative Assistants to the Fire Chief and the Superintendent of Public Works are responsible for maintaining a list of suppliers of each PPE item and cleaning supply needed.
  - d. Alternative supply chains should be documented and periodically used to maintain availability.
3. Storage of, access to, and monitoring of PPE stock
  - a. PPE must be stored in a manner which will prevent degradation

- b. Employees 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
- d. Administrative Assistant to the Fire chief will maintain the supply of PPE as listed above and provide access of such to Department Heads and deputy managers.
- e. Administrative Assistants to the Fire Chief and Superintendent of Public Works should conduct weekly inventory of PPE and cleaning supplies.

## 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, the City has established the following protocols:

- A. If employees 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 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. The City requires a negative test result at the end of the quarantine before an employee returns to work.
    - a. As possible, these employees will be permitted to work remotely during this period of time, if they are not ill.
    - b. The employee's Department Head must be notified by the employee as soon as practicable and will work with Corporation Counsel to ensure 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 our constituency/public.
    - a. Additional precautions will include the requirement of the subject employee, 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 will be restricted as much as possible.
    - c. Work areas in which the subject employee is 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 employee's Department Head, in consultation with the Mayor and Corporation Counsel will decide if, and when an essential employee may be permitted to continue working and will be responsible for ensuring these protocols are followed
- B. If an employee exhibits symptom of the communicable disease that is the subject of the public health emergency:
  - 1. Employees 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 who exhibit symptoms outside of work should notify their Department Head 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 or have consulted with a healthcare provider.
  4. The City of Cortland may require sick employees to provide a negative test result for the disease in question or healthcare provider's note to validate their illness, to qualify for special sick leave, or return to work. Recommendation from the CDC/public health officials will be followed.
  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 employee's Department Head will coordinate within the Department to ensure these protocols are followed.
- C. If an employee 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 exposures will be conducted
    - a. If an employee is confirmed to have the disease in question, Department Head 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 employee's Department Head, in consultation with the Mayor is responsible for ensuring these protocols are followed.

The City recognize there may be nuances or complexities associated with potential exposures, close contacts, symptomatic persons, and those testing positive. The City 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 will clean their own workspaces in the beginning, 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 at least twice daily.

- b. Every employee is responsible for cleaning common areas, at the time they use the area.
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 soap and water 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 Leave

Public health emergencies are extenuating and unanticipated circumstances in which the City is committed to reducing the burden on employees. 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 the City policy that employees of the City will not be charged with leave time for testing. Employees will be provided with up to two weeks (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 after adhering to all applicable CDC Guidelines (in accordance with federal, state, or local orders or advice of a healthcare provider), and/or experiencing symptoms **and** seeking medical diagnosis.

Further, the City 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 (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 childcare 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. The employee will be required to utilize paid leave accruals to receive full pay in place of two-thirds pay, under the FMLA policy.

Additionally, the City 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 City, is unable to work due to a bona fide need for leave to care for a child whose school or childcare 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. The employee will be required to utilize paid leave accruals to receive full pay in place of two-thirds pay, under FMLA policy.

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.

## Documentation of Work Hours and Locations

In a public health emergency, it may be necessary to document work hours and locations of each employee to support contact tracing efforts. Identification of locations shall include on-site work, off-site visits. This information may be used by the City to support contact tracing within the organization and may be shared with local public health officials. The employee's Department Head through Outlook or alternative software scheduling and work orders will track hours and locations of work. The Department Head will manage and work with County Health Departments on contact tracing.

## 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 City'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 City will coordinate with the Cortland County emergency management office to help identify and arrange for these housing needs. The Mayor in consultation with the Department Head of the department in need will be responsible for coordinating this.

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