

**PUBLIC EMPLOYER HEALTH EMERGENCY PLAN
FOR THE TOWN OF MALONE**

Plan 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 **CSEA Employee Benefit Solution**, 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.

As the authorized official of the Town of Malone, 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.

Adopted the 29th day of March, 2021.

Resolution No. 103-2021

By: 

Andrea M. Stewart, Supervisor

RECORD OF CHANGES CHART

DATE	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 the Town of Malone. 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 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 is crucial to maintaining our mission essential operations. We encourage all employees to use CDC Guidance, the State Department of Health, and OSHA/PESH guidelines 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 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 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, or their designee, hold 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 determination of implementing this plan, all employees of the Town of Malone shall be notified with details provided as appropriate and necessary, with additional information and updates provided as needed. The Supervisor, or their designee, will be notified of pertinent operational changes in writing. Other interested parties, such as vendors, will be notified by phone and/or email as necessary. The Supervisor, or their designee, will maintain communications with the public and constituents as needed throughout the implementation of this plan.

The Supervisor of the Town of Malone, or their designee, 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 Malone, or their designee, 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 Malone 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 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 Malone

The Town of Malone 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:

1. The time criticality of each essential function
2. Interdependency of a one function to others
3. The recovery sequence of essential functions and their vital process

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 name of public employer have been identified as:

Essential Function	Description	Priority
Clerk Office Business	Provides service for Town and Village residents for Vital records, dog licenses, collection of taxes, code office business, official records for Town, minutes for Town meetings	1
Budget Office/ Bookkeeping Business	Maintains Town financial information and records, processes account payable and receivable, health benefit administrator, human resource representative, responsible for bi-weekly payroll	1
Court Operations	Operations as required and assigned by Office of Court Administration for New York State	1
Assessment	Provides service for Town and Village residents pertaining to property value, maintaining tax roll	1

Essential Function	Description	Priority
Maintaining Town Roads	Responsible for 100 miles of capital road maintenance of infrastructure in all weather conditions for safety of constituents	1
Code Office Business	Provides service for Town residents for building permits, inspections, and as required by New York State requirements.	1

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
Clerk Office Business	Town Clerk	Only office in the Town which provides these functions
Budget Office/ Bookkeeping Business	Bookkeeper/Budget Officer	Only office in the Town which provides these functions
Court Operations	Court Clerk 1 Court Clerk 2 Deputy Court Clerk	Only office in the Town which provides these functions
Assessment	Assessor	Only office in the Town/Village which provides this function
Maintaining Town Roads	Highway Superintendent Heavy Equipment Operator Medium Equipment Operator Mechanic Laborer	Only department in the Town which provides this function for 100 miles of Town roads
Inspections and Building Permits	Code Officer	Only office in the Town which provides these functions

Reducing Risk Through Remote Work and Staggered Shifts

By staggering shifts, we 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.

Protocol for non-essential employees will be established by the Town Supervisor, or their designee, on a case-by-case basis. However, it is the responsibility of the employee to troubleshoot communication and equipment accountability. A detailed account to include time of start, work completed, and time work stopped, will be required on a weekly basis.

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 Malone will ensure employees are provided with their typical minimum work hours per week. Staggering shifts requires:

1. Identification of positions for which work hours will be staggered
2. Approval by Supervisor, or their designee, and assignment of changed work hours
3. As Per current CSEA Contract

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. 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 .

Protocols for providing PPE include the following:

- The Town Supervisor, or designated representative, with assistance from departments heads will identify the need for PPE per department based upon job duties and work location.
- Procurement of PPE will be processed through the Budget Office. Town of Malone will procure PPE per its procurement policy.
- 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.

Storage of, Access to, and Monitoring of PPE stock

The Town of Malone has space and capacity to store the required PPE within its facilities, in a manner which will prevent degradation, and provide immediate access to PPE in the event of an emergency.

The supply of PPE will be monitored to ensure the integrity and to track usage rates.

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 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.
 - a. As possible, these employees will be permitted to work remotely during this period of time if they are not ill.
 - b. The Supervisor, or their designee, must be notified
 - 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 limited 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 the subject.
 - d. If at any time they exhibit symptoms, refer to B below.
 - e. In these circumstances, the Supervisor, or their designee, is 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. Employee who exhibits 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. Employee who exhibits symptoms outside of work should notify their supervisor and stay home, with a recommendation to contact their physician.
3. Employee 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. The Town of Malone 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. Example: 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.
5. If the disease in question is other than COVID-19, CDC and other public guidance shall be referenced.
 - a. In these circumstances, the Supervisor, or their designee, must be informed 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.
 - a. Areas occupied for prolonged periods of time by the subject employee or contractor will be closed off. Example: 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.
 - b. 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.
 - c. Any common areas entered, surfaces touched, or equipment used shall be cleaned and disinfected immediately.
 - d. See section on Cleaning and Disinfection for additional information on that subject.

2. Identification of potential employee exposure will be conducted
 - a. If an employee is confirmed to have the disease in question, the Supervisor, or their designee, shall 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.
 - c. In these circumstances the Supervisor, or their designee, must be notified and ensure that 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, the State Department of Health, and OSHA/PESH guidelines will be followed 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 at the end of each shift, at a minimum.
 - a. High traffic/high touch areas and areas which are accessible to the public/constituents will be disinfected at least hourly, and log maintained for such.
 - b. A schedule will be prepared by the Secretary to the Supervisor monthly indicating who is responsible for cleaning common areas on what date.
 - c. Staff tasked with cleaning and disinfecting areas will be issued and required to wear PPE appropriate to the task.
 - d. Soiled surfaces will be cleaned with soap and water before being disinfected.
 - e. Surfaces will be disinfected with products that meet EPA criteria for use against the virus in question and which are appropriate for that surface.
 - f. 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 Town of Malone is committed to reducing the burden on our employees. The Families First Coronavirus Response Act provided requirements related to COVID-19 pandemic, which form the policies outlined below. This policy may be altered based upon changes in the law or regulation, as applicable.

It is our policy that employees of the Town of Malone will not be charged with leave time for testing. The Town of Malone will provide sick leave in accordance with federal, state, or local orders or advice of a healthcare provider.

Additional provisions may be enacted based upon need and the guidance and requirements in place by federal and state employee 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 Town of Malone to support contact tracing within the organization and may be shared with local public health officials. A detailed account, to include time of start, work completed, and time work stopped, will be required on a weekly basis, turned into the Secretary to the Supervisor for handling and managing of the information.

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 name of public employer's essential operations.

If such a need arises, local school gymnasiums, designated Adult Centers, or the YMCA, are expected to be the most viable options. The Town of Malone will coordinate with Franklin County Emergency Operations Center to help identify and arrange for these housing needs. This effort will be coordinated by the Town Supervisor, Franklin County Emergency Operations Center Coordinator and Franklin County Public Health Director.

Updates for Plan

The Town of Malone Public Employer Health Emergency Plan will be reviewed annually by the Town Board in conjunction with any documentation provided by the CDC, the State Department of Health, and OSHA/PES, with any necessary updates, to include CSEA involvement.