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



Date of Approved Plan: March 4, 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 I 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 Laborers' International Union Local 17 and Town of Ulster PBA, Inc. 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 and unions under any law, rule, regulation, or collectively negotiated agreement, or the rights and benefits which accrue to employees and unions through collective bargaining agreements or the law, 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 Ulster, 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 I 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: March 4, 2021

By: James E Quigley, 3rd

Title: Town Supervisor

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 I 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 Ulster. 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 <u>CDC Guidance for Keeping Workplaces, Schools, Homes, and Commercial Establishments Safe</u> and any and all applicable New York State rules, standards and guidance.

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
 - o 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, go home, and consulta physician
- 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 NY 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 Town Supervisor of the Town of Ulster, 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 Town Supervisor.

Upon the determination of implementing this plan, all employees and contractors of the Town of Ulster shall be notified by phone, text, 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 the Town's website and social media platforms. Other interested parties, such as vendors, will be notified by phone and/or email as necessary. The Town Supervisor will maintain communications with the public and constituents as needed throughout the implementation of this plan.

The Town Supervisor of the Town of Ulster, 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 Town Supervisor of the Town of Ulster, 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 Ulster 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 Ulster

The Town of Ulster 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.

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

Essential Function	Description	
Executive Management	Management and coordination of Town operations	
Law Enforcement	Enforcement of law and order within the town	
Water	Maintenance of infrastructure and services for potable water in accordance with laws, regulations, and standards	
Sewer	Maintenance of infrastructure and services for sewage handling in accordance with laws, regulations, and standards	
Highway Maintenance	Maintaining roads and town properties for access and safe operation	
Justice Court	Processing the court docket, conducing hearings, reporting, and collection of fees and fines	
Tax Collection	Collection of taxes from town residents and businesses	
Vital Records	Receiving, recording, and filing vital records as well as associated fees	
Bill Payment	Maintaining the town's fiscal responsibilities	
Code Enforcement	Ensuring safe building practices in accordance with laws, regulations, codes, and ordinances	
Property Assessment	Assessing property to determine fair tax value. Hearing grievances.	
Information	Operations necessary for the maintenance and care of all equipment and	
Technology	communications required to support data processing.	
Building Cleaning	Cleaning of Town buildings	
Fire Protection	Providing fire, rescue, and EMS services. East Kingston Fire Protection District is covered by this plan. Other areas of the town are covered by independent districts/departments including Ulster Fire Districts #1 and #5, Bloomington Fire Department, and Ruby Fire Department.	

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	Essential Positions/Titles	Justification for Each
Function		
Executive Management	Town Supervisor and staff	Necessary for management and coordination of Town operations
Law Enforcement	All staff	Necessary for response to emergency calls and investigations
Water	 Superintendent, assistant superintendent, operators, maintenance workers, and a secretary shared with the Sewer Department 	Necessary for on-site monitoring, operation, and maintenance of the water system
Sewer	 Superintendent, assistant superintendent, operators, and laborers 	Necessary for on-site monitoring, operation, and maintenance of the sewer system
Highway Maintenance	 Superintendent, assistant superintendent, operators, maintenance personnel, secretary 	Necessary for on-site repair, maintenance, and clearing of town roads and properties. As possible and necessary, the Highway Department will also handle vehicle maintenance for other town vehicles.
Justice Court	Two Justices, court clerks	Necessary for in-person hearings, reporting, and collection of fees and fines
Tax Collection	Town Clerk and assistant	Collection and processing of tax payments (seasonal)
Vital Records	Town Clerk and assistant	Receipt and timely processing of hard copy vital records and receipt of applicable fees
Bill Payment	Town Supervisor's Office	Receipt and timely payment of bills and payroll
Code Enforcement	Building inspectors	On-site inspection of work. Issuance of permits. Enforcement of use and occupancy regulations.
Property Assessment	• Assessors	On-site inspection of properties. Hearing of grievances. Preparation of tax assessment role.
Information Technology	Contractor	On-site maintenance and operation of information technology infrastructure
Building Cleaning	Janitor	On-site cleaning of public spaces in buildings and other areas as assigned
Fire Protection	Fire, EMS, and Rescue personnel	Response to emergencies

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 and on public transportation.

Remote Work Protocols

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

Department heads will approve and coordinate all remote work assignments. Employees will be notified of their

assignment in-person or via phone, text, or email. The Town possesses a limited quantity of laptops/tablets with secure remote access to email, data networks, and information to assign to personnel. The Town has an IT contractor who will support employee needs in this regard. Meetings are conducted via video call, as legally permissible.

As possible, 'essential' staff may be assigned to work remotely for part of their work week to reduce exposures. Further, business hours and locations

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/tablet
 - b. Necessary peripherals
 - c. Access to VPN and/or secure network drives
 - d. Access to software and databases necessary to perform their duties
 - A solution for telephone communications (note that phone lines may need to be remotely accessed) and access to mail and physical files

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, mail, 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 Ulster 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 will be staggered
- 2. Approval and assignment of changed work hours

All departments are capable of staggering shifts as necessary, by adjusting work hours within each workday and/or by changing assigned workdays. Full time employees shall be provided with full pay for any off-site days in which they are not able or not needed to work remotely. Department heads will coordinate these activities with their staff, notifying them in-person, by phone, text, or email. Any changes in terms and conditions of employment, including any changes in shifts and work schedules, shall be discussed with and mutually agreed upon by labor unions representing Town employees, as necessary.

Social distancing will also be supported through the use of private offices and public drop boxes at Town Hall and the Highway Complex. Public access to town facilities, including water plants and sewage treatment plans may have further restrictions.

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.

Any required use of PPE which may constitute a change in the terms and conditions of employment shall be discussed with and mutually agreed upon by labor unions representing Town employees, as necessary.

Protocols for providing PPE include:

- 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 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

PPE needs across town government are coordinated by the Town Supervisor's office. Each department has their own supply of PPE to address immediate needs, maintained by their respective department heads. Department heads will notify the Town Supervisor's office of additional needs. Procurement of PPE will be coordinated by the Town Supervisor's office. As possible, private vendors will be used to obtain PPE and cleaning supplies. If

supply chains are disrupted, the Town Supervisor's office will coordinate with the Ulster County Division of Emergency Management and/or the Ulster County Department of Health.

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):
 - 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 Town Supervisor and/or Town Clerk shall be notified of any potential exposures. The Town Supervisor and/or Town Clerk shall be responsible for ensuring these protocols are followed.
 - c. See the section titled Documentation of Work Hours and Locations for additional information on contact tracing.
 - CDC guidelines for COVID-19 provide that critical essential employees may be permitted to continue
 work following potential exposure, provided they remain symptom-free and additional precautions
 are taken to protect them, other employees and contractors, and our constituency/public. Current
 CDC/public health guidance shall be followed for other diseases.
 - 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 Town Supervisor will approve matters associated with this protocol, with department heads ensuring that protocols are followed.
- B. If an employee or contractor exhibits symptoms of the communicable disease that is the subject of the public health emergency:
 - Employees and contractors who exhibit symptoms in the workplace should be immediately separated from other employees, customers, and visitors. They should immediately be sent home with a recommendation to contact their physician.
 - 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. The Town of Ulster 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, State, or county public health officials to do so.
- 5. CDC criteria for COVID-19 provides that persons exhibiting symptoms may return to work if at least 10 days have passed since symptom onset, and at least 24 hours have passed since the resolution of the last instance of fever without the use of fever-reducing medications, and other symptoms have improved. If the disease in question is other than COVID-19, CDC and other public guidance shall be referenced. CDC/public health guidelines for the current disease in question shall be followed.
- 6. The Town Supervisor shall be notified by department heads of any employees exhibiting symptoms consistent with the disease in question. Department heads will support the Town Supervisor in 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 by the Town Janitor.
 - 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 Town Supervisor or Department Head should inform all contacts of their possible exposure.
 Confidentiality shall be maintained as required by law.
 - b. Apply the steps identified in item A, above, as applicable, for all potentially exposed personnel.
 - 4. The Town Supervisor shall be notified of all employee positive tests of the disease in question and will be supported by department heads to ensure 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 by the Town Janitor in a frequency and manner recommended by the CDC/public health.
- b. Employees are responsible for cleaning their own workspaces and assigned vehicles in accordance with this protocol. Department heads will ensure this protocol is followed. Building cleaners are responsible for the cleaning of all public spaces in town offices, with the Town Supervisor's Office responsible for ensuring this protocol is followed.
- 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 and Contractor Leave

Public health emergencies are extenuating and unanticipated circumstances in which the Town of Ulster is committed to reducing the burden on our employees and contractors. The protocols in this section are subject to change based upon changes in law or regulation, as applicable, or desire of the Town Board.

It is our policy that employees of the Town of Ulster will not be charged with leave time for testing or vaccination. If a town employee is directed by their supervisor to be tested or vaccinated, the reasonable amount of time required to be tested and await results, or vaccinated shall be recorded as non-accrual sick leave.

In accordance with existing labor agreements and practices, employees shall take accrued sick leave as necessary and required. Reimbursement may be provided for charged accruals in accordance with federal, state, or local orders in place during the communicable disease that is the subject of the public health emergency.

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 Ulster, and as such are not provided with paid leave time by the Town of Ulster, unless required by law.

Documentation of Work Hours and Locations

In a public health emergency, it may be necessary to document work hours and locations of each employee and contractor to support contact tracing efforts. Identification of locations shall include on-site work, off-site visits. This information may be used by the Town of Ulster to support contact tracing within the organization and may be shared with local public health officials and for no other purpose.

Each department, as a normal practice, tracks the work hours and locations of every employee. These records shall be accessed should information be needed to support contact tracing efforts.

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 Ulster's essential operations.

If such a need arises, hotel rooms are expected to be the most viable option, at no cost to an employee and with the employee's consent. If hotel rooms are for some reason deemed not practical or ideal, or if there are no hotel rooms available, the Town of Ulster will coordinate with the Ulster County Division of Emergency Management and/or the Ulster County Department of Health to help identify and arrange for these housing needs, at no cost to the employee and with the employee's consent. The Town Supervisor shall approve any requests for emergency housing, which will be coordinated by staff within the Town Supervisor's office.

Jason J. Kovacs, Esq. **Town Attorney**

Resolution of the Town Board **TOWN OF ULSTER** Resolution Approving Public Employer Health Emergency Plan

Date: March 4, 2021

Whereas on September 7, 2020 the Governor signed Senate Bill S8617B into law requiring public employers to develop health emergency plans for the protection of employees and contractors; and

Whereas the Town of Ulster fully supports the health and safety of our employees and contractors and therefore created such a Health Emergency Plan (the "Plan"); and

Whereas the Plan supports continuity of operations of the Town of Ulster, and

Whereas the Plan was developed collaboratively with several officials of the Town of Ulster: and

Whereas the Plan has been developed to meet the requirements set forth in the aforementioned law; and

Whereas the Town of Ulster provided labor unions representing Town of Ulster employees the opportunity to review and comment on the Plan; and

Now, therefore, be it resolved, that the Town Board of the Town of Ulster approves the public employer health emergency plan of the Town of Ulster; and

Be it further resolved, that the Town Board of the Town of Ulster authorizes the Town Supervisor to sign the Plan, putting it into full force and effect in accordance with the law and the provisions identified in the Plan.

MOTION: Councilman Morrow SECOND: Councilman Secreto

Supervisor James E. Quigley 3rd: Aye Councilman Eric Kitchen: Aye Councilman John Morrow: Aye Councilman Rocco Secreto: Aye Councilman Clayton Van Kleeck: Aye

THIS IS TO CERTIFY THAT THIS IS A TRUE COPY OF RECORD ON FILE IN THE TOWN CLERKS OFFICE TOWN OF ULSTER LAKE KATRINE NEW YORK

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