

# City of Delano COVID-19 Prevention Program (CPP)

Adopted January 28, 2021

## **I. PURPOSE:**

The purpose of the City of Delano's (City) COVID-19 Prevention Program ("CPP") is to provide employees a healthy and safe workplace as required under the California Occupational Safety and Health Act (Labor Code §§ 6300, *et seq.*) and associated regulations (8 C.C.R. § 3205).

Nothing in this CPP precludes the City of Delano from complying with federal, state, or local laws or guidance that recommends or requires measures that are more prescriptive and/or restrictive than are provided herein.

## **II. SCOPE**

Unless one of the exceptions applies, this CPP applies to all City employees, including those who are vaccinated.

The following employees are exempted from coverage under the CPP: (1) City employees who are teleworking; or (2) City employees who are working in a facility or operation that subject to the Cal/OSHA regulation concerning Aerosol Transmissible Diseases ("ATD") regulation.

Furthermore, certain City employees who perform services covered by the ATD regulation may be exempted during the actual performance of such services.

## **DEFINITIONS:**

For the purposes of the CPP, the following definitions shall apply:

"COVID-19" means coronavirus disease, an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

"COVID-19 case" means a person who either: (1) Has a positive "COVID-19 test" as defined in this section; (2) Is subject to COVID-19-related order to isolate issued by a local or state health official; or (3) Has died due to COVID-19, in the determination of a local health department or per inclusion in the COVID-19 statistics of a county. A person is no longer a "COVID-19 case" when a licensed health care professional determines that the person does not have COVID-19, in accordance with recommendations made by the California Department of Public Health (CDPH) or the local health department pursuant to authority granted under the Health and Safety Code or title 17, California Code of Regulations to CDPH or the local health department.

"Close contact COVID-19 exposure" means being within six (6) feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the "high-risk exposure period" as defined here. This definition applies regardless of the use of face coverings.

"COVID-19 hazard" means exposure to potentially infectious material that may contain SARS-CoV-2, the virus that causes COVID-19. Potentially infectious materials include airborne droplets, small particle aerosols, and airborne droplet

nuclei, which most commonly result from a person or persons exhaling, talking or vocalizing, coughing, sneezing, or procedures performed on persons which may aerosolize saliva or respiratory tract fluids, among other things. This also includes objects or surfaces that may be contaminated with SARS-CoV-2.

“COVID-19 symptoms” means one of the following: (1) fever of 100.4 degrees Fahrenheit or higher or chills; (2) cough; (3) shortness of breath or difficulty breathing; (4) fatigue; (5) muscle or body aches; (6) headache; (7) new loss of taste or smell; (8) sore throat; (9) congestion or runny nose; (10) nausea or vomiting; or (11) diarrhea, unless a licensed health care professional determines the person’s symptoms were caused by a known condition other than COVID-19.

“COVID-19 test” means a viral test for SARS-CoV-2 that is both: (1) Approved by the United States Food and Drug Administration (FDA) or has an Emergency Use Authorization from the FDA to diagnose current infection with the SARS-CoV-2 virus; and (2) Administered in accordance with the FDA approval or the FDA Emergency Use Authorization as applicable.

“Exposed workplace” means any work location, working area, or common area at work used or accessed by a COVID-19 case during the high-risk period, including bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas.

The exposed workplace does not include buildings or facilities not entered by a COVID-19 case. Effective January 1, 2021, the “exposed workplace” also includes but is not limited to the “worksites” of the COVID-19 case as defined by Labor Code section 6409.6(d)(5).

“Face covering” means a tightly woven fabric or non-woven material with no visible holes or openings, which covers the nose and mouth.

“High-risk exposure period” means the following time period: (1) For persons who develop COVID-19 symptoms: from two (2) days before they first develop symptoms until ten (10) days after symptoms first appeared, and 24 hours have passed with no fever, without the use of fever-reducing medications, and symptoms have improved; or (2) For persons who test positive who never develop COVID-19 symptoms: from two (2) days before until ten (10) days after the specimen for their first positive test for COVID-19 was collected.

### **III. PROGRAM**

#### **A. SYSTEM FOR COMMUNICATING WITH CITY EMPLOYEES**

##### **1. Reporting COVID-19 Symptoms, Possible COVID-19 Close Contact Exposures, and Possible COVID-19 Hazards at City of Delano Worksites and Facilities**

The City policy requires that City employees immediately report to their manager or supervisor or to the Department of Human Resources any of the following: (1) the employee’s presentation of COVID-19 symptoms; (2) the employee’s possible COVID-

19 close contact exposures; (3) possible COVID-19 hazards at the City of Delano worksites or facilities.

The City will not discriminate or retaliate against any City employee who makes such a report.

**2. Accommodations Process for City Employees with Medical or Other Conditions that put them at Increased Risk of Severe COVID-19 Illness**

The City policy provides for an accommodation process for employees who have a medical or other condition identified by the Centers for Disease Control and Prevention (“CDC”) or the employees’ health care provider as placing or potentially placing the employees at increased risk of severe COVID-19 illness.

The CDC identifies the following medical conditions and other conditions as placing or potentially placing individuals at an increased risk of severe COVID-19 illness

The CDC guidance provides that adults of any age with the following conditions are at increased risk of severe illness from the virus that causes COVID-19:

1. Cancer
2. Chronic kidney disease
3. COPD (chronic obstructive pulmonary disease)
4. Heart conditions, such as heart failure, coronary artery disease, or cardiomyopathies
5. Immunocompromised state (weakened immune system) from solid organ transplant
6. Obesity (body mass index [BMI] of 30 kg/m<sup>2</sup> or higher but < 40 kg/m<sup>2</sup>)
7. Severe Obesity (BMI ≥ 40 kg/m<sup>2</sup>)
8. Pregnancy
9. Sickle cell disease
10. Smoking
11. Type 2 diabetes mellitus

The CDC guidance also provides that adults of any age with the following conditions might be at an increased risk for severe illness from the virus that causes COVID-19:

1. Asthma (moderate-to-severe)
2. Cerebrovascular disease (affects blood vessels and blood supply to the brain)
3. Cystic fibrosis

4. Hypertension or high blood pressure
5. Immunocompromised state (weakened immune system) from blood or bone marrow transplant, immune deficiencies, HIV, use of corticosteroids, or use of other immune weakening medicines
6. Neurologic conditions, such as dementia
7. Liver disease
8. Overweight (BMI > 25 kg/m<sup>2</sup>, but < 30 kg/m<sup>2</sup>)
9. Pulmonary fibrosis (having damaged or scarred lung tissues)
10. Thalassemia (a type of blood disorder)
11. Type 1 diabetes mellitus

The City will periodically review the following web address in order to account for any additional medical conditions and other conditions that the CDC has identified as placing or potentially placing individuals at an increased risk of severe COVID-19: <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>

City employees are encouraged to review the list of medical conditions and other condition provided above in order to determine whether they have such a condition.

To request an accommodation under the City's policy, employees may make a request with their manager or supervisor or the Department of Human Resources.

### **3. COVID-19 Testing**

The City possesses authority to require that employees who report to work at City worksites or facilities be tested for COVID-19.

Where the City requires that City employees be tested, the City will inform employees for the reason that testing is required.

The City will also inform City employees of the possible consequences of a positive COVID-19 test, which may include, but is not limited to, a requirement that employees not report to the City during the high-risk exposure period and satisfying the minimum criteria to return to work.

Where the City requires testing, the City has adopted policies and procedures that ensure the confidentiality of employees and comply with the Confidentiality of Medical Information Act ("CMIA"). Specifically, the City will keep confidential all personal identifying information of COVID-19 cases or persons with COVID-19 symptoms unless expressly authorized by the employee to disclose such information or as other permitted or required under the law.

### **4. COVID-19 Hazards**

The City will notify City employees and subcontracted employees of any potential COVID-19 exposure at a City worksite or facility where a COVID-19 case and City

employees were present on the same day. The City will notify City employees of such potential exposures within one (1) business day, in a way that does not reveal any personal identifying information of the COVID-19 case.

The City will also notify City employees of cleaning and disinfecting measures the City is undertaking in order to ensure the health and safety of the City worksite or facility where the potential exposure occurred.

## **B. IDENTIFICATION AND EVALUATION OF COVID-19 HAZARDS AT CITY WORKSITES AND FACILITIES**

### **1. Screening City Employees for COVID-19 Symptoms**

The City possesses authority to screen employees or require that employee self-screen for COVID-19 symptoms.

The City policy provides that the City will screen **City employees for COVID-19 symptoms prior to entering City worksites and facilities or City employees will self-screen for COVID-19 symptoms prior to reporting to any City worksite or facility.**

### **2. Responding to City Employees with COVID-19 Symptoms**

Should a City employee present COVID-19 symptoms during a City administered screening or a self-screen, the City will instruct the employee to remain at or return to their home or place of residence and not report to work until such time as the employee satisfies the minimum criteria to return to work.

The City will advise employees of any leaves to which they may be entitled during this self-quarantine period.

Further, the City has adopted policies and procedures that ensure the confidentiality of employees and comply with the CMIA, and will not disclose to other employees the fact that the employees presented COVID-19 symptoms.

### **3. City's Response to COVID-19 Cases**

In the event that City employees test positive for COVID-19 or are diagnosed with COVID-19 by a health care provider, the City will instruct the employees to remain at or return to their home or place of residence and not report to work until such time as they satisfy the minimum criteria to return to work.

The City will advise employees of any leaves to which they may be entitled during this self-isolation period.

The City will comply with all reporting and recording obligations as required under the law, including, but not limited to, reporting the COVID-19 case to the following individuals and institutions as required based on the individual circumstances: (1) the local health department; (2) Cal/OSHA; (3) employees who were present at a City worksite or facility when the COVID-19 case was present; (4) the employee organizations that represent employees at the City worksite or facility; (4) the employers

of subcontracted employees who were present at the City worksite or facility; and (5) the City's workers' compensation plan administrator.

If possible, the City will interview the COVID-19 cases in order to ascertain the nature and circumstances of any contact that the employees may have had with other employees during the high-risk exposure period. If the City determines that there were any close contact COVID-19 exposures, the City will instruct those employees to remain at their home or place of residence and not report to work until such time as the employees satisfy the minimum criteria to return to work.

The City has adopted policies and procedures that ensure the confidentiality of employees and comply with the CMIA. Specifically, the City will not disclose to other employees, except for those who need to know, the fact that the employees tested positive for or were diagnosed with COVID-19. Further, the City will keep confidential all personal identifying information of COVID-19 cases or persons unless expressly authorized by the employees to disclose such information or as other permitted or required under the law.

#### **4. Workplace-Specific Identification of COVID-19 Hazards**

The City conducted a workplace-specific assessment of all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards.

As part of this process, the City identified places and times when employees and individuals congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not, including, for example, during meetings or trainings, in and around entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.

As part of this process, the City identified potential workplace exposure to all persons at City worksites and facilities, including employees, employees of other entities, members of the public, customers or clients, and independent contractors. The City considered how employees and other persons enter, leave, and travel through City worksites and facilities, in addition to addressing employees' fixed workspaces or workstations.

As part of this process, the City treated all persons, regardless of symptoms or negative COVID-19 test results, as potentially infectious.

#### **5. Maximization of Outdoor Air and Air Filtration**

For indoor City worksites and facilities, the City evaluated how to maximize the quantity of outdoor air and whether it is possible to increase filtration efficiency to the highest level compatible with the worksites and facilities' existing ventilation systems.

#### **6. City Compliance with Applicable State and Local Health Orders**

The City monitors applicable orders and guidance from the State of California and the local health department related to COVID-19 hazards and prevention, including

information of general application and information specific to the City's location and operations.

The City fully and faithfully complies with all applicable orders and guidance from the State of California and the local health department.

**7. Evaluation of Existing COVID-19 Prevention Controls and Adoption of Additional Controls**

Periodically, the City will evaluate existing COVID-19 prevention controls at the workplace and assess whether there is a need for different and/or additional controls.

This includes evaluation of controls related to the correction of COVID-19 hazards, physical distancing, face coverings, engineering controls, administrative controls, and personal protective equipment (PPE).

**8. Periodic Inspections**

The City will conduct periodic inspections of City worksites and facilities as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with the City's COVID-19 policies and procedures.

**C. INVESTIGATING AND RESPONDING TO COVID-19 CASES IN CITY WORKSITES AND FACILITIES**

**1. Procedure to Investigate COVID-19 Cases**

The City has a procedure for investigating COVID-19 cases in the workplace. As provided below, the procedure provides for the following: (1) the verification of COVID-19 case status; (2) receiving information regarding COVID-19 test results; (3) receiving information regarding the presentation of COVID-19 symptoms; and (4) identifying and recording all COVID-19 cases.

**2. Response to COVID-19 Cases**

As provided above at Section IV.B.3., in the event that City employees test positive for COVID-19 or are diagnosed with COVID-19 by a health care provider, the City will instruct the employees to remain at or return to their home or place of residence and not report to work until such time as the employees satisfy the minimum criteria to return to work.

**a. Contact Tracing**

If possible, the City will interview the COVID-19 cases in order to ascertain the following information: (1) the date on which the employees tested positive, if asymptomatic, or the date on which the employees first presented COVID-19 symptoms, if symptomatic; (2) the COVID-19 cases recent work history, including the day and time they were last present at a City worksite or facility; and (3) the nature and circumstances of the COVID-19 cases' contact with other employees during the high-risk exposure period, including whether there were any close contact COVID-19 exposure.



If the City determines that there were any close contact COVID-19 exposures, the City will instruct those employees to remain at their home or place of residence and not report to work until such time as the employees satisfy the minimum criteria to return to work.

**b. Reporting the Potential Exposure to Other Employees**

The City will comply with all reporting and recording obligations as required under the law, including, but not limited to, reporting the COVID-19 case to the following individuals and institutions as required based on the individual circumstances: (1) employees who were present at a City worksite or facility when the COVID-19 case was present; and (2) subcontracted employees who were present at the City worksite or facility.

**c. Free COVID-19 Testing for Close Contact Exposures**

The City will provide COVID-19 testing at no cost to employees during their working hours to all employees who had potential close contact COVID-19 exposure at a City worksite or facility.

**d. Leave and Compensation Benefits for Close Contact Exposures**

The City will provide these employees with information regarding COVID-19-related benefits to which the employees may be entitled under applicable federal, state, or local laws. This includes any benefits available under workers' compensation law, the federal Families First Coronavirus Response Act (FFCRA), Labor Code sections 248.1 and 248.5, Labor Code sections 3212.86 through 3212.88, local governmental requirements, the City's own leave policies, and leave guaranteed by contract.

The City will continue to provide and will maintain these employees' earnings, seniority, and all other employee rights and benefits, including the employees' right to their former job status, as if the employees had not been removed from their jobs.

The City shall require that these employees use employer-provided employee sick leave and other accrual benefits for this purpose and consider benefit payments from public sources in determining how to maintain earnings, rights and benefits, where permitted by law and when not covered by workers' compensation.

**e. Investigation to Determine Whether Workplace Conditions Contributed to COVID-19 Exposure**

The City will conduct an investigation in order to determine whether any workplace conditions could have contributed to the risk of COVID-19 exposure and what could be done to reduce exposure to COVID-19 hazards.

**3. Confidential Medical Information**

The City will protect the confidentiality of the COVID-19 cases and will not disclose to other employees the fact that the employees tested positive for or were diagnosed with COVID-19.

The City will keep confidential all personal identifying information of COVID-19 cases unless expressly authorized by the employees to disclose such information or as other permitted or required under the law.

**D. CORRECTION OF COVID-19 HAZARDS AT CITY WORKSITES AND FACILITIES**

The City will implement effective policies and/or procedures for correcting unsafe or unhealthy conditions, work practices, policies and procedures in a timely manner based on the severity of the hazard.

This includes, but is not limited to, implementing controls and/or policies and procedures in response to the evaluations conducted related to the identification and evaluation of COVID-19 hazards and investigating and responding to COVID-19 cases in the workplace. This also includes implementing controls related to physical distancing, face coverings, engineering controls, administrative controls, and personal protective equipment (PPE).

**E. TRAINING AND INSTRUCTION OF CITY EMPLOYEES**

**1. COVID-19 Symptoms**

The City provided employees training and instruction on the COVID-19 symptoms, including advising employees of COVID-19 symptoms, which include the following: (1) fever of 100.4 degrees Fahrenheit or higher or chills; (2) cough; (3) shortness of breath or difficulty breathing; (4) fatigue; (5) muscle or body aches; (6) headache; (7) new loss of taste or smell; (8) sore throat; (9) congestion or runny nose; (10) nausea or vomiting; or (11) diarrhea, unless a licensed health care professional determines the person's symptoms were caused by a known condition other than COVID-19.

The City monitors and adheres to guidance by the CDC concerning COVID-19 symptoms, including guidance provided at the following web address:

<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>

The City will advise employees in the event that the CDC makes any changes to its guidance concerning such symptoms.

The City provided employees instruction on the importance of not coming to work and obtaining a COVID-19 test if the employees have COVID-19 symptoms.

**2. City's COVID-19 Policies and Procedures**

The City provides regular updates to employees on the City's policies and procedures to prevent COVID-19 hazards at City worksites and facilities and to protect City employees.

**3. COVID-19 Related Benefits**

The City advised City employees of the leaves to which the employees may be entitled under applicable federal, state, or local laws. This includes any benefits available under workers' compensation law, the FFCRA, Labor Code sections 248.1 and 248.5, Labor

Code sections 3212.86 through 3212.88, the City's own leave policies, and leave guaranteed by contract.

Further, when employees require leave or are directed not to report to work by the City, the City will advise the employees of the leaves to which the employees may be entitled for that specific reason.

#### **4. Spread and Transmission of the Virus that Causes COVID-19**

The City advised City employees that COVID-19 is an infectious disease that can be spread through the air when an infectious person talks or vocalizes, sneezes, coughs, or exhales; that COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth, although that is less common; and that an infectious person may have no symptoms.

The City further advised City employees of the fact that particles containing the virus can travel more than six (6) feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, including hand washing, in order to be effective.

#### **5. Methods and Importance of Physical Distancing, Face Coverings, and Hand Hygiene**

The City advised City employees of the methods and importance of physical distancing, face coverings, and hand hygiene, including hand washing.

Specifically, the City trained and instructed City employees on the importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled.

Further, the City trained and instructed City employees on the proper use of face coverings and the fact that face coverings are not respiratory protective equipment.

### **F. PHYSICAL DISTANCING**

The City requires that all City employees be separated from other persons by at least six (6) feet, except where the City can demonstrate that six (6) feet of separation is not possible and where there is momentary exposure while persons are in movement.

The City has adopted several methods by which it increases physical distancing including, but not limited to, the following: (1) providing City employees the opportunity to telework or engage in other remote work arrangements; (2) reducing the number of persons in an area at one time, including visitors; (3) posting visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel; (4) adopting staggered arrival, departure, work, and break times; and (5) adjusting work processes or procedures, such as reducing production speed, to allow greater distance between employees.

When it is not possible for City employees to maintain a distance of at least six (6) feet, the City requires individuals to be as far apart as possible.

## **G. FACE COVERINGS**

### **1. Face Covering Requirement**

The City provides face coverings to City employees and requires that such face coverings are worn by employees and individuals at City worksites and facilities.

City policy adheres to orders and guidance provided by the CDPH and the local health department, including as provided at the following web address:

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>

The City's policy on the use of face coverings ensures that they are worn over the nose and mouth when indoors, when outdoors and less than six (6) feet away from another person, and where required by orders from the CDPH or local health department.

The City's policy requires that face coverings are clean and undamaged. The City's policy allows for face shields to be used to supplement, and not supplant face coverings.

The City's policy provides for the following exceptions to the face coverings requirement:

1. When an employee is alone in a room.
2. While eating and drinking at the workplace, provided employees are at least six (6) feet apart and outside air supply to the area, if indoors, has been maximized to the extent possible.
3. Employees wearing respiratory protection in accordance with section 5144 or other title 8 safety orders (8 C.C.R. 5144 is available at the following web address: <https://www.dir.ca.gov/title8/5144.html>).
4. Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person.
5. Specific tasks which cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed, and the unmasked employee shall be at least six (6) feet away from all other persons unless unmasked employees are tested at least twice weekly for COVID-19.

### **2. Required Use of Effective Non-Restrictive Alternative for Employees Exempted from Face Covering Requirement**

The City's policy requires that City employees who are exempted from wearing face coverings due to a medical condition, mental health condition, or disability wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if their condition or disability permits it.

**3. Physical Distancing Required If Employee Is Not Wearing Face Covering or Non-Restrictive Alternative**

The City's policy requires that any employees not wearing a face covering, face shield with a drape or other effective alternative, or respiratory protection, for any reason, shall be at least six (6) feet apart from all other persons unless the unmasked employees are tested at least twice (2x) weekly for COVID-19.

However, the City does not use COVID-19 testing as an alternative to face coverings when face coverings are otherwise required by this section.

**4. Prohibition on Preventing Employees from Wearing Face Covering**

The City does not prevent any City employee from wearing a face covering when wearing a face covering is not required by this section, unless wearing a face covering would create a safety hazard, such as interfering with the safe operation of equipment.

**5. Communication to Non-Employees Regarding Face Covering Requirement**

The City posts signage to inform non-employees that the City requires the use of face coverings at City worksites and facilities.

**6. Policies to Reduce COVID-19 Hazards Originating from Persons Not Wearing Face Coverings**

The City has developed COVID-19 policies and procedures to minimize employees' exposure to COVID-19 hazards originating from any person not wearing a face covering, including a member of the public.

These policies include requiring that employees and non-employees wear face coverings at City worksites and facilities, that City employees wear face coverings at other times, maintain physical distance from person not wearing a face covering, and observe proper hand hygiene.

**H. OTHER ENGINEERING CONTROLS, ADMINISTRATIVE CONTROLS AND PERSONAL PROTECTIVE EQUIPMENT (PPE)**

**1. Installation of Solid Partitions Between Workstations Where Physical Distancing is Not Possible**

At fixed work locations where it is not possible to maintain the physical distancing requirement at all times, the employer shall install cleanable solid partitions that effectively reduce aerosol transmission between the employees and other persons.

**2. Maximization of Outdoor Air**

As provided above at Section IV.B.5., for indoor City worksites and facilities, the City evaluated how to maximize the quantity of outdoor air.

Further, for City worksites and facilities with mechanical or natural ventilation, or both, the City has maximized the quantity of outside air provided to the extent feasible, except

when the United States Environmental Protection Agency (“EPA”) Air Quality Index is greater than 100 for any pollutant or if opening windows or letting in outdoor air by other means would cause a hazard to City employees, for instance from excessive heat or cold.

### **3. Cleaning and Disinfecting Procedures**

The City’s cleaning and disinfecting policy requires the following:

1. Identifying and regularly cleaning and disinfecting frequently touched surfaces and objects, such as doorknobs, elevator buttons, equipment, tools, handrails, handles, controls, bathroom surfaces, and steering wheels. The City will inform employees and authorized employee representatives of cleaning and disinfection protocols, including the planned frequency and scope of regular cleaning and disinfection.
2. Prohibiting the sharing of personal protective equipment and to the extent feasible, items that employees come in regular physical contact with such as phones, headsets, desks, keyboards, writing materials, instruments, and tools. When it is not feasible to prevent sharing, sharing will be minimized and such items and equipment shall be disinfected between uses by different people. Sharing of vehicles will be minimized to the extent feasible, and high touch points (steering wheel, door handles, seatbelt buckles, armrests, shifter, etc.) shall be disinfected between users.
3. Cleaning and disinfection of areas, material, and equipment used by a COVID-19 case during the high-risk exposure period.

Further, the City requires that cleaning and disinfecting must be done in a manner that does not create a hazard to City employees or subcontracted employees.

### **4. Evaluation of Handwashing Facilities**

In order to protect City employees, the City evaluated its handwashing facilities in order to determine the need for additional facilities, encourage and allow time for employee handwashing, and provide employees with an effective hand sanitizer.

The City encourages City employees to wash their hands for at least 20 seconds each time.

The City does not provide hand sanitizers with methyl alcohol.

### **5. Personal Protective Equipment (PPE)**

City policy provides for PPE.

The City evaluates the need for PPE, such as gloves, goggles, and face shields, to prevent exposure to COVID-19 hazards and provide such PPE as needed.

In accordance with applicable law, the City evaluates the need for respiratory protection when the physical distancing requirements, as provided herein, are not feasible or are not maintained.

In accordance with applicable law, the City will provide and ensure use of respirators in accordance when deemed necessary by Cal/OSHA through the Issuance of Order to Take Special Action.

In accordance with applicable law, the City will provide and ensure use of eye protection and respiratory protection when City employees are exposed to procedures that may aerosolize potentially infectious material such as saliva or respiratory tract fluids.

## **I. REPORTING, RECORDKEEPING AND ACCESS**

### **1. Reporting COVID-19 Cases to the Local Health Department**

In accordance with applicable law, the City will report information about COVID-19 cases at the workplace to the local health department.

Further, the City will provide any related information requested by the local health department.

### **2. Reporting Serious COVID-19 Illnesses and Deaths to Cal/OSHA**

In accordance with applicable law, the City will immediately report to Cal/OSHA any serious COVID-19-related illnesses or deaths of City employees occurring at a City worksite or facility or in connection with any employment.

Further, in accordance with applicable law, the City will record any serious work-related COVID-19-related illnesses or deaths.

### **3. Maintenance of Records Related to the Adoption of the CPP**

In accordance with applicable law, the City will maintain records of the steps taken to implement this CPP.

### **4. Availability of the CPP for Inspection**

The City will make this written CPP available to employees and employee organizations at City worksites or facilities.

Further, the City will make this written CPP available to Cal/OSHA representatives immediately upon request.

### **5. Records Related to COVID-19 Cases**

The City will keep a record of and track all COVID-19 cases with the following information: (1) employee's name; (2) contact information; (3) occupation; (4) location where the employee worked; (5) the date of the last day at the workplace; and (6) the date of a positive COVID-19 test.

In accordance with the Confidentiality of Medical Information Act (CMIA) and applicable law, the City will keep the employees' medical information confidential.

In accordance with the CMIA and applicable law, the City will make this information available to employees and employee organizations with personal identifying information removed. The City will also make this information available as otherwise required by law.

## **J. EXCLUSION OF COVID-19 CASES**

### **1. Exclusion of COVID-19 Cases from City Worksites and Facilities**

The City will ensure that COVID-19 cases are excluded from the workplace until the individual satisfies the minimum return to work criteria provided for in Section IV.K.

### **2. Exclusion of Employees with Close Contact COVID-19 Exposures from City Worksites and Facilities**

#### **a. Close Contact Exclusion Period**

Unless the employee is covered by the limited exception described below, the City will exclude employees with close contact COVID-19 exposure from the workplace for 10 days after the last known close contact COVID-19 exposure. In order for the employee to return to work after the 10<sup>th</sup> day of quarantine, the employee must satisfy the following conditions: (1) be asymptomatic; (2) wear a face covering at all times; (3) maintain a distance of at least six (6) feet from others; (4) self-monitor for COVID-19 symptoms; and (5) if symptoms do appear, immediately isolate, contact the local health department or health care provider, and seek testing..

#### **b. Limited Exception to Close Contact Exclusion Period**

If the following conditions are satisfied, the City will exclude the following employees with close contact COVID-19 exposure from the workplace for seven (7) days after the last known close contact COVID-19 exposure:

- (1) There is a critical staffing shortage when there is insufficient staff to provide patient care, emergency response services or face to face social services to clients in the child welfare system or in assisted living facilities;
- (2) There is an asymptomatic employee who provides such services (i.e., health care workers, police officers, firefighters and social service workers) who has had a close contact COVID-19 exposure;
- (3) The employee who had the close contact COVID-19 exposure received a Polymerase Chain Reaction (“PCR”) COVID-19 test after the fifth (5<sup>th</sup>) day following the close contact COVID-19 exposure;
- (4) The employee’s PCR COVID-19 test returned a negative result;
- (5) The employee wears a surgical face mask at all times during work through the 14<sup>th</sup> day following the close contact COVID-19 exposure; and



(6) The employee maintains a distance of at least six (6) feet from others; self-monitor for COVID-19 symptoms; and if symptoms do appear, immediately isolate, contact the local health department or health care provider, and seek testing.

**3. Provision of Benefits to City Employees Excluded from Work as a Result of a Positive COVID-19 Test or Diagnosis or a Close Contact COVID-19 Exposure**

**a. Employees Who Are Able to Telework During Isolation or Quarantine Period**

The City will allow employees who are able to telework, and are able and available to work, to telework during the isolation or quarantine period. The City will provide these employees their normal compensation for the work that they perform for the City during the isolation or quarantine period.

**b. Employees Who Are Unable to Telework During Isolation or Quarantine Period**

The provision of benefits described below does not apply to either: (1) City employees who the City can demonstrate that the close contact COVID-19 exposure was not work-related; and (2) City employees who are unable to work for reasons other than protecting employees and non-employees at City worksites and facilities from possible COVID-19 transmission. Such employees may still use paid sick leave for the purpose of receiving compensation during the isolation or quarantine period.

For other employees, the City will require that employees who are unable to telework, but are otherwise able and available to work, to use paid sick leave in order to receive compensation during the isolation or quarantine period. The City may provide such employees who are unable to telework, but who do not have any paid sick leave or other accrued leaves available, paid administrative leave in order to receive compensation during the isolation or quarantine period.

For all employees who are subject to an isolation or quarantine because of a COVID-19 case or a close contact COVID-19 exposure, the City will maintain the employees' seniority and all other employee rights and benefits, including the employees' right to their former job status, during the isolation or quarantine period.

The City may consider benefit payments from public sources, including under the FFCRA and Labor Code section 248.1 (until December 31, 2020 or longer if FFCRA leave and/or Labor Code section 248.1 leave is extended), in determining how to maintain earnings, rights and benefits, where permitted by law and when not covered by workers' compensation.

**4. Adherence with Laws, Policies, and/or Agreements Providing Excluded Employees Greater Protections**

The obligations set forth in this section do not limit any other applicable law, City policy, or collective bargaining agreement that provides City employees with greater protections or benefits.

**5. Provision of Information Concerning Benefits to Excluded Employees**

At the time of exclusion, the City will provide the excluded employees the information on benefits to which the employees may be entitled under applicable federal, state, or local laws.

This includes any benefits available under workers' compensation law, the FFCRA, Labor Code sections 248.1 and 248.5, Labor Code sections 3212.86 through 3212.88, the City's own leave policies, and leave guaranteed by contract.

**K. RETURN TO WORK CRITERIA**

**1. Minimum Criteria to Return to Work for Symptomatic COVID-19 Cases**

City policy requires that COVID-19 cases with COVID-19 symptoms remain at their home or place of residence and not report to any City worksite or facility until they satisfy each of the following conditions:

1. At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications;
2. At least 24 hours of COVID-19 symptom free; and
3. At least 10 days have passed since COVID-19 symptoms first appeared.

**2. Minimum Criteria to Return to Work for Asymptomatic COVID-19 Cases**

City policy requires that COVID-19 cases who tested positive but never developed COVID-19 symptoms not report to any City worksite or facility until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.

**3. COVID-19 Testing Not Required in Order to Return to Work**

In accordance with CDC guidance concerning symptom-based strategies for the discontinuation of isolation, the City does not require employees submit to a COVID-19 test, or produce a negative COVID-19 test result, in order to return to work.

**4. Minimum Criteria to Return to Work for Employees Directed to Self-Quarantine or Isolate by a State or Local Health Official**

If employees are subject to an isolation or quarantine order issued by a state or local health official, City policy requires that the employees not report to any City worksite or facility until the period of isolation or quarantine is completed or the order is lifted.

Employees must provide Human Resources with a copy of the order.

If the order did not specify a definite isolation or quarantine period, then the period shall be 10 days from the time the order to isolate was effective, or 14 days from the time the order to quarantine was effective.

#### **5. Allowance by Cal/OSHA for an Employee to Return to Work**

If there are no violations of state or local health officer orders related to the employee's isolation or quarantine, the City may request that Cal/OSHA waive the quarantine or isolation requirement for essential employees and allow such employees to return to work on the basis that the removal of employees would create undue risk to a community's health and safety.

Where the absence of an essential employee from the City worksite would cause a staffing shortage that would have an adverse on a community's health and safety and pose an undue risk to the community's health and safety as a result, Cal/OSHA may grant such waiver.

In order to request a waiver under such circumstances, the City shall submit the written request to [rs@dir.ca.gov](mailto:rs@dir.ca.gov). In the event of an emergency, the City may request a provisional waiver by contacting the local Cal/OSHA office while the City prepares the written waiver request.

The written waiver request must provide for the following information:

1. Employer name and business or service;
2. Employer point-of-contact name, address, email and phone number;
3. Statement that there are no local or state health officer orders for isolation or quarantine of the excluded employees;
4. Statement describing the way(s) in which excluding the exposed or COVID-19 positive employees from the workplace impacts the employer's operation in a way that creates an undue risk to the community's health and safety;
5. Number of employees required to be quarantined under the Cal/OSHA regulation, and whether each was exposed to COVID-19 or tested positive for COVID-19; and
6. The employer's control measures to prevent transmission of COVID-19 in the workplace if the employee(s) return or continue to work in the workplace, including the prevention of further exposures. These measures may include, but are not limited to, preventative steps such as isolating the returned employee(s) at the workplace and requiring that other employees use respiratory protection in the workplace.

In addition to submitting a request for a Cal/OSHA waiver, the City will develop, implement, and maintain effective control measures to prevent transmission in the workplace including providing isolation for the employees at the City worksite or facility and, if isolation is not possible, the use of respiratory protection in the workplace.