

Public Employer Health Emergency Plan

Town of Portville

Plan effective - January 12th, 2021

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

Developed with support from Emergency Preparedness Solutions, LLC®



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 Teamsters Local 264 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.

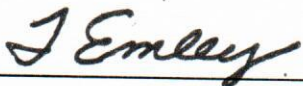
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As the authorized official of the Town of Portville, I hereby attest that this plan has been developed, approved, and placed in full effect in accordance with S8617B/A10832 which amends New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable, to address public health emergency planning requirements.

Signed on this day: 1/12/2021

By: Timothy Emley

Title: Supervisor

Signature: 

Record of Changes

Date of Change	Description of Change	Implemented by

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Purpose, Scope, Situation Overview, and Assumptions

Purpose

This plan has been developed in accordance with 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 Portville. 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 [CDC Guidance 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 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 Supervisor of the Town of Portville, their designee, or their successor holds the authority to execute and direct the implementation of this plan. Implementation, monitoring of operations, and adjustments to plan implementation may be supported by additional personnel, at the discretion of the Supervisor.

Upon the determination of implementing this plan, all employees and contractors of the Town of Portville shall be notified as appropriate by email, phone, and/or text, with details provided as possible and necessary, with additional information and updates provided on a regular basis. Employees will be provided with pertinent updates by way of email. Appropriate public notifications will be made through the local newspaper, as arranged by the Town Supervisor. Other interested parties, such as vendors, will be notified by phone and/or email as necessary by department heads, the Town Supervisor, and Board Members. The Town Clerk will support continued communications with the public and constituents as needed throughout the implementation of this plan.

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

Upon resolution of the public health emergency, the Supervisor of the Town of Portville 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, Town of Portville 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 Town of Portville

The Town of Portville 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 Town of Portville have been identified as:

Essential Function	Description
Roads and Equipment	All personnel and equipment necessary for the maintenance of roads
Payment of Bills	Timely payment of town bills and other financial commitments (requires the Town Board to convene at least monthly to approve payments)
Payroll	Accounting for and payment of wages and benefits to town employees
Justice Court	Judicial proceedings, reporting, collection of fines and fees, correspondence
Vital Records	Receipt and filing, including collection of fees as appropriate
Town Administration	Town management, correspondence, receipt of taxes, and other necessary operations
Inspections and Permits	Building inspections, fire inspections, building permits, and other code enforcement matters
Annual Board of Assessment Review	Review of grieved assessments
Cleaning of Town Hall	Cleaning of work areas, rest rooms, floors, and common areas. Refuse removal.
Fire Protection	Town fire and rescue response (contracted)

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
Roads and Equipment	<ul style="list-style-type: none"> Highway Superintendent and employees 	Manages snow removal, road, and property town maintenance
Payment of Bills	<ul style="list-style-type: none"> Bookkeeper Town Board 	Receipt, review, approval, tracking, and payment of liabilities
Payroll	<ul style="list-style-type: none"> Bookkeeper 	Tracking and payment of personnel time and benefits
Justice Court	<ul style="list-style-type: none"> Court Justices, in accordance with NYS Office of Court Administration guidance Justice Court Clerk, in accordance with NYS Office of Court Administration 	Maintain and process court docket, including traffic tickets, criminal matters, small claims, and local code violations. Receive fines and fees. Develop and submit reports.
Vital Records	<ul style="list-style-type: none"> Town Clerk 	Receipt and filing, including collection of fees as appropriate
Town Administration	<ul style="list-style-type: none"> Town Supervisor Town Board 	Executive and legislative management of daily town functions
Inspections and Permits	<ul style="list-style-type: none"> Codes Officer 	Building permits and fire inspections
Annual Board of Assessment Review	<ul style="list-style-type: none"> Assessor Board of Assessors 	Provides assessment of private property. Reviews assessment grievances
Cleaning of Town Hall	<ul style="list-style-type: none"> Housekeeper 	Cleaning of work areas, common areas, and floors. Refuse collection,
Fire Protection	<ul style="list-style-type: none"> Fire Chief Firefighters/EMS Personnel 	Fire protection and EMS assets must respond on-scene to provide emergency services as needed.

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.

Working remotely requires:

1. Identification of staff who will work remotely
2. Approval and assignment of remote work
3. Equipping staff for remote work, which may include:
 - a. Internet capable laptop
 - b. Necessary peripherals
 - c. Access to VPN and/or secure network drives
 - d. Access to software and databases necessary to perform their duties
 - e. A solution for telephone communications (note that phone lines may need to be forwarded to off-site staff), and access to mail and physical files

The Town Supervisor, their designee, or successor shall identify staff who will work remotely. This identification may be done with the input of the Town Board, Town Clerk, and Justice Court. The Town Supervisor or their designee shall notify staff by phone of this change in assignment, with specific instructions as necessary to support implementation. The Town Supervisor shall coordinate all necessary resources to provide hardware, software, and network support as necessary to support implementation of remote work,

ensuring that staff are able to access necessary files, email, and phone messages remotely.

As possible, 'essential' staff may be assigned to work remotely for part of their work week to reduce exposures. Further, business hours and locations of Town government may be altered to best accommodate public health protective actions for employees and the public. Alterations to building access and the means by which the public interacts with Town employees may also take place to support these protections. Protective actions may include, but are not limited to occupancy restrictions, protective barriers, and increased conduct of business by internet, phone, or other means. Protective actions will be taken in accordance with County and State Health Department, and CDC guidelines and requirements.

Note that as of the development of this original plan, remote work is extremely limited due to poor internet services in the area. While it is expected that the infrastructure necessary to support this capability will eventually be available, this is likely to take several years. For the time being, staggering of shifts is the most effective means of safely supporting continuity of operations.

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, Town of Portville 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.

The Town Supervisor will identify staff and coordinate schedules for staggered shifts.

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 categorized as PPE, there is a related need for cleaning supplies used to sanitize surfaces, as well as hand soap and hand sanitizer. The Coronavirus pandemic demonstrated that supply chains were not able to keep up with increased demand for these products early in the pandemic. As such, we are including these supplies in this section as they are pertinent to protecting the health and safety of our employees and contractors.

Protocols for providing PPE include the following:

1. Identification of need for PPE based upon job duties and work location
2. Procurement of PPE
 - a. 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. An ability 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 access to PPE in the event of an emergency
 - c. The supply of PPE must be monitored to ensure integrity and to track usage rates

The Housekeeper is responsible for maintaining cleaning supplies for Town Hall. The Town Clerk is responsible for maintaining and distributing PPE for Town Hall personnel. The Highway Superintendent is responsible for maintaining cleaning supplies for the Highway Department as well as maintaining and distributing PPE for the Highway Department. The Town will make all efforts to procure PPE and cleaning supplies through established vendors, with the County Emergency Services Office identified as a back-up in the event of an inadequate supply chain.

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):
 1. 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. Identify who, by title/position, in the organization must be notified and who is responsible for ensuring these protocols are followed

- i. See the town chain of command and emergency contact list (attached) for notification information.
 - ii. The Town Supervisor, Highway Superintendent, and Town Clerk will ensure protocols are followed.
 - c. See the section titled Documentation of Work Hours and Locations for additional information on contact tracing
 - 2. CDC guidelines for COVID-19 provide that critical essential employees may be permitted to continue work following potential exposure, provided they remain symptom-free and additional precautions are taken to protect them, other employees and 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. Identify who, by title/position, in the organization is the decision-maker in these circumstances and who is responsible for ensuring these protocols are followed
 - i. Town Supervisor and Town Board will make decisions in this regard
 - ii. The Town Supervisor, Town Clerk, and Highway Superintendent will ensure protocols are followed.
- B. If an employee or contractor exhibits symptoms of the communicable disease that is the subject of the public health emergency:
1. 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. Town of Portville 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.
 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. Identify who, by title/position, in the organization must be informed in these circumstances and who is responsible for ensuring these protocols are followed

- a. Town Supervisor, Town Clerk, and Highway Superintendent will ensure protocols are followed and that any additional personnel are notified.
- 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.
 - 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 their designee should inform all contacts of their possible exposure. Confidentiality shall be maintained as required by the Americans with Disabilities Act (ADA).
 - b. Apply the steps identified in item A, above, as applicable, for all potentially exposed personnel.
 4. Identify who, by title/position, in the organization must be notified in these circumstances and who is responsible for ensuring these protocols are followed
 - a. Town Supervisor, Town Clerk, and Highway Superintendent will ensure protocols are followed and that any additional personnel are notified.

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 at least hourly.
 - b. identify who, by position/title, is responsible for cleaning common areas, and the frequency of such
 - i. All town employees will clean their work areas, meeting rooms, and town vehicles after use.
 - ii. The Town Clerk and Highway Superintendent will ensure adequate cleaning supplies are available.
 - iii. Town cleaning staff will provide regular cleaning of all spaces in accordance with cleaning guidelines provided by county and state health departments and the CDC.

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 Town of Portville is committed to reducing the burden on our employees and contractors. The 2020 *Families First Coronavirus Response Act* provided requirements related to the COVID-19 pandemic, which form the policies outlined below. This policy may be altered based upon changes in law or regulation, as applicable.

It is our policy that employees of Town of Portville will not be charged with leave time for testing. Employees will be provided with up to two weeks (80 hours) of paid sick leave at the employee's regular rate of pay for a period which the employee is unable to work due to quarantine (in accordance with federal, state, or local orders or advice of a healthcare provider), and/or experiencing symptoms and seeking medical diagnosis.

Further, Town of Portville will provide up to two weeks (80 hours) of paid sick leave at two-thirds the employee's regular rate of pay if the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to federal, state, or local orders or advice of a healthcare provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to the public health emergency, and/or the employee is experiencing a substantially similar condition as specified by the CDC/public health officials. This provision may be modified if an employee is able to effectively work remotely and the need exists for them to do so.

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

Additional provisions may be enacted based upon need and the guidance and requirements in place by federal and state employment laws, FMLA, executive orders, and other potential sources.

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

Upon activation of this plan, documentation of work hours and locations to support contact tracing will be coordinated by the Highway Superintendent for Highway Department staff and by the Town Clerk for all other staff. The Public Health Emergency Staff Contact Tracing Log (attached) will be used by all staff on a daily basis to document their work hours and locations. Completed forms shall be emailed to the Town Clerk for file at the end of their shift. These logs shall be made available to public health officials to support contact tracing efforts upon request.

Housing for Essential Employees

There are circumstances within a public health emergency when it may be prudent to lodge essential employees in such a manner which will help prevent the spread of the identified communicable disease to protect these employees from potential exposures, thus helping to ensure their health and safety and the continuity of Town of Portville essential operations.

If such a need arises, hotel rooms are expected to be the most viable option. If hotel rooms are for some reason deemed not practical or ideal, or if there are no hotel rooms available, Town of Portville will coordinate with the Cattaraugus County Public Health Department and/or Office of Emergency Services to help identify and arrange for these housing needs. The Town Supervisor and Town Clerk will coordinate these efforts on behalf of the Town.

Attachment 1: Public Health Emergency Staff Contact Tracing Log

Date:		
Name	Times In/Out	Location