SAFE WORK GUIDELINES

COVID-19 Safe Work Preparedness and Employee Responsibilities

As of May 14, 2020

NOTE TO ALL EMPLOYEES

The information contained in this guide represents the Town's current practices regarding the recommended operation of municipal facilities, where and when premitted by law, during this time of the unprecedented COVID-19 pandemic. The health and safety of our employees is our number one priority. This information may be updated from time to time as additional guidance becomes available from state or federal agencies.

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A Message from Town Manager C. Elizabeth Gibson

May 14, 2020

Dear Town Employees:

It is the policy of the Town of Nantucket to promote a professional, safe and productive work environment. Please use this general guide as a complement to the safety guidelines provided by your department head. This guide was developed using information from the Centers for Disease Control.

The first phase of our back-to-work plans commenced on April 27, 2020. We look forward to welcoming employees back to work through continued phases on May 18th. We all understand the need to be flexible during these unprecedented times. To achieve our goal of providing a safe transition back to the workplace and the facilitation of telecommuting, we will be using this guide, which may be updated from time to time.

We want our employees to feel safe at work and plan to continually review information from state and federal agencies as to safety protocols and guidelines and will update our procedures and policies as needed. We know the "COVID19 Event" is stressful and uncertain for everyone and want to do our best to resume operations in a "new normal" way that is clear and understandable. If you have any questions or concerns, please contact your department head or the Human Resources Department.

Thank you.

from the desk of…..

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Find more resources on the Town COVID-19 page at

https://www.nantucket-ma.gov/1657/Coronavirus-Disease-2019

Preparing our Workplace for a COVID-19 Outbreak[1]

Personal Protective Equipment, Disinfection Measures and Social Distancing

Mandatory Safety Standards for Workplaces

NOTE: These safety standards are applicable to all sectors and industries. There will be sector-specific safety protocols and recommended best practices which provide further details and limited exceptions.

	Safety Standards
Social Distancing	• All persons, including employees, customers, and vendors should remain at least six feet apart to the greatest extent possible, both inside and outside workplaces • Establish protocols to ensure that employees can practice adequate social distancing • Provide signage for safe social distancing • Require face coverings or masks for all employees
Hygiene Protocols	• Provide hand washing capabilities throughout the workplace • Ensure frequent hand washing by employees and adequate supplies to do so • Provide regular sanitization of high touch areas, such as workstations, equipment, screens, doorknobs, restrooms throughout work site
Staffing and Operations	• Provide training for employees regarding the social distancing and hygiene protocols • Employees who are displaying COVID19-like symptoms do not report to work • Establish a plan for employees getting ill from Covid-19 at work, and a return-to-work plan
Cleaning and Disinfecting	• Establish and maintain cleaning protocols specific to the business • When an active employee is diagnosed with COVID19, cleaning and disinfecting must be performed • Disinfection of all common surfaces must take place at intervals appropriate to said workplace

Department of Public Health (DPH) Mandatory Safety Standards for Workplaces[2]

Protection from a COVID-19 outbreak starts with employees following basic infection prevention measures. As appropriate, all employees should implement good hygiene and infection control practices, including:

- Frequent and thorough hand washing. If soap and running water are not immediately available, please use alcohol-based hand rubs containing at least 60% alcohol.
- Employees should stay home if sick or exhibiting any of the symptoms in the Daily Self Health Screen and promptly notify their supervisor.

[1] **CDC:** https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html
[2] **Mass.gov:** https://www.mass.gov/info-details/reopening-mandatory-safety-standards-for-workplaces#social-distancing-

- Use respiratory etiquette, including covering coughs and sneezes.

- Communicate with your supervisor to determine whether you can establish a flexible worksite (e.g., telecommuting) and flexible work hours (e.g., staggered shifts), to increase the physical distance among and between employees and others pursuant to state and local health authority recommended social distancing measures.

- Employees are discouraged from using other employee's phones, desks, offices, or other work tools and equipment, unless proper sanitary measures have been taken.

- Maintain regular housekeeping practices throughout the day, including routine cleaning and disinfecting of high touch surfaces, equipment, and other elements of the work environment (such as counter tops, desk tops, phones, computer keyboards, tables, etc).

- When possible, contact among workers, clients, and customers should be reduced by replacing face-to-face meetings with virtual communications and implementing telework.

- A "No Congregation" policy of more than 10 people is in effect, individuals must implement Social Distancing by maintaining a minimum distance of 6-feet from other individuals.

- Gloves shall be worn if using any shared surfaces such as fax machines, copiers etc.

- All mail and other items likely to have been contacted by others shall be disinfected or left undisturbed for 3 days in a labeled location before making contact. Employees shall wear gloves if they need to touch these items within 3 days.

- To avoid external contamination, we recommend employees bring food from home and maintain social distancing separation during breaks and lunch.

- To avoid sharing germs, please clean up after yourself. DO NOT make others responsible for moving, unpacking and packing up your personal belongings.

- All vehicles and tools must be disinfected before and after each use. A Supervisor will make every effort to keep employees in the same vehicle each week.

Policies & Procedures for Prompt Identification and Isolation

Prompt identification and isolation of potentially infectious individuals is a critical step in protecting employees, visitors, and others.

- If you are feeling sick, stay home.

- Employees should self-monitor for signs and symptoms of COVID-19 if they suspect possible exposure. The daily self-screening tool is highly recommended prior to reporting to work. The results of each survey are sent to HR. If you answer 'yes' to any of the questions in the survey, the report is then submitted to your supervisor for review. The survey report will also provide you guidance regarding our recommended next step actions based upon your responses.

Daily Self Health Screening

Employees exhibiting symptoms or unable to self-screen may be directed by their supervisor to leave the work site and seek medical attention and applicable testing by their health care provider.

https://townofnantucket.typeform.com/to/Y2oGM3

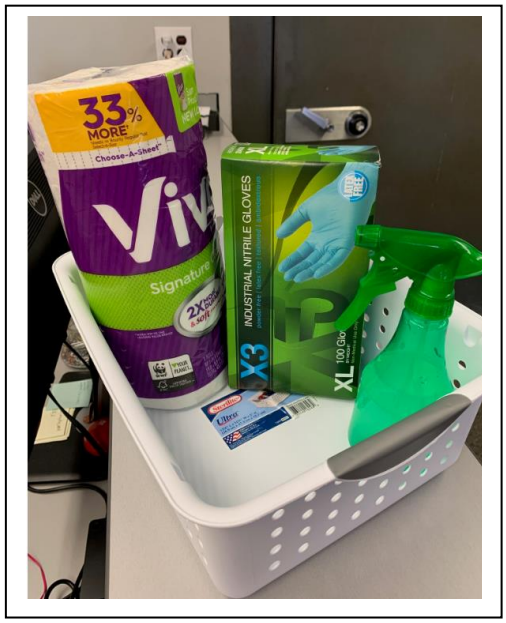
- Face coverings must be worn in all public spaces (where social distancing is not possible) to prevent the spread of respiratory secretions of a person who may have COVID-19, pursuant to State Order no.31. Note: A face covering (also called a surgical mask, procedure mask, face mask or other similar terms) on a patient or other sick person should not be confused with PPE for a worker; the face covering acts to contain potentially infectious respiratory secretions at the source (i.e., the person's nose and mouth).

Facility Enhancements

- Types of precautions that have been or are in the process of being installed in the Town's public facilities, include plexiglass barriers, rope/chain barriers, floor decals, outdoor and indoor signage, building entry/exit flow plans, etc. These are measures for employees and the public to use to reduce physical contact, thereby reducing the possibility of spreading the virus.

- Handwashing reminder signs will be posted in all restrooms and public buildings.

- If you have questions regarding your facility enhancements or have additional needs, please contact your designated building manager.



Employee Protections

- Town sick leave policies are noted in the Personnel Policies: https://www.nantucket-ma.gov/175/Policies as well as the respective Union contracts: https://www.nantucket-ma.gov/163/Collective-Bargaining-Agreements.

- The requirement to provide a healthcare provider's note for employees who are sick with acute respiratory illness to validate their illness or to return to work, may be waived at the discretion of the Town, as healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely way.

- Under the Families First Coronavirus Response Act, employees are entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework under six (6) criteria established by the Department of Labor: https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA_Poster_WH1422_Non-Federal.pdf.

- The Human Resources Department is available to answer employee questions about pay, leave, safety, health, and other issues that may arise during infectious disease outbreaks. More information can also be found on the Human Resources webpage: https://www.nantucket-ma.gov/164/Employee-Resources .

ADA-Compliant Practices

- Supervisors may make inquiries that are not disability-related to identify which employees are more likely to be unavailable for work. Below is a sample ADA-compliant survey that can be given to employees to anticipate absenteeism[3]:

ADA-COMPLIANT PRE-PANDEMIC EMPLOYEE SURVEY

Directions: Answer "yes" to the whole question *without specifying the factor that applies to you*. Simply check "yes" or "no" at the **bottom of the page**.

In the event of a pandemic, would you be unable to come to work because of any one of the following reasons:

- If schools or day-care centers were closed, you would need to care for a child;
- If other services were unavailable, you would need to care for other dependents;
- If public transport were sporadic or unavailable, you would be unable to travel to work; and/or;
- If you or a member of your household fall into one of the categories identified by the CDC as being at high risk for serious complications from the pandemic influenza virus, you would be advised by public health authorities not to come to work (e.g., pregnant women; persons with compromised immune systems due to cancer, HIV, history of organ transplant or other medical conditions; persons less than 65 years of age with underlying chronic conditions; or persons over 65).

Answer: YES_____ , NO_____

[3] **ADA:** https://www.eeoc.gov/laws/guidance/pandemic-preparedness-workplace-and-americans-disabilities-act

- Supervisors must continue to provide reasonable accommodations for employees with known disabilities that are unrelated to the pandemic, barring undue hardship. The rapid spread of COVID-19 has disrupted normal work routines and may have resulted in unexpected or increased requests for reasonable accommodations. Please notify HR if you have a received an accommodation request from an employee.

- If a job can only be performed in the workplace and an employee has a disability that places that employee at higher risk from COVID-19, we must still engage in the interactive process.

- Employees with a disability may request non-latex gloves or modified equipment due to religious garb.

- Pandemic-related harassment and discrimination is prohibited.

Changes in Workplace Behavior

- Establishing alternating days or extra shifts that reduce the total number of employees in a building at a given time, allowing employees to maintain distance from one another while maintaining a full work week is recommended – especially when social distancing is difficult due to office size or other conditions.

- OSHA has divided job tasks into four risk exposure levels: very high, high, medium, and lower risk. If you have questions or concerns regarding your risk exposure level, please notify your supervisor.

Stay Informed of Local & State Emergency Orders

- The most current information can be found here: https://www.nantucket-ma.gov/1657/Coronavirus-Disease-2019

Frequently Asked Questions

Q: I am worried about being exposed to the virus in the workplace. What are my rights as an employee? Employees are entitled to a safe work environment. The Town follows OSHA safety standards as well as CDC and State Department of Public Health mandatory return to work safety guidelines.

Q: What is a 'Safe Workplace'? A safe workplace is free from known health and safety hazards, according to the Occupational Health & Safety Administration. COVID-19 is a known occupational health and safety hazard.

Q: Do employees have to wear a mask at all times while at work? Employees are required to wear a mask when six (6) feet of social distance cannot be achieved, in accordance with MA State Order No. 31.

Q: If an employee travels out of state, do they need to self-quarantine upon return? If you have travelled out of state to an area of local transmission additional social distancing measures may need to be made before you can safely report to work. Please contact Human Resources and your supervisor before reporting to work.

Q: What if I am sick with COVID-19 or in quarantine and cannot go to work? Employees may request paid leave under the Families First Corona Virus Response Act for your own serious health condition. Please contact Human Resources to determine how this leave applies to you.

Q: What if I cannot work because I have to care for someone? Employees may request paid leave under the Families First Corona Virus Response Act if you are unable to report to work because of a relative in quarantine or isolation or because of the school closure. Please contact Human Resources to determine how this leave applies to you.

Q: Can I tell employees if a co-worker has tested positive for the coronavirus or other communicable disease? No. The Americans with Disabilities Act (ADA) privacy rules restrict employers from sharing personal health information of an employee. Supervisors should inform employees that possible exposure has occurred in the workplace without disclosing any identifying information about the individual who tested positive.

Q: Do HIPAA policies remain the same during a public health emergency? Yes. Supervisors can ask an employee how he or she is feeling in general, and may ask if they are experiencing symptoms of COVID-19, but should not inquire about a specific illness as that could rise to the level of a disability related inquiry under the ADA. If an employee is suspected of being ill, they should not be at work regardless of the specific illness. This does not apply to employees in a healthcare setting where passive (signs) and active (direct questioning) is done in accordance with CDC guidance.

Q: Can a supervisor require an employee to go home (or stay home) if he or she is sick? Yes, employees who show signs of respiratory illness (or any illness), e.g. fever, cough, shortness of breath, can be asked to leave the workplace and stay at home until they are symptom free.

Q: Can the Town require a doctor's note before allowing a sick employee to return to work? Yes, please review the respective collective bargaining agreement. *Most* contracts allow for the employer to request a doctor's note after three days of continuous absence. The employer must apply the practice consistently. If an employee cannot provide a doctor's note because access to their health care professional has been restricted, please contact HR.

Q: Are employees permitted to travel for business? All non-essential business-related travel has been suspended effective March 11, 2020.

Q: Can a supervisor prohibit an employee from travelling on a planned vacation? They can prohibit travel for work both domestically and internationally but cannot prohibit personal travel anywhere. The best practice is to remind employees of the risks of travelling and refer them to the state and federal circulars on the dangers of travel and remind them that they may be subject to quarantine upon re-entry.

Q: Are employees permitted to use vacation time beyond the six (6) month carryover or carryover personal time? Employees are permitted to carryover unused vacation time for a period of twelve (12) months.

HR Resources: Families First Coronavirus Response Act

EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

▸ PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to $511 daily and $5,110 total;
- ⅔ for qualifying reasons #4 and 6 below, up to $200 daily and $2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at ⅔ for qualifying reason #5 below for up to $200 daily and $12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

▸ ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days* prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.

▸ QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

▸ ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.

WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd

WH1422 REV 03/20

HR Resources: Health & Wellness

Coping with Stress and Fear from COVID-19

Take care of your body.

- Eat healthy, well-balanced meals
- Exercise regularly
- Get plenty of sleep
- Take deep breaths, stretch, or meditate

Virtually connect with others.
Talk with people you trust about your concerns and how you are feeling.

Take breaks from watching, reading, or listening to news stories, including social media.

Make time to unwind.
Try to do some other activities you enjoy.

Help is available:
Visit **Mass.gov/COVID19** or Call **2-1-1**

Massachusetts Department of Public Health

TOWN AND COUNTY OF NANTUCKET, MASSACHUSETTS

Telecommuting Policy

These policies and rules and regulations are promulgated in accordance with the provisions of the Charters of the Town and County of Nantucket. The Town and County reserve the right to change, add to, or delete any of the provisions of these policies and rules and regulations at any time.

Adopted on May 1, 2016

Rev. April 17, 2020

Applicability: ***This policy applies to Town employees on a case by case basis. This policy does not apply to School Department Employees.***

I. Purpose.

This policy establishes rules and procedures for identifying eligibility for Town of Nantucket employees to telecommute as well as for the use of telecommuting.

In the event of an emergency, the Town may require employees to work from home for the purpose of continuity of operations. Employees should be proactive with Department Heads in preparing for these circumstances to ensure the resources are procured to facilitate remote work.

The Town will continue to monitor guidance from health or other designated officials based on the type of emergency and the requirement for remote work arrangements. Employees should not assume any specified period of time for telecommuting and the Town may require employees to return to regular in-office work at any time.

II. Definitions.

Telecommuting is a form of telework, which is the use of telecommunications technology to work from any remote location. In most instances, it is the act of working from home or a remote location other than the assigned work location, thus eliminating travel to and from an office. There are very few jobs where it would be practical to telecommute five (5) days per week. Some jobs, however, have tasks that could be accomplished while telecommuting one to two (1-2) days per week or on an ad hoc, project-specific basis.

Generally, jobs suitable for telecommuting will have defined tasks with clearly measurable results with limited need for face-to-face interaction. Ultimately, whether or not management decides to utilize telecommuting as an option will depend on the operational needs of the Department.

III. Background.

Not every position is eligible for telecommuting, however on Nantucket where the island's remote location makes the challenge of recruiting and hiring

essential employees with required credentials or certifications very difficult, telecommuting is often requested as a viable temporary solution. Clear expectations and measurable tasks are essential components in considering whether or not telecommuting would be an option. Management must supervise telecommuting employees by developing a system of distributing work appropriate for telecommuting and designating tasks with measurable outputs that can ensure appropriate levels of employee accountability.

IV. Policy.

i. Management Rights

Telecommuting is not appropriate or possible for all employees. No employee is entitled to, or guaranteed the opportunity to, telecommute. Offering the opportunity to work at home or a remote location is a management decision, based on the discretion of the employee's Department Head. Final approval by the Town Manager is required.

ii. Eligibility

Non-union positions are eligible to telecommute at the discretion of the supervising Department Head, with written approval of the Town Manager. Unionized positions are not eligible for telecommuting without prior approval from the respective union, and subsequent approval of the supervising Department Head and Town Manager. Telecommuting is not subject to grievance and arbitration procedures.

Positions that may be considered for telecommuting are those that:

- Are focused predominately on the electronic production and/or exchange of information by computer;
- Involve measurable or quantifiable work product;
- Have job functions that can be performed at a remote site without diminishing the quality of the work or disrupting the productivity of a Department;
- Do not require an employee's presence at the regularly assigned place of employment on a daily or routine basis;
- Have a minimal or flexible need for specialized materials or equipment available only at the regularly assigned worksite;

- Allow for an employee to be as effectively supervised, as he or she would be, if the job functions were performed at the assigned place of employment;
- Have completed his or her probationary period, unless telecommuting is a requirement of the position or exigency exists for the purpose of continuity of government.

iii. Requests to Telecommute

Requests to telecommute must be made in writing by the employee to the employee's Department Head with employee's current job description attached. It is required that a first-time telecommuter be reviewed after the first three (3) months to evaluate the success of the arrangement and reviewed periodically (minimum two times per year) thereafter as part of the appraisal process. The review may result in discontinuation of the telecommuting agreement. Unsatisfactory performance will be handled in accordance with the Personnel Policies and/or Collective Bargaining Agreement, if applicable. All telecommuting agreements must meet the criteria in this policy and may be terminated at any time by either the telecommuter or the Town of Nantucket. It is recommended, however, that 15 days notice be given, if possible.

Telecommuting scheduling must not be detrimental to the Town. Items that may be considered include:

- Budgetary limitations
- Safety concerns
- Liability issues
- Town expense guidelines
- Customer service requirements
- Communication with co-workers
- Equipment availability
- Access to support staff
- Undue administrative burden
- Confidentiality of information within the home worksite

iv. Work Space Requirements and Expectations

Telecommuters are responsible for maintaining a safe and ergonomic working environment, including the work area, bathroom, and other areas that may require access during the workday. The duties, obligations, and responsibilities of a telecommuter are the same as those of an employee at the centrally located

worksite. Telecommuters are not permitted to entertain Town employees or those doing business with the Town in his/her remote location.

Telecommuters are expected to participate in all Town/Department meetings and other meetings as needed and/or requested by his/her supervisor. The Town will provide the needed technology to enable such participation. Telecommuting is not a solution for day care or dependent care. A telecommuter will not carry out dependent care or personal responsibilities in a manner that interferes with the successful performance of his or her job responsibilities.

Telecommuters will maintain the confidentiality of Town of Nantucket and related information and documents, prevent unauthorized access to any information, set up password protection, and dispose of work-related documents in a manner that will not jeopardize the interests of the Town in accordance with the Town's Computer Use Policy.

Telecommuters will keep a daily log as to when they start and end their work day. The telecommuter will also notate when s/he takes her/his lunch break, any other break or time away from the home office. Time away from the office is to include doctor's appointments or any other time spent away from the office. The telecommuter's weekly time sheet should be a direct reflection of time spent in and out of the office during the predetermined regularly scheduled hours of work.

v. Costs and Reimbursements

Unless otherwise agreed upon and approved by the Town, costs of telecommuting will be absorbed by the employee. This includes commuting costs to/from Nantucket, unless otherwise approved in writing by the Town Manager. The Town does not reimburse for office space or "home office", including rent, telephone lines, internet, faxes, cell phones, and furniture, unless specifically approved by the Town of Nantucket for employee use.

Reasonable office supplies will be reimbursed when approved by the Department Head. This includes any supplies for a printer or fax previously owned by the telecommuter but now used for Town of Nantucket work. Work-related phone charges may be reimbursed if documented and submitted in a timely manner and approved by the Department Head. Telecommuters are expected to work from home. If, for some reason, working from home is not an option, telecommuters are responsible for paying their own rental charges.

vi. Travel

All business-related travel for telecommuters for approved travel to meetings and conferences elsewhere shall follow the procedures outlined in the Town of Nantucket's travel policy. Commuting costs to and from Nantucket are not reimbursed, unless previously agreed to in writing by the Town.

vii. Hardware and Software

Although a telecommuter's need for specialized material or equipment should be minimal, the Town shall provide equipment (hardware and software) and services (such as technical support) as needed. New or existing laptop computers and other computer equipment shall be provided on an as-needed basis. All equipment provided to the telecommuter shall be used by the Town of Nantucket employee only and for Town-related work only. All provided equipment must be returned to the Town of Nantucket's IT Department as soon as the telecommuting agreement ends.

The employee will consult with Nantucket IT support staff to ensure that the hardware and software used by telecommuters conforms to Nantucket's technology policies.

ix. Use of Benefit Time

Benefit leave time normally scheduled during a telecommuter's scheduled workday must be arranged with the employee's supervisor in the same manner as it is for employees on island. Travel time to/from the employee's home and Nantucket is not paid.

Telecommuters shall be compensated pursuant to the Town Office Closure policy in the event of a state of emergency that requires office closure.

Town of Nantucket Telecommuting Policy
Acknowledgement of Receipt

Employee Name:

Days/Dates of Anticipated Remote Work:

I fully understand the terms of Telecommuting Policy as outlined above and have been supplied in writing with the duties and work schedule required from my Supervisor;

I understand that my supervisor may discontinue my participation at any time with or without cause;

I understand that the Town retains the right to modify this agreement on a temporary or permanent basis for any reason at any time;

I understand that a program of re-certification may be required on an monthly basis for as long as I continue to work remotely;

Employee Signature: ***Date:***

Supervisor Signature: ***Date:***

Human Resources Signature: ***Date:***