

Public Employer Health  
Emergency Plan for the  
**Town of New Lebanon**

## Promulgation

This plan has been developed in accordance with the New York State Labor Law section 27-c.

This plan has been developed with the input of the Town Board. The Town of New Lebanon has no unions nor unionized employees at this time to collaborate with on writing this plan 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 New Lebanon, I hereby attest that this plan has been developed, approved, and placed in full effect in accordance with the New York State Labor Law section 27-c, to address public health emergency planning requirements.

Signed on this day:

By: Tistrya Houghtling

Signature: \_\_\_\_\_

Title: Town Supervisor, Town of New Lebanon

### Record of Changes

Date of Change	Description of Change	Implemented by
3/9/2021	Plan Adoption	Town Board

## Table of Contents

Promulgation .....	1
Record of Changes .....	2
Purpose, Scope, Situation Overview, and Assumptions .....	4
Purpose .....	4
Scope .....	4
Situation Overview .....	4
Planning Assumptions .....	4
Concept of Operations .....	5
Operations Plan .....	6
Reducing Risk through Remote Work and Staggered Shifts .....	8
Remote Work Protocols .....	8
Staggered Shifts .....	8
Personal Protective Equipment .....	8
Staff Exposures, Cleaning, and Disinfection .....	9
Staff Exposures .....	9
Cleaning and Disinfecting .....	11
Employee and Non-Employee/Contractor Leave .....	11
Documentation of Work Hours and Locations .....	12
Housing for Essential Employees .....	12
Procedure to Report and Protections .....	13
Appendix A - Town of New Lebanon Emergency Telework Policy .....	20
Appendix B - Personal Protective Equipment (PPE) for Town Employees/Non-Employees during a Public Health Emergency .....	25

## Purpose, Scope, Situation Overview, and Assumptions

### Purpose

This plan has been developed in accordance with the New York State Labor Law section 27-c. As a result of legislation signed by the Governor of New York State on September 7, 2020, public employers are required 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 New Lebanon. 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, stay home, or 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 Town buildings and common work areas daily
- Clean and disinfect workstations as necessary during each shift
- Other guidance which may be published by the CDC, the federal government, the NYS 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.

- A public health emergency may directly impact our own operations.
- The impact 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 residents expects us to maintain a level of essential Town services.
- 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, the governor, and/or the federal government.
- The below definitions shall be utilized within the plan and have the following meaning pursuant to Labor Law Section 27-c(1) (a)-(g):
  - “Contractor” is an individual performing services as a party to a contract awarded by the Town .
  - “Essential employee’ is a public employee or contractor that is required to be physically present at a work site to perform their job.
  - “Non-essential employee’ is a public employee or contractor that is not required to be physically present at a work site to perform their job.

## Concept of Operations

The Town Supervisor of the Town of New Lebanon, their designee, or their successor holds the authority to execute and direct the implementation of this plan. Implementation, monitoring of operations and adjustments to plan implementation may be supported by additional personnel, at the discretion of the Town Supervisor.

Upon the determination of implementing this plan, all employees and contractors of the Town of New Lebanon shall be notified by Town email and Town website, with details provided as possible and necessary, with additional information and updates provided on a regular basis. Additionally, a copy of the implemented plan shall be maintained on the Town’s website and available from the Town Supervisor upon request. Department non-employees/consultants will be notified of pertinent operational changes by way of the department head or designee, email or Town website access. Other interested parties, such as vendors, will be notified by phone and/or email as necessary. The Town Supervisor, or designee, will maintain communications with the public and constituents as needed throughout the implementation of this plan.

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

Upon resolution of the public health emergency, the Town Supervisor of the Town of New Lebanon, their designee, or their successor will direct the resumption of normal operations or operations with modifications as necessary.

## Operations Plan

When confronting events that disrupt normal operations, the Town of New Lebanon is committed to ensuring that operations continue and essential services will be continued even under the most challenging circumstances.

The following are titles by department that are identified as providing essential services/functions that requires certain positions to be 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 positions that cannot perform their duties fully while in remote status are listed with the percentage of their weekly scheduled hours that they must be on-site.

Essential Function	Essential Positions/Titles	Justification for Each
Town Clerk	<ul style="list-style-type: none"> <li>• Town Clerk / RMO / Registrar</li> <li>• Deputy Town Clerk / Deputy RMO / Deputy Registrar</li> </ul>	<ul style="list-style-type: none"> <li>• 60% of workload can be done remotely &amp; 40% of workload requires access to office including, but not limited to:                             <ul style="list-style-type: none"> <li>- Processing Town Mail</li> <li>- Processing Payments, Deposits, Etc.</li> <li>- Filing &amp; Records Management</li> <li>- Dog Licenses</li> <li>- DECALS</li> <li>- Marriage Licenses</li> <li>- Vital Records</li> <li>- FOIL Requests</li> </ul> </li> </ul>
Town Supervisor	<ul style="list-style-type: none"> <li>• Town Supervisor</li> <li>• Human Resources</li> <li>• Budget Officer</li> <li>• Bookkeeper</li> </ul>	<ul style="list-style-type: none"> <li>• 80% of workload can be done remotely &amp; 20% of workload requires access to office including, but not limited to:                             <ul style="list-style-type: none"> <li>- Processing Mail</li> <li>- Processing Payments, Payroll, Deposits, Etc.</li> <li>- Access to Files</li> <li>- Oversight of Town Buildings and Properties</li> <li>- HR enforcement roles such as mask wearing compliance of town staff</li> <li>- Emergency Management (does not necessarily need office access but cannot be done remotely and may require on site access in various locations)</li> </ul> </li> </ul>
Tax Collector	<ul style="list-style-type: none"> <li>• Tax Collector</li> </ul>	<ul style="list-style-type: none"> <li>• 80% of workload can be done remotely &amp; 20% of workload requires access to office including, but not limited to:                             <ul style="list-style-type: none"> <li>- Processing Mail</li> <li>- Processing Payments</li> <li>- Remote Deposits</li> <li>- Access to Files</li> </ul> </li> </ul>
Building Department	<ul style="list-style-type: none"> <li>• CEO</li> <li>• ZEO</li> <li>• Deputy CEO</li> </ul>	<ul style="list-style-type: none"> <li>• 80% of workload can be done remotely &amp; 20% of workload requires access to office including, but not limited to:                             <ul style="list-style-type: none"> <li>- Fulfilling FOIL requests</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Deputy ZEO</li> <li>• PZ Clerk</li> <li>• Building Department Administrator</li> </ul>	<ul style="list-style-type: none"> <li>- Filing</li> <li>- C of O and other searches that require access to physical files</li> <li>- Processing Mail</li> <li>- Processing Payments</li> <li>- Building Permit Renewals</li> </ul>
Assessor	<ul style="list-style-type: none"> <li>• Assessor</li> <li>• Assessor's Clerk</li> </ul>	<ul style="list-style-type: none"> <li>• 80% of workload can be done remotely &amp; 20% of workload requires access to office including, but not limited to:             <ul style="list-style-type: none"> <li>- Collecting new building permit application info.</li> <li>- Searching through building department files, looking at plans, etc.</li> <li>- Filing</li> <li>- Processing Mail</li> <li>- Large scale scanning</li> </ul> </li> </ul>
Park & Building Maintenance	<ul style="list-style-type: none"> <li>• Parks/Grounds/Bldg Maintenance Superintendent</li> <li>• Park Maintenance Staff</li> </ul>	<ul style="list-style-type: none"> <li>• 100% of the workload for these positions must be done from town property</li> </ul>
Highway Department	<ul style="list-style-type: none"> <li>• Highway Superintendent</li> <li>• Equipment Operator/Mechanic</li> </ul>	<ul style="list-style-type: none"> <li>• 100% of the workload for these positions must be done from town property</li> </ul>
Dog Control Officer	<ul style="list-style-type: none"> <li>• Dog Control Officer</li> </ul>	<ul style="list-style-type: none"> <li>• This position does not require access to town buildings and properties but only 20% of the work can be done remotely (such as phone calls, emails and processing citations) – 80% of the work involves on site and in person work in various locations across Town and potentially to/from the Humane Society in Hudson</li> </ul>
Summer Camp	<ul style="list-style-type: none"> <li>• Camp/Program Director</li> <li>• Assistant Program Director</li> <li>• Counselors</li> <li>• Counselors in Training</li> </ul>	<ul style="list-style-type: none"> <li>• Camp is not considered an essential service but IF camp is in session, 100% of the work must be done on site with the exception of paperwork done by the camp/program director</li> </ul>
Court	<ul style="list-style-type: none"> <li>• Town Justices</li> <li>• Court Clerk</li> <li>• Deputy Court Clerk</li> <li>• 2<sup>nd</sup> Deputy Court Clerk</li> </ul>	<ul style="list-style-type: none"> <li>• 100% of the workload for these positions must be done from town property</li> <li>• Please note OCA typically deems when court staff can work in the building and when they must stay home – no work can be done remotely when OCA deems they stay home</li> </ul>



## 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.

### 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
    - i. Note that phone lines may need to be forwarded to off-site staff

**For the *Town of New Lebanon Emergency Teleworking Policy*, please refer to Appendix A.**

### Staggered Shifts

Implementing staggered shifts may be possible for personnel performing duties which are necessary to be performed on-site but perhaps less sensitive to being accomplished only within core business hours. As possible, management will identify opportunities for staff to work outside core business hours as a strategy of limiting exposure. Regardless of changes in start and end times of shifts, the Town of New Lebanon 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

Town Departments that are able to accommodate staggered shifts and still maintain the requirements of their daily operations must complete the following steps in order to do so:

1. Develop a plan detailing how the department will be able to maintain daily operations with staffing performing their duties outside of traditional business operations, and the duration of the plan.
2. The plan will be presented, and approved, by the Town Supervisor.
3. The department plan can be implemented.

## 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, but not limited to:

- Masks (cloth and disposable)
- Face shields
- Gloves

- Disposable gowns and aprons
- Cleaning supplies
- Hand soap
- Hand sanitizer

Note that while cleaning supplies are not PPE, the Town has included same as they are essential to assist in stopping the spread of communicable disease. 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.

**For the Town of New Lebanon Personal Protective Equipment (PPE) for Town Employees during a Public Health Emergency Policy, please refer to Appendix B.**

## 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 and NYS DOH guidelines, we have established the below protocols:

- A. If employees or non-employee/contractors are exposed to a confirmed or suspected 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<sup>1</sup>) should remain quarantined at home or in a comparable setting and practice social distancing for the lesser of 14 days or other current CDC/DOH public health guidance for the communicable disease in question:
  1. Employees or non-employee/contractors who have been exposed to a confirmed or suspected case and do not have symptoms should:
    - a. If possible, with department head approval, be permitted to work remotely during this period of time if they are not symptomatic and physically able to work.
    - b. The employee will ensure that their hours worked will be documented and reported to their department payroll processor.
    - c. The Town Human Resources/Payroll Office will be notified by the department head and/or employee of the work from home/quarantine status.
  2. CDC and DOH guidelines for COVID-19 provide that critical essential employees may be permitted to continue works following potential exposure, provided they remain symptom-free and additional precautions are taken to protect them, other employees and contractors, and our constituency/public.
    - a. After consultation with the Columbia Town Health Department, the department head of the subject employee or non-employee/contractor will be responsible for ensuring the protocols below are followed.
    - b. Additional precautions will include the requirement of the subject employee or non-employee/contractor, as well as others working in their proximity, to wear appropriate PPE at all times to limit the potential of transmission.

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<sup>1</sup> Or as may be further defined or amended.

- c. In-person interactions with the subject employee or non-employee/contractor will be limited as much as possible.
  - d. Work areas in which the subject employee or non-employee/contractor are present will be disinfected according to current CDC/public health protocol. See the section on Cleaning and Disinfection for additional information.
  - e. If at any time they exhibit symptoms, refer to item B below.
- B. If an employee or non-employee/contractor exhibits symptoms of the communicable disease that is the subject of the public health emergency:
1. Employees and non-employee/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. The department head, or designee, will contact the Town Supervisor for sterilizing and cleaning of the employee's or non-employee/contractor's work area, or the entire department, if necessary.
  3. Employees and non-employee/contractors who exhibit symptoms outside of work should notify the Town Supervisor and stay home, with a recommendation to contact their physician.
  4. Employees should not return to work until they have met the criteria to discontinue home quarantine per CDC/public health guidance and have consulted with a healthcare provider.
  5. Any employee or non-employee/contractor placed on quarantine by a local Health Department must notify the Town Supervisor of the quarantine.
  6. Copies of any quarantine order must be supplied to the Town Supervisor.
  7. Any non-employee/contractor placed on quarantine by a local Health Department must notify the Town Supervisor of the quarantine.
  8. The Town of New Lebanon 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.
  9. CDC criteria for COVID-19 provides that persons exhibiting symptoms may return to work if at least 24 hours have passed since the last instance of fever without the use of fever-reducing medications. If the disease in question is other than COVID-19, CDC and other public guidance shall be referenced.
  10. The Town Supervisor, or designee, is responsible for ensuring these protocols are followed.
- C. If an employee or non-employee/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 non-employee/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 non-employee/contractor exposures will be conducted
  - a. If an employee or non-employee/contractor is confirmed to have the disease in question, the Town Supervisor should inform all contacts of their possible exposure. Confidentiality shall be maintained as required by law.
  - b. Apply the steps identified in item A, above, as applicable, for all potentially exposed personnel.
4. The Town Supervisor, or designee, is responsible for ensuring these protocols are followed.

We recognize there may be nuances or complexities associated with potential exposures, close contacts, symptomatic persons, and those testing positive. We will follow CDC/public health recommendations and requirements and coordinate with our county public health department 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 personal workspaces daily, or when they deem necessary (Ex. Desktop, phone, keyboard, etc.).
2. High traffic/high touch areas and common areas which are accessible to the public/constituents will be disinfected multiple times daily by the town staff in accordance with CDC/public health recommendations and requirements.
3. Staff tasked with cleaning and disinfecting areas will be issued and required to wear PPE appropriate to the task.
4. Soiled surfaces will be cleaned with soap and water before being disinfected.
5. Surfaces will be disinfected with products that meet EPA criteria for use against the virus in question and which are appropriate for that surface.
6. Staff will follow instructions of cleaning products to ensure safe and effective use of the products.
7. Departments in need of additional cleaning products must request additional supplies from the Town Clerk's Office.
8. Cleaning concerns, or requirements of cleaning in specific department areas, must be reported through a Department Head, or designee, to the Town Supervisor.

### Employee and Non-Employee/Contractor Leave

Public health emergencies are extenuating and unanticipated circumstances in which the Town of New Lebanon is committed to reducing the burden on our employees and contractors. The *Families First Coronavirus Response Act* provided requirements related to the COVID-19 pandemic, which form the policies outlined below. While this Act expired on December 31, 2020, the Town has determined extend the provisions of the Act through March 31, 2021. This policy may be altered thereafter or based upon changes in law or regulation interim, as applicable.

It is our policy that employees of the Town of New Lebanon will not be charged with leave time for testing. Employees will be provided with up to two weeks (70 hours or 80 hours dependent on their regular scheduled two week pay period) 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, in accordance with the NYS

Department of Labor, if an employee, who has already utilized COVID-19 Sick Leave pay and subsequently tests positive, they shall be entitled to two additional periods of paid COVID-19 Sick Leave if each of the subsequent leaves are a result of positive test.

Further, through March 31, 2021, the Town of New Lebanon will provide up to two weeks (70 hours or 80 hours dependent on their regular scheduled two week pay period) 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, the Town of New Lebanon 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 the Town of New Lebanon, 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.

Non-Employees/Contractors, either independent or affiliated with a contracted firm, are not classified as employees of the Town of New Lebanon, and as such are not provided with paid leave time by the Town of New Lebanon, unless required by law.

## Documentation of Work Hours and Locations

In a public health emergency, it may be necessary to document work hours and locations of each employee and contractor to support contact tracing efforts. Identification of locations shall include on-site work, off-site visits. This information may be used by the Town of New Lebanon to support contact tracing within the organization and may be shared with local public health officials.

Work schedules, both regularly scheduled and varying, are maintained within each Town department, and are accessible through the department head or supervisor in each department. Manual records of time keeping and time off requests are accessible through the Town Supervisor.

## Housing for Essential Employees

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

If such a need arises, the Town Supervisor will identify and arrange for these housing needs.

## Procedure to Report and Protections

In the event that an employee or contract worker becomes aware of any alleged or believed violations of Labor Law 27-c or the provisions of this plan, they may submit the information of such alleged or believed violations by informing the Town Supervisor. They shall be tasked with reviewing and addressing any said reports.

Notification shall be made in writing, which may be submitted via email, hand delivery to their respective offices or by first class mail to PO Box 328, New Lebanon, NY, 12125.

No employee shall suffer retaliation or discrimination for making suggestions or recommendations regarding the content of the Town's plan.

The requirements of NYS Labor Law section 27-c shall not in any way be deemed to impede, infringer, diminish or impairs the rights of the employee and the Town as established under any law, rule, regulation or collective bargaining agreement, or the rights and benefits that accrue to employees through the collective bargaining agreement or otherwise diminish the integrity of the existing collective bargaining agreements.

## Appendix A

### Town of New Lebanon Policies and Procedures Personnel

#### Town of New Lebanon Emergency Teleworking Policy

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On March 16, 2020, a State of Emergency was declared in Columbia County in response to the COVID-19 outbreak, prompting the Town of New Lebanon to implement remote working protocols to protect the health and safety of the Town's workforce. The following policy sets forth guidelines by which eligible employees may work remotely during the COVID-19 New York State and/or Columbia County declared State of Emergency. This policy is temporary and is in effect only for the duration of the COVID-19 State of Emergency, or unless otherwise extended by the Town. This policy will be reviewed periodically and may evolve and be amended as needed. This policy applies to all employees.

#### **Purpose and Intent**

During the COVID-19 State of Emergency, Town employees must continue to provide services that the community expects and is reliant upon. In order to continue operations, the intent is for employees to work at their regular worksites. However, when working onsite is not possible due to the impact of COVID-19, and job duties and technology allow, Town employees will be able to work remotely or telework.

Teleworking is a temporary arrangement necessitated by COVID-19. Teleworking may be appropriate for some employees and/or jobs and not others. This determination will be made exclusively by the Town of New Lebanon.

Teleworking is not an entitlement, and in no way changes the terms and conditions of employment with the Town. Additionally, teleworking does not change the essential job duties and responsibilities of an employee's position.

Any Teleworking assignment will be evaluated as frequently as the Department Head/Town believes is necessary and may be discontinued at any time by the Department Head/Town or at the request of the employee.

These guidelines outline best practices specific to teleworking during the COVID-19 State of Emergency, including eligibility to telework, pay, hours worked and information regarding reasonable accommodations that may be different from accommodations under the Americans with Disabilities Act (ADA), currently in place in some Town Departments.

#### **COVID-19 Teleworking Guidelines**

##### **Hours Worked**

All employees who work when the Town is open, either remotely or on-site, shall be paid for hours worked at their regular hourly rate of pay.

## **Who May Work Remotely**

Permitted situations where Teleworking may be authorized, assuming the employee is healthy and can perform the essential job duties and responsibilities of their Columbia County Civil Service job description remotely, include:

- Employee is healthy but dependent has symptoms or diagnosis related to COVID-19 that have been confirmed by a health care professional. For additional information on COVID-19 symptoms please consult online resources from the Centers for Disease Control and Prevention ("CDC"), the Columbia County Health Department, or the Human Resources Department.
- Employee is healthy, but placed under COVID-19 related quarantine by their health care provider or the Health Department.
- Employee is at a higher risk for contracting COVID-19 as defined by the CDC (higher risk groups include being 60 years or older, having an underlying health condition or being immunocompromised).
- Employee needs to provide care to dependents due to COVID-19 related school and/or daycare closures.
- Employee has recently traveled to a high-risk area, as identified by the CDC or the state, or may have some other exposure to COVID-19.
- Non-essential Town staff that have been approved to work from home as directed by the Town Supervisors.

## **Requests**

All requests for teleworking must be made to the Department Head. Requests and considerations for teleworking will be at the discretion of the Department Head, with final approval made by the Town supervisor.

Any Teleworking arrangement may be discontinued, at any time by the Town or at the request of the employee.

Where the request to telework is a request for a reasonable accommodation, the Department Head must notify Human Resources immediately to begin the usual interactive process of assessing the accommodation.

## **Priorities & Essential Work**

The employee and supervisor will evaluate the responsibilities and priorities of the position, considering customer/client/collaborator impact and feasibility of completing some or all duties remotely.

The business of the Town will take precedence over teleworking work days. Employees may, at the discretion of their immediate supervisor or Department Head, be called to work at their centrally located worksite on their regular teleworking workday, to meet workload or operational requirements.

In the event an employee does not have enough work available remotely to fill their regular work day, or has demands on their time such as child care that make it impossible to work their full work day, the employee must submit only for time actually worked. For all other hours, the



employee must utilize other leave credit for the remaining hours or request COVID-19 Paid Sick Leave credit if employee meets eligibility requirements.

### **Technology**

Town department heads should work with the Columbia County MIS Department for technology needs allowing the employee to work remotely. This may be a Town issued or personal desktop or laptop computer. Columbia County MIS will not provide technical support for personal devices, other than support needed to set up remote access.

In certain circumstances, employees may be provided with a Town -issued laptop or other equipment. Equipment and/or service that the Town provides to the employee is Town property and may be recovered or discontinued at any time and at the sole discretion of the Town.

Employees are required to adhere to all Town policies and procedures while using remote access capabilities. Additionally, employees are required to take the necessary steps to keep all equipment and/or services used for remote access in a safe location and avoid any misuse. No one other than the Town employee is allowed to access Town documents or utilize Town equipment. Unauthorized use of Town property is strictly prohibited.

### **Computer and Internet**

To work remotely an internet connection is required. The Town will not reimburse for internet or phone expenses incurred, or any damages you may experience to your personal devices. Employees are responsible for following all Town practices and policies to maintain security and protect confidentiality on a device.

### **Home Environment**

Supervisors and employees must consider whether the home environment is conducive to remote work. Factors to be considered include the demands of other household members, household construction, appropriate lighting, seating, and other basic conditions. Employees should set expectations with other household members regarding interactions and availability. Remote working is not intended to enable employees to conduct personal or non-Town business while on Town time.

To ensure that employee performance will not suffer in remote work arrangements, the Town requires employees to:

- Choose a quiet and distraction free working space
- Dedicate their full attention to their job duties during working hours
- Adhere to normal break and attendance schedules
- Be accessible to Town personnel by phone and/or email within the same timeframes as if employee was working in their regular office setting
- Maintain strict confidentiality of Town and/or client information
- Adhere to all Town policies and procedures as if working from their regular office setting
- Keep non-work related interruptions to a minimum

### **Pay**

All employees who work remotely when the Town is open will be paid for hours worked at their regular hourly rate of pay. As is regular practice, overtime while working remotely must be approved in advance by the employee's supervisor or Department Head. Employees will record their daily hours worked on timesheets and submit their timesheets bi-weekly in accordance with Town payroll deadlines.

### **Remote Agreements & Expectations**

Department Heads or supervisors and employees shall sign the acknowledgement of this Teleworking Policy.

### **Time & Performance**

Department Heads must identify and clearly outline to an employee a system of how time and performance will be managed. All systems must include methods of regular communication specific to work priorities, deliverables, timelines, etc.

### **Hours of Work and Reimbursement:**

Employees are required to take rest and meal breaks per NYS Labor Laws and applicable collective bargaining agreements. The Town will not reimburse the employee for the cost of any off-site related expenses and any personal tax implications related to the teleworking location shall be the employee's responsibility.

### **Liability**

Workers Compensation benefits will apply only to injuries arising out of and in the course of employment as defined by New York State Workers' Compensation Law. The employee must report any such work-related injuries to their supervisor or Department Head immediately. The employee must allow inspections of the employee's work area(s), home office, or other relevant location to be conducted by the Town or its agent if a job-related incident, accident, or injury has occurred. The Town is not responsible for any loss, damage, destruction to property or for any injury or loss to third persons at the approved teleworking site.

### **Confidentiality and Non-Disclosure:**

During the course of their employment with the Town of New Lebanon, the aforementioned employee has gained knowledge of and/or access to confidential and proprietary information of the Town. By the execution of this agreement, the employee understands that while teleworking they are expressly prohibited from disclosing confidential and proprietary information to any unauthorized person, company, or other entity and are prohibited from using any such information for personal gain or profit. The employee understands that confidential and proprietary information, systems, or data and all items made or compiled by the employee or made available to the employee during any period of teleworking shall be and remain exclusive property of the Town. Upon cessation of teleworking, the employee shall immediately return any such property to the Town and no copies thereof may be kept by the employee at the teleworking worksite.

### **Agreement Acknowledgment:**

I have read and understand this teleworking policy and agreement and all its provisions. By signing below, I agree to be bound by all terms and conditions within this teleworking agreement and the Town's policies. I understand it is my responsibility to make the teleworking arrangement a success. Failure to adhere to the provisions set forth may result in disciplinary action, including but not limited to immediate termination of the teleworking arrangement.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Department Head Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix B

**Town of New Lebanon  
Policies and Procedures  
Safety and Security  
Personal Protective Equipment (PPE)  
for Town Employees/Non-Employees  
during a Public Health Emergency**

**Purpose**

In accordance with the recommendations from the Center for Disease Control and Prevention (“CDC”) and the New York State Department of Health (“NYSDOH”) in regards to Personal Protective Equipment (“PPE”) and the ability of PPE to prevent the spread of infectious disease during a public health emergency, the purpose of this policy is to outline the procedures for Town Departments to procure, store and dispense PPE for its employees, non-employees/contractors and building visitors.

**Applicability**

This policy is applicable to all Town employees, non-employees/contractors, and visitors on all Town owned or leased properties, and the buildings located on those properties.

**Procedure**

The purpose of PPE usage during a public health emergency is to reduce the spread of infectious disease. PPE for a public health emergency may include, but not limited to:

- Masks (cloth masks for employees/non-employees/contractors)
- Masks (disposable masks for visitors)
- Face shields
- Gloves
- Disposable gowns and aprons
- Cleaning supplies
- Hand soap
- Hand sanitizer

The type of PPE available to each Town Department will be based on the job duties of the individuals in the department, and locations in which the job is performed. Requests for specialized PPE (i.e. N-95 masks, respirators, etc.) through the procurement process will be reviewed by the Town Supervisor.

1. Procurement of PPE
  - a. Each Town Department will be responsible for the ordering of PPE supplies through the Town Clerk’s Office.
  - b. This will include PPE supplies for each department’s employees, non-employees/contractors and visitors.
  - c. As the procurement of supplies may become delayed, departments should ensure orders for additional supplies are completed prior to the exhaustion of department PPE supplies.
2. Storage of PPE

- a. Town Departments will maintain PPE inventory equal to 25% of their total number of employees and non-employee/contractors.
  - b. Town Departments will maintain PPE inventory equal to 25% of the estimated number of department visitors in a three (3) month period.
  - c. PPE must be stored in the town hall in an area that will prevent degradation.
  - d. The supply and inventory of PPE must be monitored to ensure integrity and to track usage rates.
3. Dispensing
- a. All department employees and non-employees/contractors must be informed where to obtain PPE within their department.
  - b. Employees and non-employees/contractors will be provided with Town issued PPE at no cost.
  - c. In the event of an emergency, employees and non-employees/contractors must have availability to replacement PPE, if necessary.
  - d. Employees, non-employees/contractors and visitors may choose to provide their own face masks, and will ensure that they comply with at least the minimum standards of safety from the CDC.
4. Town PPE Stockpile
- a. The Town Clerk's Office, in combination with the Town Supervisor, will be responsible for the ordering, storage and maintenance of the Town's stockpile inventory of PPE.
  - b. This stockpile inventory will be maintained in the event that traditional ordering methods and/or supply shortages affect the ability to maintain supplies for Town Departments.

#### **Employee and Non-Employee/Contractor Responsibilities**

In accordance with this policy, and to assist in preventing an infectious disease during a public health emergency, all Town employees and non-employees/Contractors will comply with the following:

- Employees and non-employees/contractors will receive Town issued initial and replacement PPE at no cost.
- Assigned PPE will be worn as directed by the Columbia Town Supervisor, and their department head, and in compliance with all mandates and recommendations from the CDC and the NYSDOH.
- PPE must be cleaned or replaced after use or when damaged or soiled
- PPE may not be shared

#### **Visitor Responsibilities**

In accordance with this policy, and to assist in preventing an infectious disease during a public health emergency, Visitors to all Town departments and properties will comply with the following:

- If Visitors do not have their own proper facial covering, they will receive Town issued masks at no cost.
- Visitor's masks will be worn as directed by the Town Supervisor, and their department head, and in compliance with all mandates and recommendations from the CDC and the NYSDOH.

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*Policy Enacted:*

*Resolution #:*

*Dated:*