

## **SECTION TWO: CITY-WIDE POLICIES AND PROTOCOLS**

### **COVID-19 PREVENTION PROGRAM (CPP)**

#### **I. PURPOSE:**

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

Nothing in this CPP precludes the City from complying with federal, state, or local laws or public health order or guidance that may recommend or require measures that are more prescriptive and/or restrictive than those that are provided herein.

#### **II. SCOPE**

Unless one of the following exceptions provided below applies, this CPP applies to all City employees except for City employees (hereinafter referred to as "employees"), including those who are "fully vaccinated".

The following employees are exempt from coverage under the CPP: (1) Employees who are teleworking from home or a location of the employee's choice that is not under the control of the City; (2) Employees who are working in or at a work location and do not have contact with any other individuals; and (3) Employees that because of their tasks, activities or work location have with occupational exposure as defined by the Aerosol Transmissible Diseases ("ATD") regulation (*i.e.*, 8 C.C.R. § 5199).

#### **III. DEFINITIONS:**

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

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

"COVID-19 case" means a person who either: (1) Has a positive "COVID-19 test" as defined in this section; (2) Is subject to COVID-19-related order to isolate issued by a local or state health official; (3) Has a positive COVID-19 diagnosis from a licensed health care provider; or (4) Has died due to COVID-19, in the determination of a local health department or per inclusion in the COVID-19 statistics of a county.

"Close contact COVID-19 exposure" means being within six (6) feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the "high-risk exposure period" as defined here. This definition applies regardless of the use of face coverings. Employees who were wearing a respirator as required by the City and who used such respirator in compliance with Title 8 Section 5144 during contact with a COVID-19 case will be deemed not to have had close contact COVID-19 exposure.

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

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

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

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

“Exposed group” means all employees at a work location, working area, or a common area at work, where a COVID-19 case was present at any time during the high-risk exposure period. However, if the COVID-19 case visited a work location, working area, or a common area at work for less than 15 minutes during the high-risk exposure period, and all employees were wearing face coverings at the time the COVID-19 case was present, other people at the work location, working area, or common area would not constitute part of the exposed group. Common areas at work includes bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. However, places where employees momentarily pass through while everyone is wearing face coverings, without congregating, is not a work location, working area, or a common area at work.

“Face covering” means a surgical mask, a medical procedure mask, a respirator worn voluntarily, or a tightly woven fabric or non-woven material of at least two layers. A face covering has no visible holes or openings, and must cover the nose and mouth. A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.

“Fully vaccinated” means the City has documented that the person received, at least 14 days prior, either the second dose in a two-dose COVID-19 vaccine series or a single-dose COVID-19 vaccine. Vaccines must be FDA approved; have an emergency use authorization from the FDA; or, for persons fully vaccinated outside the United States, be listed for emergency use by the World Health Organization (WHO).

“High-risk exposure period” means the following: (1) For COVID-19 cases who develop COVID-19 symptoms: from two (2) days before they first develop symptoms until each of the following are true: (1) it has been ten (10) days since symptoms first appeared, (2) 24 hours have passed with no fever, without the use of fever-reducing medications, and symptoms have improved; and (3) symptoms have improved: or For COVID-19 cases who never develop COVID-19 symptoms: from two (2) days before until ten (10) days after the specimen for their first positive test for COVID-19 was collected.

“Respirator” means a respiratory protection device approved by the National Institute for Occupational Safety and Health (“NIOSH”) to protect the wearer from particulate matter, such as an N95 filtering facepiece respirator.

“Worksite,” for the limited purposes of COVID-19 prevention regulations only, means the building, store, facility, agricultural field, or other location where a COVID-19 case was present during the high-risk exposure period. It does not apply to buildings, floors, or other locations of the City that a COVID-19 case did not enter.

#### IV. **PROGRAM**

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

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

The City requires that City employees immediately report to their manager or supervisor or to the Department of Human Resources any of the following: (1) the employee’s presentation of COVID-19 symptoms; (2) the employee’s possible COVID-19 close contact exposures; (3) possible COVID-19 hazards at City worksites or facilities.

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

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

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

For all employees who request such an accommodation, including fully vaccinated employees, the City will require that the employee provide information from the employee’s health care provider explaining why the employee requires an accommodation.

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

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

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

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

1. Asthma (moderate-to-severe)

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

The City will periodically review the following web address in order to account for any additional medical conditions and other conditions that the CDC has identified as placing or potentially placing individuals at an increased risk of severe COVID-19: <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html> (Last updated on May 13, 2021).

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

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

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

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

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

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

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

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

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

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

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

City policy provides that City employees will self-screen for COVID-19 symptoms prior to reporting to any City worksite or facility.

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

Should a employee present COVID-19 symptoms during a self-screen, the employee must remain at or return to their home or place of residence and not report to work until such time as the employee satisfies the minimum criteria in order to return to work. (as discussed in Section IV.J. of this CPP).

The City will advise employees of any leaves to which they may be entitled during this self-quarantine period, including, but not limited to COVID-19 Supplemental Paid Sick Leave (“SPSL”).

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

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

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

The City will advise employees of any leaves to which they may be entitled during this self-isolation period, but not limited to SPSL.

The City complies fully and faithfully with all reporting and recording obligations as required under the law, including, but not limited to, reporting the COVID-19 case to the following individuals and entities as required based on the individual circumstances: (1) the local health department; (2) Cal/OSHA; (3) employees who were present at a City worksite or facility when the COVID-19 case was present; (4) Employee organizations that represent employees at the City worksite or facility; (4) Employers of subcontracted employees who were present at the City worksite or facility; and (5) the City’s workers’ compensation plan administrator.

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

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

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

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

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

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

Further, the City will treat all persons, regardless of the presentation of COVID-19 symptoms or COVID-19 status, as potentially infectious.

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

For indoor City worksites and facilities, the City evaluates how to maximize the ventilation of outdoor air, provide the highest level of filtration I compatible with the worksites and facilities' existing ventilation systems; and whether the use of portable or mounted High Efficiency Particulate Air ("HEPA") filtration units, or other air cleaning systems, would reduce the risk of COVID-19 transmission.

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

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

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

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

Periodically, the City evaluates existing COVID-19 prevention controls at the workplace and assess whether different and/or additional controls may be needed.

This includes evaluation of controls related to the correction of COVID-19 hazards, physical distancing, face coverings, engineering controls, administrative controls, and personal protective equipment (PPE) (as discussed at Section VI, subsections D, and F-H of this CPP).

Appendix B may be used for this evaluation.

#### **8. Periodic Inspections**

The City conducts periodic inspections of City worksites and facilities using Appendix A as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with the City's COVID-19 policies and procedures, including, but not limited to this CPP.

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

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

The City developed a procedure for investigating COVID-19 cases in the workplace which provides for the following: (1) requesting information from employees regarding COVID-19 cases; (2) contact tracing of employees who have had a close contact COVID-19 exposure; (3) requesting COVID-19 test results from employees who may have had a close contact COVID-19 exposure; (4) requesting information from employees regarding the presentation of COVID-19 symptoms; and (5) identifying and recording all COVID-19 cases. This will be accomplished by using Appendix C.

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

As provided above at Section IV.B.3., in the event that an employee tests positive for COVID-19 or are diagnosed with COVID-19 by a health care provider, the City will instruct the employee to remain at or return to their home or place of residence and not report to work until such time as the employee satisfies the minimum criteria to return to work (as discussed in Section IV.J. of this CPP).

#### **a. Contact Tracing**

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

If the City determines that there were any close contact COVID-19 exposures, the City will instruct those employees to remain at their home or place of residence and not report to work until such time as the employees satisfy the minimum criteria to return to work (as discussed in Section IV.J. of this CPP). Further, the City will instruct those employees to be tested for COVID-19, and that the City will provide for such testing during paid time, as discussed in subsection c. below.

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

The City fully and faithfully complies with all reporting and recording obligations as required under the law, including, but not limited to, reporting the COVID-19 case to the following individuals and entities described below.

Within one (1) business day of the time the City knew or should have known of a COVID-19 case, the City will give written notice of a potential workplace exposure to the following individuals: (1) All employees at the worksite or facility during the COVID-19 case's high-risk exposure period; (2) Independent contractors at the worksite or facility during the COVID-19 case's high-risk exposure period; and (3) Other employers at the worksite or facility during the COVID-19 case's high-risk exposure period. The City will provide notice by either personal service, email, or text message.

The City's notice(s) will not reveal any personal identifying information of the COVID-19 case. The notice will include information about the City's disinfection plan.

Within one (1) business day of the time the City knew or should have known of the COVID-19 case, the City will also provide the notice of the potential workplace exposure to the authorized

representative of any employee at the worksite or facility during the COVID-19 case's high-risk exposure period.

**c. Offer of Free COVID-19 Testing Following a Close Contact COVID-19 Exposure**

The City makes COVID-19 testing at no cost to all employees who had a close contact COVID-19 exposure at a City worksite or facility. The City will offer employees COVID-19 testing during paid time whether during the employee's regular work schedule or otherwise, and will provide compensation for the time that the employee spends waiting for and being tested.

Employees may be tested at a Project Baseline testing site, Kaiser Occupational Health, the employee's own primary care physician site or <https://www.smcgov.org/testing>, or another testing site.

The City will not provide free COVID-19 testing to the following two (2) classes of employees: (1) Employees who were fully vaccinated before the close contact COVID-19 exposure and who do not have COVID-19 symptoms, and (2) COVID-19 cases who returned to work pursuant to the criteria set forth in Section K of this CPP and have remained free of COVID-19 symptoms, for 90 days after the initial onset of COVID-19 symptoms or, for COVID-19 cases who never developed symptoms, for 90 days after the first positive test.

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

The City provides employees that had a close contact COVID-19 exposure with information regarding COVID-19-related benefits to which the employees may be entitled under applicable federal, state, or local law, the City's own leave policies, and leave guaranteed by contract. These benefits include, but are not limited to, SPSL.

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

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

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

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

**3. Confidential Medical Information**

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

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

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



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

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

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

### **1. COVID-19 Symptoms**

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

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

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

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

In addition to providing training and instruction on COVID-19 symptoms, the City provides information and instruction on the importance of employees not coming to work if they have any COVID-19 symptoms. As discussed below, the City provides information on paid leaves to which employees may be entitled if they are experiencing a COVID-19 symptom and would like to be tested for COVID-19.

### **2. COVID-19 Vaccinations**

The City provides employees information and instruction on the fact that COVID-19 vaccines are effective at both preventing the transmission of the virus that causes COVID-19 and preventing serious illness or death, and how employees may receive paid leave for reasons related to COVID-19 vaccinations.

As discussed below, the City provides information on paid leaves to which employees may be entitled in order for them to be vaccinated and in the event that they experience any illness or adverse effects as a result of such vaccination.

### **3. City's COVID-19 Policies and Procedures**

The City provides regular updates to employees on the City's policies and procedures adopted in order to prevent COVID-19 hazards at City worksites and facilities, how such policies and procedures are intended to protect the health and safety of employees and City worksites and facilities, and how employees may participate in the identification and evaluation of COVID-19 hazards in order to make such worksites and facilities healthier and safer for themselves and others.

#### **4. COVID-19 Related Benefits**

The City advises and provides updates to employees of the leaves to which the employees may be entitled under applicable federal, state, or local laws as well as the City's own leave policies. Paid leave benefits include, but are not limited to SPSL.

Further, when employees require leave in order to receive a COVID-19 test or to be vaccinated or are directed not to report to work by the City for reasons related to the presentation of COVID-19 symptoms, the City will advise the employees of the leaves to which the employees may be entitled for that specific reason.

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

The City advises and provides updates to employees about the known spread and transmission of COVID-19. The City specifically advises employees of the following: (1) that COVID-19 is an infectious respiratory disease; (2) that the virus that causes COVID-19 can be spread through the air when an infectious person talks or vocalizes, sneezes, coughs, or exhales; (3) that particles containing the virus can travel more than six (6) feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, including hand washing, in order to be effective; (4) that COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth, although that is less common; and (5) that an infectious person may have present no COVID-19 symptoms or be pre-symptomatic.

#### **6. Hand Hygiene, Face Coverings, and Respirators**

The City advises employees of the importance of physical distancing, face coverings, and hand hygiene, including hand washing, and instructs employees that the combination of physical distancing, face coverings, increased ventilation indoors, and respiratory protection make such preventative measures most effective.

With respect to hand hygiene, the City provides employees information regarding the importance of frequent hand washing, that hand washing is the most effective when soap and water are used and the employee washes for at least 20 seconds. The City instructs employees to use hand sanitizer when employees do not have immediate access to a hand washing facility (i.e., a sink), and that hand sanitizer will not be effective if the employee's hands are soiled.

With respect to face coverings and respirators, the City provides employees information on the benefits of face coverings, both to themselves and to others. The City also provides employees instructions on the proper use of face coverings and the differences between face coverings and respirators.

The City will provide certain employees respirators for their use in certain circumstances, including to individuals who are not fully vaccinated, who are working indoors or in a vehicle with more than one person, and who request the devices for their use at work. At such time as the City provides respirators to employees for their use, it will provide such employees training on the proper use of such respirators, including, but not limited to, the method by which employees may check the seal of such respirator in conformance with the manufacturer's instructions.

The City will provide training on the conditions under which face coverings must be worn at the workplace and that face coverings are additionally recommended outdoors for people who are not fully vaccinated if six feet of distance between people cannot be maintained. Employees can request face coverings from the City at no cost to the employee and can wear them at work, regardless of vaccination status, without fear of retaliation.

### **F. FACE COVERINGS**

## **1. General Face Covering Requirements**

The City provides face coverings to all employees who are not fully vaccinated and requires that such face coverings are worn by employees when indoors or in vehicles, unless certain conditions are satisfied, as explained below.

The City adheres to the most restrictive or prescriptive public health order provided by the CDC, CDPH or the local health department applicable to the City, and will provide face coverings and ensure they are worn by employees when required by orders from the CDPH.

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

### **2. Limited Exceptions**

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

- a. When an employee is alone in a room (e.g., alone in an office or another space with walls that extend from the floor to the ceiling and a door that may be closed in order to close the space to others) or vehicle
- b. While eating and drinking at the workplace, provided employees are at least six (6) feet apart and outside air supply to the area, if indoors, has been maximized to the extent possible.
- c. Employees wearing respirators required by the City and being used in compliance with the regulatory requirements for the use of such respirators.
- d. Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person.
- e. Specific tasks which cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed, and the unmasked employee shall be at least six (6) feet away from all other persons unless unmasked employees are tested at least twice weekly for COVID-19.

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

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

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

The City's policy requires that any employees not wearing a face covering due to either exception number 4 or 5, identified in Subsection 2 above, and not wearing a face shield with a drape or other effective alternative as described in Subsection 3 above shall remain at least six (6) feet apart from all other persons unless the unmasked employees are tested at least weekly for COVID-19 during paid time and at no cost to the employee or are fully vaccinated.

In situations where a face covering is otherwise required, face coverings must be worn, and the exceptions to face coverings contained in this section no longer apply.

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

### **5. Prohibition on Preventing Employees from Wearing Face Covering**

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

### **6. Communication to Non-Employees Regarding Face Covering Requirement**

The City posts signage to inform non-employees of the City's requirements concerning the use of face coverings at City worksites and facilities.

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

### **1. Maximization of Outdoor Air**

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

Further, for City worksites and facilities with mechanical or natural ventilation, or both, the City has maximized the quantity of outside air provided to the extent feasible, except when the Environmental Protection Agency ("EPA") Air Quality Index ("AQI") is greater than 100 for any pollutant or if opening windows or letting in outdoor air by other means would cause a hazard to City employees, for instance from excessive heat or cold.

### **2. Cleaning and Disinfecting Procedures**

The City undertakes the following cleaning and disinfecting measures:

- Identify and regularly clean and disinfect frequently touched surfaces and objects, such as doorknobs, elevator buttons, equipment, tools, handrails, handles, controls, phone, headsets, bathroom surfaces, and steering wheels.
- Inform employees and authorized employee representatives of the City's cleaning and disinfection protocols, including the planned frequency and scope of cleaning and disinfection and
- Clean and disinfect areas, material, and equipment used by a COVID-19 case during the high-risk exposure period and disinfection if the area, material, or equipment is indoors and will be used by another employee within 24 hours of the COVID-19 case.

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

### **3. Evaluation of Handwashing Facilities**

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

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

The City does not provide hand sanitizers with methyl alcohol.

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

a. The City evaluates the need for PPE in order to prevent employees from being exposed to COVID-19 hazards.

##### **b. Provision of PPE When Necessary**

The City policy provides PPE including, but not limited to, face coverings, respirators, gloves, goggles, and face shields, to and for employees who require such equipment in order to perform their job duties in a healthy and safe manner, including where employees are exposed to procedures that may aerosolize potentially infectious material such as saliva or respiratory tract fluids.

Upon request, the City shall provide respirators to employees for voluntary use to all employees who are not fully vaccinated and who are working indoors or in vehicles with more than one person. Whenever the City makes respirators available for voluntary use, the City will ensure that employees receive a respirator of the correct size and will provide such employees training on the proper use of such respirators, including, but not limited, the method by which employees may check the seal of such respirator in conformance with the manufacturer's instructions, as discussed in Section IV.E.6.

#### **5. Testing of Symptomatic Employees Who Are Not Fully Vaccinated**

The City makes COVID-19 testing available at no cost to employees with COVID-19 symptoms who are not fully vaccinated. This testing will be made available during the employees' paid time.

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

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

The City reports COVID-19 cases and COVID-19 outbreaks at worksites and facilities to the local health department.

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

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

The City maintains records of the steps taken to implement the provisions described in this CPP.

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

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

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

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

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

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

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

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

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

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

The City ensures that employees who had a close contact COVID-19 exposure from worksites and facilities until the employee satisfies the minimum return to work criteria, as provided in Section IV.J.

The City may allow the following employees to continue to report to City worksites and facilities: (1) Employees who were fully vaccinated before the close contact COVID-19 exposure and who have not developed COVID-19 symptoms since such exposure; and (2) COVID-19 cases who returned to work pursuant to the return to work criteria, as provided in Section IV.J. and have remained free of COVID-19 symptoms for 90 days after the initial onset of COVID-19 symptoms, or, for COVID-19 cases who never developed COVID-19 symptoms, for 90 days after the first positive COVID-19 test.

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

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

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

The City continues and maintains such an employee's earnings, wages, seniority, and all other employee rights and benefits, including the employee's right to their former job status, as if the employee had not been removed from their job.

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

The following employees are not entitled to the benefits described below: (1) Employees for whom the City can demonstrate that the close contact COVID-19 exposure was not work-related; and (2) Employees who received disability payments or were covered by workers' compensation and received temporary disability. Such employees may still use paid sick leave for the purpose of receiving compensation during the isolation or quarantine period if they elect to do so.

For other employees, the City will require that employees who are unable to telework, but are otherwise able and available to work, the City may use paid sick leave available to the employee, including but not limited to SPSL for the purpose of continuing and maintaining the employee's

earnings during the isolation or quarantine period. If an employee has exhausted their SPSL entitlement, the City may use the employee's accrued sick leave, in order to continue and maintain the employ's earnings during the isolation or quarantine period.

City employees retain their entitlement to elect not use other earned or accrued paid sick leave during this time. The City may provide such employees who are unable to telework, but who do not have any paid sick leave available, paid administrative leave in order to receive compensation during the isolation or quarantine period.

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

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

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

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

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

This includes, but is not limited to, COVID-19 Supplemental Paid Sick Leave ("SPSL") (under Labor Code section 248.2), any paid leave benefits available under workers' compensation law, Labor Code sections 3212.86 through 3212.88, the City's own leave policies, and leave guaranteed by contract.

**J. RETURN TO WORK CRITERIA**

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

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

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

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

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

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

In accordance with CDC guidance concerning symptom-based strategies for the discontinuation of isolation, once an employee has satisfied the criteria to return to work, as provided in this Section, the City does not require employees submit to a COVID-19 test, or produce a negative COVID-19 test result, in order to return to City worksites or facilities.

4. **Minimum Criteria to Return to Work for Close Contacts**

a. **Asymptomatic Employees**

An employee who had a close contact COVID-19 exposure, but never developed COVID-19 symptoms may return to City worksites or facilities 10 days following the last known close contact COVID-19 exposure.

b. **Symptomatic Employees**

An employee who had a close contact COVID-19 exposure and developed one or more COVID-19 symptom may not return to City worksites or facilities until they satisfy each of the following conditions: (1) At least 24 hours have passed since a fever of 100.4 degrees Fahrenheit or higher has resolved without the use of fever-reducing medications; (2) COVID-19 symptoms have improved; and (3) At least 10 days have passed since COVID-19 symptoms first appeared.

An employees who had a close contact COVID-19 exposure and developed one or more COVID-19 symptom may return earlier if they satisfy each of the following conditions: (1) The employee tested negative for COVID-19 using a polymerase chain reaction (“PCR”) COVID-19 test with specimen taken after the onset of symptoms; (2) At least 10 days have passed since the last known close contact COVID-19 exposure; and (3) The employee has been symptom-free for at least 24 hours, without using fever reducing medications.

c. **Critical Staffing Shortages**

During critical staffing shortages, when there is an insufficient number of health care workers, emergency response workers or social workers whose jobs duties require face to face contact with clients in child welfare or assisted living, workers in such job classifications may return to City worksites or facilities seven (7) days following the last known close contact COVID-19 exposure if they have received a negative PCR COVID-19 test result from a specimen collected five (5) days after the close contact COVID-19 exposure

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

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

If the relevant order did not specify a definite isolation or quarantine period, then the City will require that employees isolate or quarantine according to the applicable periods and criteria provided for in this Section or as otherwise instructed by the City.

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

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



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

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

The written waiver request must provide for the following information:

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

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