

**Operational Plan for Public Health Emergencies Involving Communicable Diseases
as per Labor Law Amendment to section 27-C**

- I. Purpose: To ensure that public employees are better prepared for the next global health pandemic to safeguard their health and welfare during the continuation of organizational operations.

- II. Background: During the 2020 Covid-19 pandemic, the NYS Governor's office issued clear guidance to the private sector as to a reduction in work force by deeming some workers as "essential" and others as "non-essential." Essential workers are those who need to work on site and be physically present to complete their job while Non-essential workers are those people who can work remotely off site to perform their job and do not have to be physically present. Government buildings, offices, schools, businesses and transportation were shut down as people were told to remain under quarantine conditions. The public sector essential workers, who reported to work every day, were true heroes during this health crisis and included medical staff, military, police and firefighters, teachers, and many others in similar service industries. Discrepancies arose after the economy was shut down for weeks and certain industries began to open up after the infection rate "peak" and when New York saw a "flattening of the curve." Public sector workers returned to their offices, stores, and other work locations at the discretion of their employers in a somewhat haphazard manner. Some workers worked remotely while others did not. Some employees were given PPE while others were not. Work schedules were staggered for some and not others. There was no established protocol for returning to work if you had contracted and recovered from the virus. Those issues are the impetus behind the development of this operational plan so that all Mt. Sinai School District employees can be prepared and know how and when the return to work can be initiated safely.

- III. Essential Employees: Essential worker does not mean some employees are more valued than others. It means that the jobs of these employees can only be done by being on the premise of their worksite, whether it be an office, school, or other public subdivision of NYS government entity. For the purposes of this operational memo, in the Mt. Sinai School District, the following positions will be designated as "Essential" to the continuity of operations of the school and district during a future closure or shutdown period due to a health crisis pandemic of a communicable disease:
 - Superintendent of Schools
 - Assistant Superintendent of Schools for Business
 - Executive Director for Educational Services
 - Executive Assistant to the Superintendent
 - All Building Administrators
 - All Directors
 - Custodial, Maintenance, and Ground crew staff

- Clerical Staff
- Technology staff (Director and all building assigned personnel)
- Security Staff (outside sourced)
- Nursing Staff

While these positions are deemed essential, that does not necessarily mean that all the above individuals in these positions have to report to work every day. A staggered or rotating work schedule based on the tasks that need to be accomplished on a daily or weekly basis can be developed internally to share responsibilities and curtail exposure to the communicable disease by limiting contact with other essential employees. The justification for these positions being deemed essential as noted above are due to the following areas of responsibility which include:

- Leading and decision making
- Public information
- Evaluation and dissemination of information from NYSED, CDC, and DOH
- Budget and payroll
- Purchasing and distribution of PPE
- Internet and Wi-Fi connections, including remote access and telecommuting
- Student Management System
- Communication to staff members (CSEA and MSTA)
- Campus and building security
- Cleaning, disinfecting and sanitizing work spaces
- Prepare routine correspondence

IV. Non Essential Employees: Non-essential employees are valuable to the Mt. Sinai School District but they are not required to be on the premises to complete their work and may be offered the opportunity to telecommute. For the purposes of this operational plan, the following positions will be deemed non-essential and do not require the person holding these positions to be present for work on a daily or weekly basis:

- Teachers (5 days of remote instructional responsibilities)
- Guidance Counselors
- Non Instructional Aides
- Nursing Staff (only while school remains closed)

Staff noted above are still required to perform their duties and work to the same capacity as if they were reporting to school each day. For example, teachers will have to instruct remotely according to the District Remote Learning Plan. Directors and Guidance Counselors will still have to communicate with staff and parents as necessary to ensure students are meeting their obligations to learn outside the classroom. Non instructional aides, while so vital to the operation of the school when in session, for purposes of continuity of operations during a health crisis, do not have specific tasks that can be done remotely. They are to remain ready to return to work upon reopening of schools and the return of teachers and students in the buildings. Having the expectation of a job to return to or if the district continues to pay their salary while district remains closed is the reason why they would be ineligible to file for unemployment benefits. If an employee is furloughed, then unemployment can be collected.

- V. Telecommuting: To the greatest extent possible, and being mindful to potential network security breaches, non-essential workers noted above will be provided the means if needed to work remotely upon such notice of a health pandemic emergency closing. Requests should be made to building principals immediately and prior to future closure so that an assessment can be made of the required devices to have available. Access to computers and drives, and software platforms such as Power School, or others inherent to their positions will be coordinated through the Director of Technology. In preparation for a future time such as covid-19 presented in March 2020, the district will develop a list of personnel by position and the software programs or data they use on a daily basis. Computer equipment will be loaned for working remotely on an as needed basis. Request for devices will be coordinated through each building principal and the Superintendent in regard to their staff member's needs. The transfer of office phone lines to personal cell phones will be at the discretion of the Superintendent in coordination with the Director of Technology and the building principals. Remote access to the voice answering machines is the preference over the redirecting of lines. At the end of the health crisis after which telecommuting is not permitted any longer, all remote computer devices loaned to non-essential employees will be returned to the coordinating members noted above.
- VI. Documenting Remote Hours and Locations: While in a telecommuting situation, all non-essential workers will document their work hours, location, and task completion on a daily basis. Salaried and hourly employees will be held to the same high expectations in the performance of their duties as if they were in their respective buildings and positions. If at any time, there is a lapse in work being completed, whether it be a lack of instruction and communication to a parent/student or a task from a CSEA staff member, the employee's direct supervisor will communicate to the person, investigate the situation, and see about bringing a positive change without negative consequences being necessary. If negative consequences are determined to be necessary, union representation will be notified before any action is initiated. Work locations and other off site visits will be utilized for contact tracing as deemed necessary by the Department of Health. A work and location log sheet will be developed and standardized for all Mt. Sinai School District employees and distributed via email upon notification of closure.
- VII. On Site Work Shifts: To the greatest extent possible, all essential workers will report to work utilizing a staggered shift schedule in order to reduce overcrowding. Each department or office will be responsible for coordinating the shifts equally and to the employee's preferences depending on the tasks and deadlines that might be necessary. Employee preferences in hours and days that may depend on available child care and other health impacts of the pandemic will be taken into consideration but will be granted at the discretion of their direct supervisor. For clerical staff who share office space, there must be a minimum of six feet between work spaces if shifts overlap.

- VIII. Personal Protective Equipment: Essential workers will be provided the appropriate Personal Protective Equipment required to perform their duties. Not all employees will be issued the same items as PPE may be different for office workers than for custodial crews. During the covid-19 period, facemasks and hand sanitizers were issued and utilized for entrance into and working in the buildings. Guidance from the Department of Health will be sought in the future for determination of additional items such as gloves or face shields. Each essential staff member will be issued the necessary PPE and will be available on an ongoing basis. Additional PPE will be maintained by the district for distribution as needed should the health crisis be for a prolonged period of time. Availability from suppliers will determine the amount the district can stockpile at any given time as sometimes there are limits and delays in ordering due to backorders. If an employee wants to bring and utilize their own PPE, items that the district is not required to provide, approval by the Superintendent of Schools will be necessary. While it is the responsibility of the district to ensure its essential employee's safety, excessive individual precautions may create a negative work environment and cause undue fear among other employees. In the case of an employee whose fears for their safety are substantiated by valid medical concerns and whose job performance may be hampered by fear of the health crisis, the district should consider allowing that employee to work remotely or be put on a temporary leave of absence. While the above references PPE utilized during the Covid-19 pandemic, depending on a different communicable disease that presents a new health crisis in the future, the district will follow all CDC, DOH, and OSHA guidelines and requirements to safeguard their employees.
- IX. Return to Work Clearance Protocol: While every precaution will be taken to ensure the health and safety of all Mt. Sinai School District employees, the reality of communicable diseases during a global pandemic is that someone in the community or other known person will fall victim to the virus. Every precaution will be taken to mitigate the spread of the virus within our community and work place environments. Every employee will be required to notify their direct supervisor in the event they contracted or came in contact with a person who has contracted the communicable disease. This notification will be at the first possible moment upon diagnosis and before coming into contact with any other employee of the district. The employee's privacy will be protected by HIPPA laws. At no time should this information be kept from the Mt. Sinai School District and if it is found to be that it was intentionally not disclosed, disciplinary action may be pursued by the Superintendent or supervisor. Notification to the Department of Health will be initiated by the Superintendent or designee at which time all directions and clearances to return to work or school buildings/offices will be at their discretion and mandates. Employees who are placed in isolation or on quarantine as part of DOH recommendations and or guidelines will not be penalized in the use of accrued sick time and will revert to telecommuting at such time they are able and before they are permitted to return to work. Federal or state laws or statutes enacted to deal with future health pandemic crisis, such as the FFCRA in 2020, will provide additional guidance related to these measures. Upon the notification of possible illness in a particular office or school building, the common area and spaces shared by other staff members will be disinfected and

sanitized immediately. If feasible, the employees nearest to the infected employee should be relocated for a minimum of 48 hours.

- X. Facilities and Campus Security: For security purposes, only one entrance to the campus will be opened for essential employees to enter and exit. Hours will be limited and communicated to those reporting to work daily. The gate at the 25A entrance will be manned by a member of the custodial crew (or other assigned personnel) to act as gate keeper and scheduled by the appropriate director or other designated person.

- XI. Public Review and Plan Availability: This operational plan is a living document in that all areas are subject to review and revision by the Mt. Sinai School District and its employees prior to and even after approval by all parties. Circumstances change and while we may be addressing the issues that arose from the covid-19 health crisis of 2020, there may be unforeseen issues that will have to be addressed in the event of a future situation. Suggestions are welcome by all employees and there will be no retaliatory action taken against any employee who makes a recommendation or suggestion regarding the content of the above outlined plan. This plan will be published on the Mt. Sinai School District website and parts of it will also be incorporated into the District and Building Level Safety Plans as required by section 2801-A of NYS education law. Any employee may report violations of this operational plan to the Department of Labor but the Mt. Sinai School District would like the first opportunity to amend or correct situations where the employee thinks there has been a violation. The Mt. Sinai School District will strive to act in a fair and impartial manner when it comes to the safety and health of its employees.