

Public Employer Health Emergency Plan for Kenmore-Town of Tonawanda Union Free School District

FEBRUARY 1, 2021

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

Promulgation

This plan has been developed in accordance with the amended New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable.

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

Signed on this day: March 9, 2021

By: Sabatino Cimato

Title: Superintendent

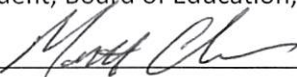
Signature: _____



By: Matthew Chimera

Title: President, Board of Education, Kenmore – Town of Tonawanda Union Free School District

Signature: _____



Record of Changes

Date of Change	Description of Change	Implemented by

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Purpose, Scope, Situation Overview, and Assumptions

Purpose

This plan has been developed in accordance with the amended New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable. These laws were amended by the passing of legislation S8617B/A10832 signed by the Governor of New York State on September 7, 2020, requires public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease. The plan includes the identification of essential positions, facilitation of remote work for non-essential positions, provision of personal protective equipment, and protocols for supporting contact tracing.

Scope

This plan was developed exclusively for and is applicable to Kenmore-Town of Tonawanda Union Free School District. This plan is pertinent to a declared public health emergency in the State of New York which may impact our operations; and it is in the interest of the safety of our employees and contractors, and the continuity of our operations that we have promulgated this plan.

Situation Overview

On March 11, 2020 the World Health Organization declared a pandemic for the novel coronavirus which causes the COVID-19 severe acute respiratory syndrome. This plan has been developed in accordance with amended laws to support continued resilience for a continuation of the spread of this disease or for other infectious diseases which may emerge and cause a declaration of a public health emergency.

The health and safety of our employees and contractors is crucial to maintaining our mission essential operations. We encourage all employees and contractors to use [CDC Guidance for Keeping Workplaces, Schools, Homes, and Commercial Establishments Safe](#). The fundamentals of reducing the spread of infection include:

- Using hand sanitizer and washing hands with soap and water frequently, including:
 - After using the restroom
 - After returning from a public outing
 - After touching/disposing of garbage
 - After using public computers, touching public tables, and countertops, etc.
- Practice social distancing when possible
- If you are feeling ill or have a fever, notify your supervisor immediately and go home
- If you start to experience coughing or sneezing, step away from people and food, cough or sneeze into the crook of your arm or a tissue, the latter of which should be disposed of immediately
- Clean and disinfect workstations at the beginning, middle, and end of each shift
- Other guidance which may be published by the CDC, the State Department of Health, or County health officials.

Planning Assumptions

This plan was developed based on information, best practices, and guidance available as of the date of publication. The plan was developed to largely reflect the circumstances of the current Coronavirus pandemic but may also be applicable to other infectious disease outbreaks.

The following assumptions have been made in the development of this plan:

- The health and safety of our employees and contractors, and their families, is of utmost importance
- The circumstances of a public health emergency may directly impact our own operations.
- Impacts of a public health emergency will take time for us to respond to, with appropriate safety measures put into place and adjustments made to operations to maximize safety
- The public and our constituency expects us to maintain a level of mission essential operations
- Resource support from other jurisdictions may be limited based upon the level of impact the public health emergency has upon them
- Supply chains, particularly those for personal protective equipment (PPE) and cleaning supplies, may be heavily impacted, resulting in considerable delays in procurement
- The operations of other entities, including the private sector (vendors, contractors, etc.), non-profit organizations, and other governmental agencies and services may also be impacted due to the public health emergency, causing delays or other disruptions in their services
- Emergency measures and operational changes may need to be adjusted based upon the specific circumstances and impacts of the public health emergency, as well as guidance and direction from public health officials and the governor
- Per S8617B/A10832, 'essential employee' is defined as a public employee or contractor that is required to be physically present at a work site to perform their job
- Per S8617B/A10832, 'non-essential employee' is defined as a public employee or contractor that is not required to be physically present at a work site to perform their job

Concept of Operations

The Superintendent of Kenmore-Town of Tonawanda Union Free School District, 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 Superintendent.

Upon the determination of implementing this plan, all employees and contractors of Kenmore-Town of Tonawanda Union Free School District shall be notified by email, automated phone or text message, with details provided as possible and necessary, with additional information and updates provided on a regular basis. City of Tonawanda DPW, Police, and Fire will be notified of pertinent operational changes by way of email and phone communication. Other interested parties, such as vendors, will be notified by phone and/or email as necessary. The Superintendent or Community Relations Coordinator will maintain communications with the public and constituents as needed throughout the implementation of this plan.

The Superintendent of Kenmore-Town of Tonawanda Union Free School District, 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 Superintendent of Kenmore-Town of Tonawanda Union Free School District, their designee, or their successor will direct the resumption of normal operations or operations with modifications as necessary.

Mission Essential Functions

When confronting events that disrupt normal operations, Kenmore-Town of Tonawanda Union Free School District is committed to ensuring that essential functions will be continued even under the most challenging circumstances.

Essential functions are those functions that enable an organization to:

1. Maintain the safety of employees, contractors, and our constituency
2. Provide vital services
3. Provide services required by law
4. Sustain quality operations
5. Uphold the core values of Kenmore-Town of Tonawanda Union Free School District

The Kenmore-Town of Tonawanda Union Free School District has identified as critical only those priority functions that are required or are necessary to provide vital services. During activation of this plan, all other activities may be suspended to enable the organization to concentrate on providing the critical functions and building the internal capabilities necessary to increase and eventually restore operations. Appropriate communications with employees, contractors, our constituents, and other stakeholders will be an ongoing priority.

Essential functions are prioritized according to:

- The time criticality of each essential function
- Interdependency of a one function to others
- The recovery sequence of essential functions and their vital processes

Priority 1 identifies the most essential of functions, with priority 4 identifying functions that are essential, but least among them.

The mission essential functions for Kenmore-Town of Tonawanda Union Free School District have been identified as:

Essential Function	Description	Priority
Information Technology	Provides assistance to students and staff on devices and other technical issues.	1
Facilities	Oversee cleaning, and disinfection for those areas where essential staff report for work. Monitor building status for potential problems. Plow and salt areas before essential staff report for work.	1
Food Service	Prepare and provide breakfast/lunch for students.	1
Payroll	Process contractual salary payments for staff.	1
Finance	Complete banking, process payments for invoices and triage mail.	1

Essential Positions

Each essential function identified above requires certain positions on-site to effectively operate. The table below identifies the positions or titles that are essential to be staffed on-site for the continued operation of each essential function. Note that while some functions and associated personnel may be essential, some of these can be conducted remotely and do not need to be identified in this section.

Essential Function	Essential Positions/Titles	Justification for Each
District Leadership Cabinet	<ul style="list-style-type: none"> • Superintendent • Assistant Superintendents <ul style="list-style-type: none"> ○ Finance ○ HR ○ Instruction 	Oversee and implement emergency procedures and protocols. Coordinate district wide communications
Information Technology	<ul style="list-style-type: none"> • Director of Technology • Micro Computer Repair Technician • Micro Computer Technical Support Specialist 	Maintains the schools network, phone system, and software. Assists with hardware setup, technology device management and help desk support.
Facilities and Maintenance	<ul style="list-style-type: none"> • Director of Facilities • Assistant Director of Facilities • Heat Technician • Head Custodian • Stationary Engineers • Cleaner/Custodian • Storage Clerk • Motor Equipment Operator 	The Director of Facilities ensures that the buildings are operational and functioning adequately for when staff and students are able to return. The Assistant Director of Facilities will implement the cleaning and disinfection plan to the Head Custodian. The Head Custodian is going to make sure the building cleaning and disinfection plan are being completed at each building. The Storage Clerk and Motor Equipment Operator work to receive and organize all orders. The Director and Assistant Director of Facilities will purchase and oversee the distribution of supplies to the buildings.
Food Service	<ul style="list-style-type: none"> • Director of Food Service • Cook • Cook Manager • Food Service 	All positions are required to oversee, coordinate, prepare and serve meals to students learning at school or virtually.
Payroll	<ul style="list-style-type: none"> • Payroll Clerk • Account Clerk 	Prepare payroll for employees working and ensure proper recording of time and attendance.
Finance	<ul style="list-style-type: none"> • Treasurer • Accountant 	Provide accounts payable functions to allow timely payments to vendors and orders.

Reducing Risk Through Remote Work and Staggered Shifts

Through assigning certain staff to work remotely and by staggering work shifts, we can decrease crowding and density at work sites and on public transportation

Remote Work Protocols

Non-essential employees and contractors able to accomplish their functions remotely will be enabled to do so at the greatest extent possible. Working remotely requires:

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

Teachers, Teaching Assistants, certain Teacher's Aides and building wide clerical staff will be required to work remotely. These individuals were not identified as "Essential" because they can perform their job functions substantially from home. They will be provided district issued computers, software and other technology items necessary for them to complete job duties from their homes. If necessary, these staff will be allowed to come into the buildings on a staggered basis for preparation and disbursement of instructional materials that cannot be completed in an online format. Soft phones have been issued to designated building clerical staff who will take phone calls and direct voicemails. All staff receive their voicemails through their district issued emails.

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, Kenmore-Town of Tonawanda Union Free School District 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

Within each department, the director of each will identify and prioritize work that necessitates on-site personnel. That work, where appropriate, will be divided into shifts with the highest priority work being performed by the first available shift. Other options for shifts may include working alternate days in the week. The department director will then create staggered start/end times and offer those staggered time slots first to those employees trained and capable of performing the assigned tasks. It is understood that, because of the need to spread work out over additional shifts/hours, direct on-site supervision may not always be prudent, safe, or practical. As such, other means such as electronic video may be utilized to aid in supervision of staff.

Personal Protective Equipment

The use of personal protective equipment (PPE) to reduce the spread of infectious disease is important to supporting the health and safety of our employees and contractors. PPE which may be needed can include:

- Masks
- Face shields
- Gloves
- Disposable gowns and aprons

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

Protocols for providing PPE include the following:

1. Identification of need for PPE based upon job duties and work location
2. Procurement of PPE
 - a. As specified in the amended law, public employers must be able to provide at least two pieces of each required type of PPE to each essential employee and contractor during any given work shift for at least six months
 - b. Public employers must be able to mitigate supply chain disruptions to meet this requirement
3. Storage of, access to, and monitoring of PPE stock
 - a. PPE must be stored in a manner which will prevent degradation
 - b. Employees and contractors must have immediate access to PPE in the event of an emergency
 - c. The supply of PPE must be monitored to ensure integrity and to track usage rates

All staff and students will be required to follow guidelines as directed by the Center for Disease Control, New York State and Local Department of Health any other agency designated by the State of New York. The Director of Facilities is responsible for purchasing PPE, cleaning supplies, disinfectant, hand soap and hand sanitizer. In addition, the Director of Facilities is responsible for maintaining sufficient amounts of PPE for each staff/student at each of the district's buildings for six months. At the building level, Head Custodians keep the PPE and it is made available at the entrance of each building, in each classroom and by request if needed or if specific PPE is required. Supply of PPE is maintained at each building and in total by the Head Custodian and the Director of Facilities.

Staff Exposures Cleaning, and Disinfection

Staff Exposures

Staff exposures are organized under several categories based upon the type of exposure and presence of symptoms. Following CDC guidelines, we have established the following protocols:

- A. If employees or contractors are exposed to a known case of communicable disease that is the subject of the public health emergency (defined as a 'close contact' with someone who is confirmed infected by the Local Department of Health:
1. Potentially exposed employees or contractors who do not have symptoms should remain at home or in a comparable setting for 10 days and follow current CDC/public health guidance by the Local and State Health department for the communicable disease in question.
 - a. As possible, these employees will be permitted to work remotely during this period of time if they are not ill.
 - b. Employees should contact their direct supervisor with copies of the orders of quarantine or isolation by the State or Local Health Department.
 - c. See the section titled Documentation of Work Hours and Locations for additional information on contact tracing.
 2. CDC guidelines for COVID-19 provide that critical essential employees may be permitted to continue work following potential exposure, provided they remain symptom-free and additional precautions are taken to protect them, other employees and contractors, and our constituency/public.
 - a. Additional precautions will include the requirement of the subject employee or contractor, as well as others working in their proximity, to wear appropriate PPE at all times to limit the potential of transmission.
 - b. In-person interactions with the subject employee or contractor will be limited as much as possible.
 - c. Work areas in which the subject employee or contractor are present will be disinfected according to current CDC/public health protocol at least every hour, as practical. See the section on Cleaning and Disinfection for additional information on that subject.
 - d. If at any time they exhibit symptoms, refer to item B below.
 - e. The Assistant Superintendent for Human Resources, is the decision-maker in these circumstances and is responsible for ensuring these protocols are followed
 3. Employees:
 - a. Self-screening may occur at home or at a designated area daily at the beginning of each employee's shift to minimize exposure of a positively screened person to other employees. The screening process will consist of questions and a measurement such as a temperature reading. If the daily health screening form is not filled out electronically at home when the employee:
 - i. Employees will enter the screening area one at a time and apply hand sanitizer upon entering;
 - ii. Each employee will read and respond to the posted questions:
 - iii. If a measurement is required, the Department will provide equipment to do so to prevent contamination of the equipment or a means to sanitize between uses.
 - iv. To protect privacy, if employees enter their response to screening questions including measurements on a shared log sheet, the actual measurement should not be recorded, only if the employee met the criteria or not.

- v. If responses to any of the screening questions is “yes”, the employee will immediately inform their supervisor, and will not be allowed to report to work and may be referred for further assessment.
- B. If an employee or contractor exhibits symptoms of the communicable disease that is the subject of the public health emergency:
 - 1. Employees and contractors who exhibit symptoms in the workplace are immediately sent home with a recommendation to contact their physician.
 - 2. Employees and contractors who exhibit symptoms outside of work should notify their supervisor and stay home, with a recommendation to contact their physician.
 - 3. Employees should not return to work until they have met the criteria to discontinue home isolation or quarantine per CDC/public health guidance and have consulted with a healthcare provider.
 - 4. Kenmore-Town of Tonawanda Union Free School District will not require sick employees to provide a negative test result for the disease in question or healthcare provider’s note to validate their illness, qualify for sick leave, or return to work; unless there is a recommendation from the CDC/public health officials to do so.
 - 5. CDC criteria for COVID-19 provides that persons exhibiting symptoms may return to work after a release order from the state and local health department or a physician.
 - 6. The Assistant Superintendent for Human Resources must be informed in these circumstances and who is responsible for ensuring these protocols are followed.
- C. If an employee or contractor has tested positive for the communicable disease that is the subject of the public health emergency:
 - 1. Apply the steps identified in item B, above, as applicable.
 - 2. Areas occupied for prolonged periods of time by the subject employee or contractor will be closed off.
 - a. CDC guidance for COVID-19 indicates that a period of 24 hours is ideally given before cleaning, disinfecting, and reoccupation of those spaces will take place. If this time period is not possible, a period of as long as possible will be given. CDC/public health guidance for the disease in question will be followed.
 - b. Any common areas entered, surfaces touched, or equipment used shall be cleaned and disinfected immediately.
 - c. See the section on Cleaning and Disinfection for additional information on that subject.
 - 3. Identification of potential employee and contractor exposures will be conducted
 - a. If an employee or contractor is confirmed to have the disease in question, The Assistant Superintendent for Human Resources - or designee - should inform all contacts of their possible exposure. Confidentiality shall be maintained as required by the Americans with Disabilities Act (ADA).
 - b. Apply the steps identified in item A, above, as applicable, for all potentially exposed personnel.
 - 4. The Assistant Superintendent for Human Resources shall be notified in circumstances where contact tracing has been performed from a confirmed positive case off the school campus.

We recognize there may be nuances or complexities associated with potential exposures, close contacts, symptomatic persons, and those testing positive. We will follow CDC/public health recommendations and requirements and coordinate with our local public health office for additional guidance and support as needed.

Cleaning and Disinfecting

CDC/public health guidelines will be followed for cleaning and disinfection of surfaces/areas. Present guidance for routine cleaning during a public health emergency includes:

1. As possible, employees and contractors will be given the supplies to clean their own workspaces and can clean during their shift. Regular cleaning will be conducted as follows:
 - a. Custodians and cleaners under the supervision of the Assistant Director of Facilities are responsible for cleaning and disinfecting of the areas noted above. In addition, daily cleaning logs are maintained by the Building and Grounds department.
 - b. High traffic/high touch areas and areas which are accessible to the public/constituents will be disinfected regularly.
2. Staff tasked with cleaning and disinfecting areas will be issued and required to wear PPE appropriate to the task.
3. Soiled surfaces will be cleaned with soap and water before being disinfected.
4. Surfaces will be disinfected with products that meet EPA criteria for use against the virus in question and which are appropriate for that surface.
5. Staff will follow instructions of cleaning products to ensure safe and effective use of the products.

Employee and Contractor Leave

Public health emergencies are extenuating and unanticipated circumstances in which Kenmore-Town of Tonawanda Union Free School District is committed to reducing the burden on our employees and contractors.

It is our policy that employees of Kenmore-Town of Tonawanda Union Free School District **will** be charged with leave time for testing if the time required is greater than 40 minutes or a reasonable period of time for the supervisor to arrange coverage. Employees will be provided with up to two weeks (80 hours) of paid sick leave at the employee's regular rate of pay for a period which the employee is unable to work due to a mandatory order of quarantine or isolation by the NYSDOH or ECDOH.

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

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

Each building where employees report for work is outfitted with a time clock that employees use to punch in and out for work each day. The time clock houses electronic “timesheets” for employees. Sign in sheets are set up in the main entrance at each building for times when employees travel between buildings and for visitors to sign upon entering each site.

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 Kenmore-Town of Tonawanda Union Free School District’s essential operations.

If such a need arises, hotel rooms are expected to be the most viable option. If hotel rooms are for some reason deemed not practical or ideal, or if there are no hotel rooms available, Kenmore-Town of Tonawanda Union Free School District will coordinate with the Town of Tonawanda emergency management office or other specific name to help identify and arrange for these housing needs. The Director of Facilities, Tim Ames, will be responsible for coordinating this.