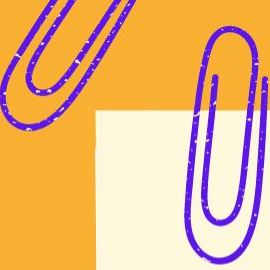







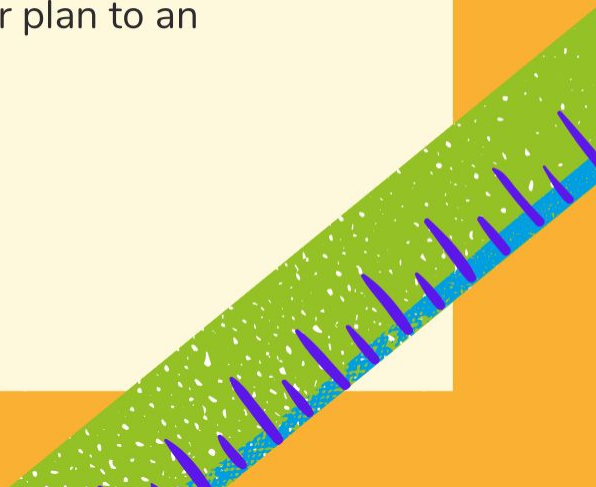


Pandemic Operations Plan

KETURAH CAPPADONIA & ERIKA JENNS



Workshop Schedule:

-  Introduction - Review Legislation & Requirements
 -  Why do we need these plans? How can you tie your plan to an existing disaster plan?
 -  Review Sample Plans & Template
 -  Breakout Groups
 -  Share and Q&A
- 

The Legislation

STATE OF NEW YORK

6617--B

IN SENATE

JUNE 22, 2020

Introduced by Sens. GONNARDES, BAILEY, HOYMAN, LIU, MYRIE, RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- committee discharged and said bill committed to the Committee on Labor -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the labor law, in relation to requiring public employers to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease; and to amend the education law, in relation to certain protocols for responding to a declared public health emergency involving a communicable disease.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The labor law is amended by adding a new section 27-c to
2 read as follows:
3 **§ 27-c. Duty of public employers to develop operation plans in the**
4 **event of certain declared public health emergencies. 1. Definitions.**
5 **For the purposes of this section:**
6 **a. "Personal protective equipment" shall mean all equipment worn to**
7 **minimize exposure to hazards, including gloves, masks, face shields,**
8 **hats, and eye protection, protective hearing devices, respirators, hard**
9 **hats, and disposable gowns and aprons.**
10 **b. "Public employer" or "employer" shall mean the state of New York, a**
11 **county, city, town, village or any other political subdivision or civil**
12 **division of the state, a public authority, commission or public benefit**
13 **corporation, or any other public corporation, agency, instrumentality or**
14 **unit of government which exercises governmental power under the law of**
15 **this state, provided, however, that this subdivision shall not include**
16 **any employer as defined in section twenty-eight hundred one-a of the**
17 **education law.**
18 **c. "Contractor" shall mean an individual performing services as party**
19 **to a contract awarded by the state of New York or any other public**
20 **employer defined in paragraph b of this subdivision.**

EXPLANATION--Matter in *italics* (underlined) is new; matter in brackets [] is old law to be omitted.

L8016049-10-0

§. 6617--B 2

1 d. "Essential" shall refer to a designation made that a public employer
2 ~~or contractor is required to be physically present at a work site to~~
3 ~~perform his or her job.~~
4 e. "Nonessential" shall refer to a designation made that a public
5 employer or contractor is not required to be physically present at a
6 work site to perform his or her job.
7 f. "Communicable disease" shall mean an illness caused by an infection
8 agent or its toxins that occurs through the direct or indirect
9 transmission of the infectious agent or its products from an infected
10 individual or via an animal vector or the transmissible environment to a
11 susceptible animal or human host.
12 g. "Regulatory action" shall mean the discharge, suspension,
13 demotion, penalization or discrimination against any employee or other
14 adverse employment action taken against an employee in the terms and
15 conditions of employment.
16 h. Each public employer in the state of New York shall prepare a plan
17 for the continuation of operations in the event that the governor
18 declares a public health emergency involving a communicable disease.
19 Such plans shall follow the provisions for review and publication as
20 prescribed in subdivision four of this section.
21 i. The operations plan required by this section shall include, but not
22 be limited to:
23 a. A list and description of positions and titles considered essential
24 in the event of a state-ordered reduction of in-person workforce, and a
25 justification of such consideration for each position and title
26 included.
27 b. A specific description of protocols the employer will follow in
28 order to enable all non-essential employees and contractors to telecommute.
29 c. A description of how the employer will, to the extent possible,
30 stagger work shifts of essential employees and contractors in order to
31 reduce the risk of exposure to the public health emergency.
32 d. A description of the protocol the employer will implement in order
33 to protect the appropriate equipment, and to protect the health of
34 employees and contractors, based upon the various tasks and needs of
35 each employee and contractor.
36 e. At least one piece of each type of personal protective equipment to each
37 essential employee and contractor, including any item not worn at
38 least at a time. Such description shall also include a plan for storage
39 of such equipment to prevent degradation and permit immediate access in
40 the event of an emergency declaration.
41 f. A description of the protocol in the event an employee or contractor
42 is exposed to a known case of the communicable disease that is the
43 subject of the public health emergency, including symptoms of such
44 disease, and a plan upon how the employer will promptly and thoroughly
45 spread or contraction of such disease in the workplace. Such protocol
46 shall also detail actions to be taken to immediately and thoroughly
47 disinfect the work area of any employee or contractor known or suspected
48 to be infected with the communicable disease as well as any common area
49 surface and shared equipment such employee or contractor may have
50 touched, and the employer's policy on available leave in the event of the
51 need of an employee to receive testing, treatment, isolation or quaran-

§. 6617--B 3

1 tions. Such protocol shall not involve any action that would violate any
2 existing federal, state, or local law, including regarding sick leave or
3 health information privacy.
4 f. A protocol for documenting precise hours and work locations.
5 g. Scheduling off-site visits for essential employees and contractors. Such
6 personnel shall be designed only to aid in handling of the disease and to
7 identify the population of exposed employees and contractors in order to
8 facilitate the provision of any benefits which may be available to
9 certain employees and contractors on that basis.
10 g. A protocol for how the public employer will work with such employ-
11 er's locality to identify sites for emergency housing for essential
12 employees in order to further contain the spread of the communicable
13 disease that is the subject of the declared emergency, to the extent
14 applicable in the needs of the workplace.
15 i. Once drafted, such public employer shall present the plan described
16 in this section to all applicable duly recognized or certified represen-
17 tatives of the employee's employees, who shall then be granted an oppor-
18 tunity to review the plan and make recommendations, if any. Provided
19 that nothing shall preclude such representatives from making such recom-
20 mendations prior to the draft being completed. The employer must consid-
21 er and respond to such recommendations in writing within a reasonable
22 timeframe. A copy of the final version of such plan shall then be
23 published in a clear and conspicuous location, and in the employee hand-
24 book, to the extent that the employer provides such handbook to its
25 employees, and in a location accessible on either the employer's website
26 or on the internet accessible by employees. No employee shall take
27 regulatory action or otherwise discriminate against any employee for
28 making suggestions or recommendations regarding the content of the plan.
29 h. The department shall establish procedures to allow for public
30 employees or contract workers to contact and inform the department of
31 any alleged or believed violations of any of the provisions described in
32 this section.
33 i. Nothing in this section shall be deemed to invade, infringe, dimin-
34 ish or impair the rights of a public employee or employee under any law,
35 rule, regulation or collectively negotiated agreement, or the rights and
36 benefits which accrue to employees through collective bargaining agree-
37 ments, or otherwise diminish the integrity of the existing collective
38 bargaining relationship.
39 § 2. Section 27-a of the labor law is amended by adding a new subdivi-
40 sion 4 to read as follows:
41 **4-a. Form of complaints. The department shall establish a dedicated**
42 **phone and hotline through which employees or employer under any law,**
43 **rule, regulation or collectively negotiated agreement, or the rights and**
44 **benefits which accrue to employees through collective bargaining agree-**
45 **ments, or otherwise diminish the integrity of the existing collective**
46 **bargaining relationship.**
47 **5. Section 27-b of the labor law is amended by adding a new subdivi-**
48 **sion 1 to read as follows:**
49 **1-a. Form of complaints. The department shall establish a dedicated**
50 **phone and hotline through which employees or employer under any law,**
51 **rule, regulation or collectively negotiated agreement, or the rights and**
52 **benefits which accrue to employees through collective bargaining agree-**
53 **ments, or otherwise diminish the integrity of the existing collective**
54 **bargaining relationship.**
55 **2. Paragraph 1-a of subdivision 2 of section 2801-a of the**
56 **law of 2016, are amended to read as follows:**
57 **a. A description of the duties of hall monitors and any other school**
58 **security personnel, the security personnel required of all personnel, setting in a**
59 **school security capacity, and the hiring and screening process for all**
60 **personnel acting in a school security capacity. (new)**

§. 6617--B 4

1 i. the designation of the superintendent, or superintendent's design-
2 ation, as the district chief emergency officer responsible for coordinat-
3 ing communication between school, staff and law enforcement and first
4 responder, and ensuring staff understanding of the district-level emer-
5 gency plan. The chief emergency officer shall also be responsible for
6 ensuring the completion and yearly updating of building-level emergency
7 response plans.
8 g. protocols for responding to a declared public health emergency
9 involving a communicable disease that are substantially consistent with
10 the provisions of section twenty-seven-c of the labor law.
11 h. This act shall take effect immediately; provided, however that
12 the operation plans in the event of certain declared public health emer-
13 gencies established pursuant to section 27-c of the labor law shall be
14 finalized and published, the hotline and webpage established pursuant to
15 section 27-a of the labor law shall be functional, and the protocols for
16 responding to a declared public health emergency involving a communica-
17 ble disease pursuant to paragraph 1 of subdivision 2 of section 2801-a
18 of the education law shall be established and functional within 30 days
19 of the effective date of this act.

The requirements:

- 1) A list and description of all positions and titles considered essential in the event of a state-ordered reduction of in-person workforce, and the justification for classifying each position as essential



The requirements:

2) Protocols the employer will follow in order to enable non-essential employees to telecommute or work remotely, including plans to obtain any needed devices or technology such as software, office laptops or cell phones, and the transferring of office phone lines to work or personal cell phones as practicable or applicable to the workplace



The requirements:

3) A plan describing how the employer will, to the extent possible, stagger work shifts of essential employees and contractors in order to reduce overcrowding on public transportation and at work sites



The requirements:

4) A description of the protocol the employer will implement to obtain necessary personal protective equipment (PPE) for essential employees and contractors, based upon the various tasks and needs of such employees, in a quantity sufficient to provide at least two pieces of each type of PPE to each essential employee and contractor during any given work shift over at least a six-month period of time. PPE includes: “all equipment worn to minimize exposure to hazards, including gloves, masks, face shields, foot and eye protection, protective hearing devices, respirators, hard hats and disposable gowns and aprons”



The requirements:

5) A description of the protocol outlining what happens in the event an employee or contractor is exposed to the communicable disease, exhibits symptoms or tests positive for such disease, in order to prevent the spread or contraction of such disease in the workplace, including policies regarding the disinfection of the workplace and available leave for employees



The requirements:

6) Policies for documenting hours and work locations for essential employees and contractors to aid in tracking the disease



The requirements:

7) A protocol for how the public employer will work with the locality to identify sites for emergency housing for essential employees

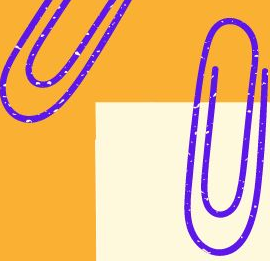


Other Requirements

**Plans are due
April 1st, 2021.**

**Plans must be posted in a
clear & visible location AND
in the employee handbook.**

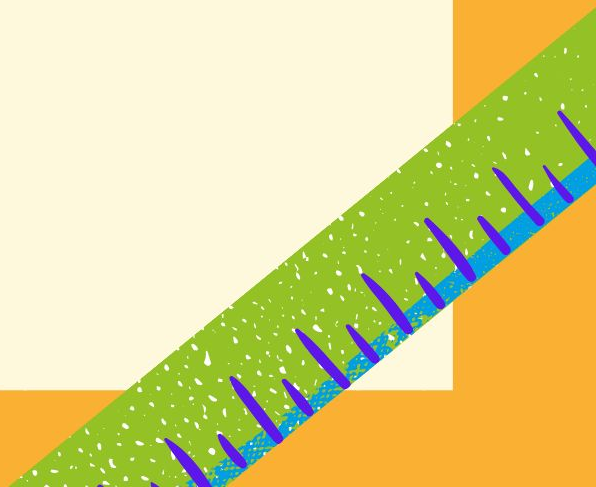
**Plans must also be posted
online where employees can
access them.**



Pandemic Operations Plan as Part of Disaster Preparedness and Response Plan

Integrate the Pandemic Operations Plan into your existing Disaster Preparedness and Response Plan.

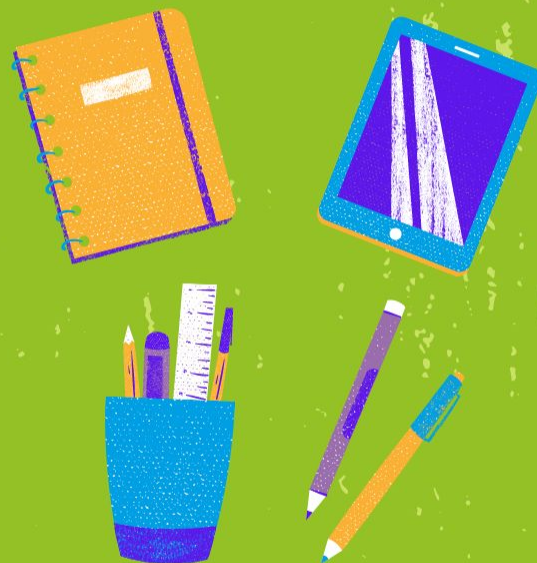
Don't have a Disaster Preparedness and Response plan yet?
Make that your next step!





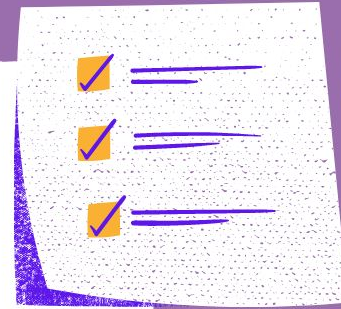
Why do we need this plan?

As an employer, you play a key role in emergency readiness. **Planning** for and **practicing** will help your library respond more effectively when an actual emergency occurs. A flu pandemic can be especially challenging for small workplaces. Up to 40% of workplaces never reopen following a major disaster. Put strategies in place to **protect** your workers, patrons, and organization.



As You Draft Your Plan, Consider...

- ✓ Engage community partners in planning efforts, reviewing workplace policies and protocols, and identifying critical workplace functions and positions to maintain during an emergency.
- ✓ Establish ongoing communication with your local public health department in advance, which can give you access to relevant information before and during a pandemic.
- ✓ Establish relationships with key community partners and stakeholders. When forming key relationships, include the local public health department, local boards of education, and community leaders



Communications

- ✓ Update your emergency communication plan.
- ✓ Identify and address potential language, cultural, and disability barriers associated with communication.
- ✓ Provide flu-prevention supplies and distribute health messages and materials to workers.
- ✓ Address the concerns of workers who are at high risk for flu complications
- ✓ Provide information that explains why and when on-site operations and services may be reduced temporarily.



Gather Input

- ✓ Share your plans with workers, suppliers, and key community partners and stakeholders.
- ✓ Test and update your plans every 12–18 months, or as aspects of your workplace change.



Put Plans Into Action

- ✓ Stay informed about the local flu situation
- ✓ Implement NPI actions to protect your workers and others
- ✓ Implement your risk-assessment and risk management plan.
- ✓ Track worker absenteeism related to flu symptoms.



Sample Plan

Wimodaughsonian Library (Canisteo) 3 pages, nice & easy

Wimodaughsonian Pandemic Operations Plan 2020

1. List and description of all positions and titles considered essential in the event of a state-ordered reduction of in-person workforce, and the justification for classifying each position as essential:

Library director -

Responsibilities

- Manage day to day operation of library
- Carry out all policies the trustees have adopted
- Report regularly to the Board and recommend needed policy for their action
- Supervise all personnel and volunteers
- Maintain an active program of public relations
- Oversee the selection of all books and materials for the library

Senior Library Clerk

The Senior Library Clerk is an experienced employee in the realm of the library's daily operations. The position requires direct interaction with the public, a greater degree of autonomy than that of a lower level Clerk, and a moderate amount of supervisory responsibility. The Senior Library Clerk works directly under the supervision of the Library Director and, in addition to the day-to-day duties required, assists the director with more involved tasks as needed.

2. Protocols the employer will follow in order to enable non-essential employees to telecommute or work remotely, including plans to obtain any needed devices or technology such as software, office laptops or cell phones, and the transferring of office phone lines to work or personal cell phones as practicable or applicable to the workplace:

The Director will work from home with all necessary office equipment having already been supplied. This will enable the Senior Clerk to enter and manage the building, screen phone calls, address building and delivery issues, etc.

3. A plan describing how the employer will, to the extent possible, stagger work shifts of essential employees and contractors in order to reduce overcrowding on public transportation and at work sites:

N/A

4. A description of the protocol the employer will implement to obtain necessary personal protective equipment (PPE) for essential employees and contractors, based upon the various tasks and needs of such employees, in a quantity sufficient to provide at least two pieces of each type of PPE to each essential employee and contractor during any given work shift over at least a six-month period of time. PPE includes: "all equipment worn to minimize exposure to hazards, including gloves, masks, face shields, foot and eye protection, protective hearing devices, respirators, hard hats and disposable gowns and aprons";

The Director has already purchased numerous amounts of PPE for library implementation - masks, gloves and commercial grade cleaners - which are stockpiled and inventoried regularly for replenishment.

5. A description of the protocol outlining what happens in the event an employee or contractor is exposed to the communicable disease, exhibits symptoms or tests positive for such disease, in order to prevent the spread or contraction of such disease in the workplace, including policies regarding the disinfection of the workplace and available leave for employees;

Each employee is responsible for notifying the Director if they come into Proximate or Close Contact with someone known to be positive, or if they exhibit symptoms of the disease. Each employee logs their temperature every day they enter the building. There is also a daily log for disinfecting the entire public parts of the building. The person or persons who quarantines will be asked to provide proof of a negative test before being permitted to return to the building.

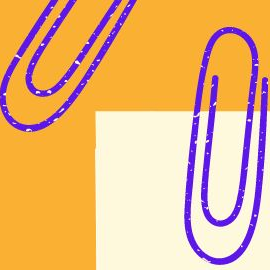
The Director is the only full time employee and therefore the only employee who can use leave to quarantine. If this leave is used up, the Director, as well as the Senior Clerk and the per diem clerk, can quarantine without pay.

6. Policies for documenting hours and work locations for essential employees and contractors to aid in tracking the disease;

Employees have access to time sheets at all times. The only current work location is the library itself.

7. A protocol for how the public employer will work with the locality to identify sites for emergency housing for essential employees.

N/A



Plan Template

[Template Link](#)

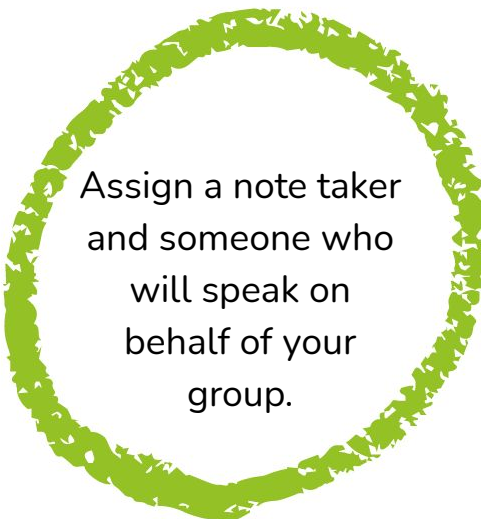
Simple template for STLS pandemic plan in MS Word

- **Text highlighted in yellow must be replaced** per the description provided. Be sure to remove the highlight and other text or symbols.

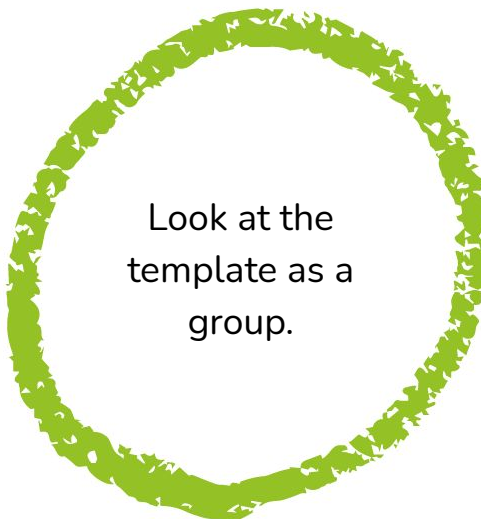
[Template Link](#) - Detailed Plan for consideration for larger organizations




Breakout Groups



Assign a note taker
and someone who
will speak on
behalf of your
group.

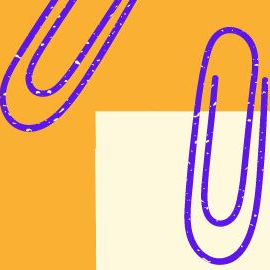


Look at the
template as a
group.

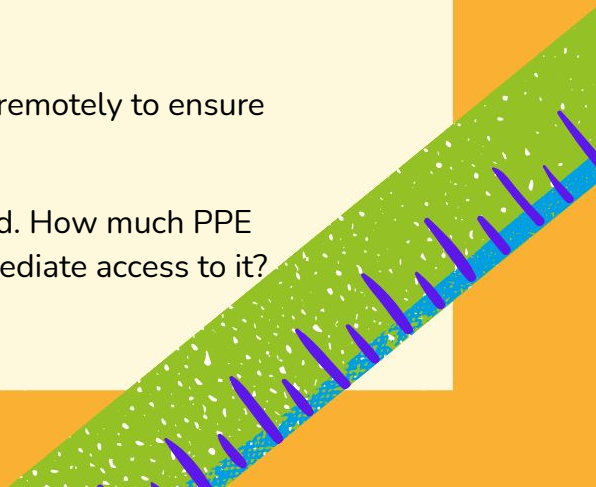


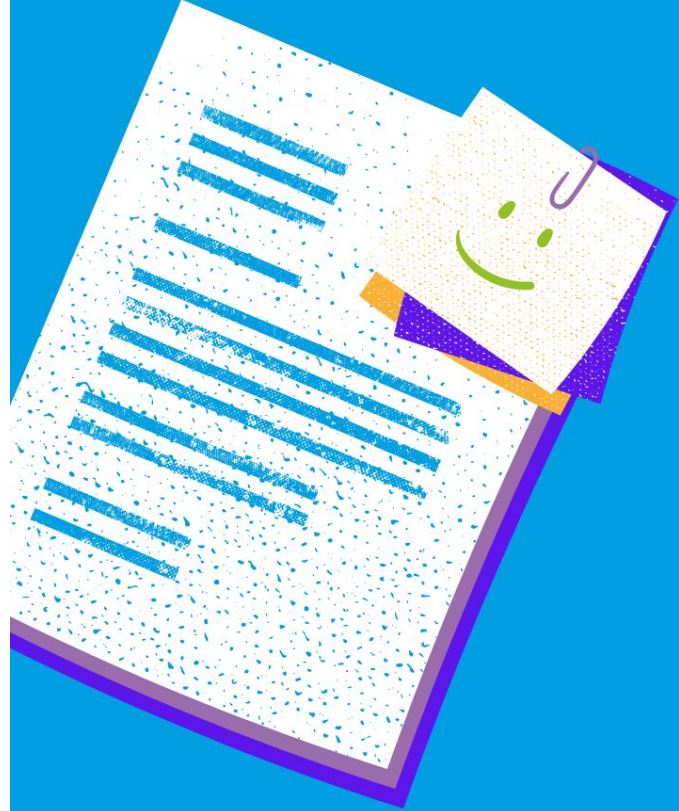
Identify areas of
the template you
have questions or
ideas about.

20 minutes



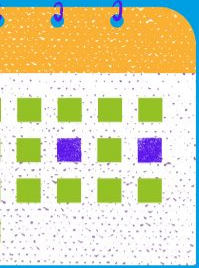
Discussion Ideas for Groups

- ✓ Mission Essential Functions: What priority functions are required or are necessary for your library to provide vital services?
 - ✓ Identify the essential positions of staff or trustees who will perform the identified essential functions. Justify.
 - ✓ Consider the workflow and protocol of all personnel who may work remotely to ensure they will be able to accomplish their duties.
 - ✓ Consider the variety of PPE required and how needs will be identified. How much PPE will you maintain on hand? Where will it be stored? Who will have immediate access to it? Who is responsible for monitoring and maintaining the stock of PPE?
- 



Share Out
&
Questions?





We'll meet again over virtual coffee/tea to discuss how plan writing went for you and your board on:

March 4th, 2021
@1:00pm



Links

[List of Definitions for Plan Writers from NYLA](#)

[Pandemic Influenza Template - FEMA](#)

[Get your workplace ready for Pandemic Flu - CDC](#)

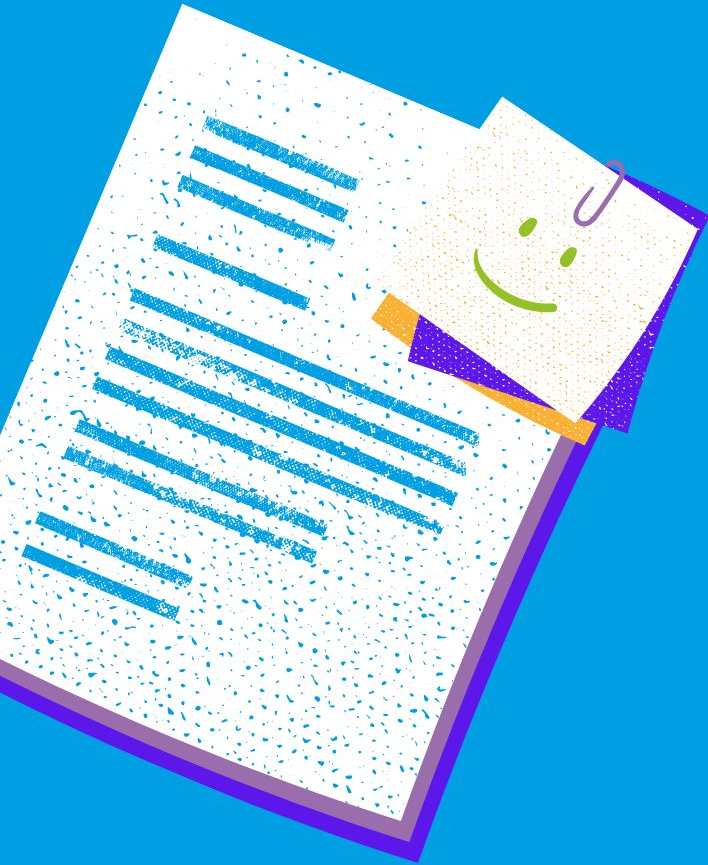
[SENYLRC RESILIENT Workshops](#)

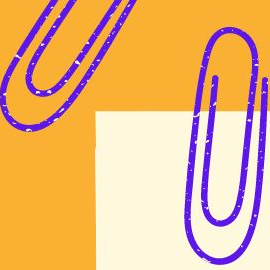
[ALA Pandemic Preparedness Resources](#)

[MITIGATE NY](#)

[NLM Continuity of Operations Planning \(COOP\) web course](#)

[Albany Public Library - Continuation of Service Plan](#)





Need Help?

Send an email to
Erika (jennse@stls.org) or
Keturah (cappadoniak@stls.org)
for assistance after the workshop
and as you develop your Pandemic Policies.

