

## CHAPTER 40

### PANDEMIC RESPONSE

**4001. Purpose.** A pandemic is a global disease outbreak. A pandemic occurs when a new virus emerges for which there is little or no immunity in the human population and the virus begins to cause serious illness and then spreads easily person-to-person worldwide. The federal government, states, counties, municipalities, and communities take steps to prepare and respond to the pandemic.

If a pandemic occurs, it is likely to be a prolonged and widespread outbreak that could require temporary changes in the workplace as well as other community sectors: school, transportation, and other public services. An informed and prepared workforce can take appropriate actions to decrease the risk during the pandemic. **Please note that Chapter 33. Emergency Closings & Severe Conditions does not apply to a County pandemic response.**

**4002. Preparation.** To be prepared **an alert from the World Health Organization for a possible pandemic, such an emergency,** the US Department of Health and Human Services, Centers for Disease Control and Prevention, World Health Organization, and our local health department would provide information to the workplace and community to:

- (a) Be informed. Know the signs and symptoms of a specific disease outbreak and recommend prevention and control practices;
- (b) Practice good health habits, including eating a balanced diet, exercising daily, and getting sufficient rest. In addition, take common-sense steps to stop the spread of germs, including frequent hand washing, covering coughs and sneezes and keeping a safe distance from others;
- (c) Implement good business practices that encourage sick employees to stay home and anticipate how to function with the significant portion of the government absent due to illness or caring for ill family members;
- (d) Review, update, or develop workplace plans to include liberal leave, advance leave, LWOP, telework policies, and sick leave policies; and
- (e) Promote the employee portal for staff to receive current information; and
- (f) **Emergency Management follows guidance from the local Health Officer.**

**4003. Resources.** The following documents should be reviewed/updated:

- (a) Continuity of Operations Plan (COOP); and
- (b) Emergency Operations Plan.

**4004. Pandemic Response. Level 1:**

**DEFINITION:** Mobilize resources beyond normal government operations to inform public and provide for safety of staff and citizens usually associated with State Executive Order and the Activation of the Emergency Support Function – Public Health & Medical Services as outlined in the SMCG Emergency

Operations Plan when virus case(s) are identified in the Maryland, Virginia, or DC region or upon recommendation of the SMC Public Health Officer.

- (a) Implement liberal leave policy, telework policy, advanced leave, LWOP, use of holiday leave bank for employees with accrued holiday leave, and flexible sick leave policy;
- (b) Alternate team approaches for work schedules; shift work, vary work start and end time.
- (c) Encourage employees to stay home when they are sick and to notify supervisor.
- (d) Encourage personal protective measures among staff (social distancing, handwashing, and respiratory etiquette);
- (e) Clean and disinfect frequently touched surfaced daily. Staff members clean personal space – hand sanitizer and wipes provided, when available;
- (f) Hand hygiene supplies are readily available in each restroom, kitchen, and building common areas;
- (g) Fleet management should adhere to additional cleaning of buses and vehicles. Assigned drivers should sanitize handrails, steering wheel, etc. for each day used;
- (h) Discourage employees from using other employees' phones, desks, offices or other work tools and equipment; and
- (i) In addition to safe practices, SMCG will make changes to programs/services based on Executive Orders, CDC Guidelines, or other similar sources.

#### **4005. Pandemic Response. Level 2.**

DEFINITION: Elevated response for public health emergency beyond Level 1 to inform the public, mobilize service delivery and prioritize resources based on State Executive Order(s), CDC Guidelines, Department of Health guidance or similar directive when confirmed virus cases are found in the Southern Maryland Region or upon recommendation of the SMC Health Officer.

ALL CONDITIONS in 4004" Pandemic Response Level 1" ABOVE AND

- (a) Staff should telework, when feasible, particularly individuals at increased risk of severe illness;
- (b) Implement social distancing measures:
  - (1) Increase physical space between employees in the workspace;
  - (2) Stagger Work Schedules;
  - (3) Decrease social contacts in the workplace i.e. limit in-person meetings, and
  - (4) Develop "grab & go" and "drop-boxes" for transaction of documents.
- (c) Limit large work-related gatherings (i.e. staff meetings, after-work functions);
- (d) May require regular health checks (i.e. temperature screenings) or staff and/or visitors entering buildings (if feasible);

- (e) Limit SMCG visitors by appointment, only. On-line appointment software is installed for many SMCG departments;
- (f) Cancel/postpone events or large gatherings;
- (g) Cancel/postpone all Boards, Committees and Commission Meetings not required by law. Meetings should shift to tele-conferencing capabilities;
- (h) Cancel non-essential work travel;
- (i) Cancel work-sponsored conferences, tradeshow, etc.; and
- (j) May establish a CALL CENTER to answer general questions for cancellations/closings or any change in SMCG operations.
- (k) May re-assign employees to alternate duties or alternate work locations (including hourly) when closures impact their regular duties or to reduce social contact.
- (l) Employees should avoid close contact (within 6 feet) with other employees and the general public. This can be accomplished by simply increasing the distance between the employee and the general public in order to avoid contact with large droplets from people talking, coughing or sneezing.
- (m) County will expand internet, phone-based, drive-through window, or home delivery customer service strategies to minimize face-to-face contact. Work with supervisors to identify new ways to do business that can also help to keep employees and customers safe and healthy.
- (n) Departments should consider installing temporary/permanent physical barriers, such as clear plastic sneeze guards, to protect employees where possible (such as cashier stations).
- (o) Encourage credit cards use for all transactions or checks mailed in/drop boxes; **limit cash transactions and suspend fares and or fees as appropriate.**

#### **4006. Pandemic Response. Level 3.**

**DEFINITION:** Elevated response for public health emergency above Level 2 to inform the public, mobilize service delivery and prioritize resources based on State Executive Order(s), CDC Guidelines, Department of Health guidance, Local Public Health Orders, or similar directive(s) when confirmed virus cases are found in SMC or upon the recommendation of the SMC Health Officer.

ALL CONDITIONS IN 4004 "Pandemic Response LEVEL 1" & 4005 "Pandemic Response LEVEL 2\*" ABOVE, AND

- (a) Maximum Telework Required – extend telework arrangements;
  - a. Telework can extend government operations to remote (home) locations. Extension of these functions outside the county network must be established in a manner which maintains accountability and network security.
  - b. The Information Technology (IT) department has resources which can be issued which provide secure access and allow operations to continue.
  - c. The issue of equipment and remote access will be prioritized as follows:

1. Identified Essential Personnel/**Functions**
2. Identified Essential Department Services
3. Support “Important” Departmental Services for long-term events

The Information Technology department will maximize the distribution of county resources to support remote functions until exhausted.

- (b) Review policies to maximize flexibility for staff, **allow employees to work-from-home with an approved work plan by their Supervisor;**
- (c) Operate only essential SMCG services and **review those employees appropriate for Administrative Leave,** as approved by the County Administrator; and
- (d) **\*(DISCONTINUE 4005.e)** Close SMCG to visitors. **County services will continue to be provided by telephone, email, US Mail. Limited drop-off locations.**
- (e) Safety and health supplies provided to at- work employees, as needed.
- (f) Use e-mail, phones and text messages to communicate with each other. Maximize use of conference calls for meetings and when in-person meetings are necessary, avoid close contact by keeping a separation of at least 6 feet and assure that there is proper ventilation in the meeting room.
- (g) Review the need for State of Emergency Resolution, Waiver/Deferral of Fees, as applicable per department; delegated authority to Department Heads for CSMC Resolution;
- (h) Determine if additional measures should be taken by the CSMC sitting as Board of Health;
- (i) **Re-locate 911 Dispatchers/Call-takers (some or all) to the back-up center;**
- (j) **Adhere to OSHA Guidelines;**
- (k) **AMEND 2004.e - For the purpose of medically screening all person(s) entering county buildings, Department heads may restrict building access to one sole entry point for all employees and support departments (i.e. DPWT, IT).**
- (l) **Maintain health insurance benefits for current enrollees unable to make premium payments from loss of or reduction in pay for a period of time.**

#### **4007. Pandemic Response. Level 4.**

**DEFINITION:** Prolonged response for public health emergency above Level 3 to keep the employees and public informed, mobilize essential resources and service delivery based on Federal/State/Local Executive Order(s) – perhaps Shelter-in-Place Order – CDC Guidelines, Department of Health Guidance, Department of Labor Guidance, Local Public Health Order, or similar directive(s) or recommendation of the SMC Health Officer.

**ALL CONDITIONS in 4004 “Pandemic Response Level 1” & 4005 “Pandemic Response Level 2” & 4006 “Pandemic Response. Level 3 APPLY, and:**

- a.) Confirm Essential Personnel/Functions; and**
- b.) Confirm Essential Department Services;**

- c.) May issue Hazard or Pandemic Response Differential Pay for identified employee classifications, for certain positions, for certain specific exposure, for a specified period.
- d.) Implement emergency leave benefits as required by legislation.

**Federal, State and Local Executive Orders, CDC Guidance, DOH Guidance and similar directives, as well as SMC Health Officer recommendations will be followed throughout the Pandemic Response and may change action.**

#### **4007. Pandemic Response. Recovery**

*DEFINITION: Recovery period is identified with the restoration of public health safety as defined by termination of Local and/or State Executive Order, CDC Guidelines, Department of Health guidance or similar directive.*

- a. *Restore normal business operations;*
- b. *Assess and provide assistance for staff physical, mental health, and emotional needs;*
  - a. *EAP is available for employee crisis management services*
- c. *Continue to communicate often with staff and community;*
- d. *Monitor those exposed to health hazards in accordance with OSHA guidelines;*
- e. *Provide public awareness information and sanitary precautions;*
- f. *Reconcile expenses and plans executed during the pandemic.*

#### **Existing County Policies:**

##### **3302**

A County Issued Resolution to Declare a Local State of Emergency is the formal announcement by the executive head of government that a situation exists that requires extraordinary effort or procedures to counteract/overcome. It may apply to the whole jurisdiction or to any part thereof. It may suspend or modify local laws or procedures to the extent that local law permits and has the force and effect of law.

##### **3303**

County emergencies and County Issued Emergency Resolutions should not be viewed as a benefit to which employees are entitled, but rather as an act undertaken by the County Administration in the interests of employee safety.

##### **3306**

Positions may be designated by the department head as essential depending on the severity and type of event. Each department head shall consider the emergency situation to determine which, if any, departmental employees shall be deemed essential.

##### **2217**

Administrative Leave is paid absence from work without charge to earned leave. The County Administrator may grant administrative leave to County employees when natural causes, such as floods, snows, or other unforeseen events occur which prevent employees from reaching their places of work. Such leave may also be granted to protect the safety and welfare of employees when the above conditions occur during the course of the normal workday. The County Administrator may grant leave in other unique circumstances; and may approve up to ten working days of paid Administrative leave for employees with confirmed COVID-19 related illness in lieu of using their personal, sick or annual leave.

#### **Amendment to Chapter 28; Sick and Safe Leave and to Chapter 20; Family Medical Leave Act Policy**

***Beginning April 1, 2020, two provisions of the Families First Coronavirus Response Act will provide emergency leave to County employees.***

#### ***Emergency Paid Sick Leave (EPSL)***

**\*Full-time, regular part-time and hourly employees, regardless of their length of employment, may take emergency sick leave for any of the following reasons:**

1. The employee is subject to a federal, state, or local quarantine or isolation order due to COVID-19;
2. The employee has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19;
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
4. The employee is caring for an individual subject to a federal, state, or local quarantine or isolation order related to COVID-19;
5. The employee is caring for a son or daughter whose school or place of care is closed, or childcare provider is unavailable, due to COVID-19 precautions; or
6. The employee is experiencing any other substantially similar condition, as specified by the U.S. Department of Health and Human Services.

#### ***Reflected on employee's April 9, 2020 pay stub -***

- Full-time employees are entitled to 80 hours of paid leave. The code "EMER SICK FT" will appear under "ACCRUAL" showing 80 hours of EPSL.
- Regular Part-time employees are entitled to "a number of hours equal to the number of hours that the employee works, on average, over a 2-week period". The code "EMER SICK PT" will appear under "ACCRUAL" with an amount equal to the average amount of hours the employee typically works over a 2-week period.

#### ***Temporary and Activity Fund Employees -***

- The code "EMER SICK HRLY" will appear under "ACCRUAL" with "0" hours. Emergency Paid Sick Leave for hourly employees will be calculated at the time EPSL is requested and will be based on the employee's average hours of work over the preceding 6-month period.

#### ***Additional Information -***

- Emergency Paid Sick Leave (EPSL) is in effect from April 1, 2020 through December 31, 2020.
- In cases when leave is taken to care for a family member or child, the sick leave pay is based on 2/3rds of the employee's regular rate of pay.
- There is no carryover of EPSL into the following calendar year, and employers are not required to pay out unused leave upon an employee's separation from employment.
- Employers must pay EPSL to employees in addition to any other leave benefits the employer offers, and employers may not require employees to use any other leave before using EPSL.
- Employers must post a notice about leave entitlements in a conspicuous location within the job site; notices will be distributed to each department.
- Employers may not discharge, discipline or discriminate against any employee who (a) takes emergency paid sick leave or (b) who has filed a complaint or proceeding or testified in any such proceeding related to the benefits and protections provided by H.R. 6201.
- Forms to request Emergency Paid Sick Leave are posted on <https://www.stmarysmd.com/CORC/> and are available through Human Resources.

### ***Emergency Family and Medical Leave Expansion (EFMLE)***

**\*Full-time, regular part-time and hourly employees who have been employed for at least 30 days are eligible for leave benefits under the EFMLE.**

**Employees are eligible for:**

1. 12-weeks of job-protected leave if the employee is unable to work or telework because the employee is needed to care for the employee's son or daughter (under the age of 18) because the child's school or childcare facility has been closed or the child's childcare provider is unavailable due to COVID-19.

### ***Additional Information -***

- This leave applies to employees who have been employed for at least 30 calendar days, rather than the 12-month period under the current FMLA regulations.
- The first 10 days for which an employee takes leave will be unpaid, or the employee can choose to substitute any accrued vacation, personal or sick leave (including in certain instances the emergency paid sick leave described above).
- After the initial 10 days, paid leave is based on an amount that is not less than 2/3 of an employee's regular rate of pay and the number of hours the employee would otherwise be normally scheduled to work.
- This benefit is solely for those employees that are unable to work or telework due to a need to care for a child under 18 because of closure of schools or day care providers related to COVID-19.
- An employee is entitled to a total of 12-weeks of traditional FMLA and Emergency FMLA leave combined.
- Forms to request leave under the Emergency Family and Medical Leave Expansion are posted on <https://www.stmarysmd.com/CORC/> and are available through Human Resources.

\*Emergency responders may be excluded from emergency paid sick leave and from emergency expanded family and medical leave; emergency leave requests from emergency responders will require department head approval.

- Emergency responders are defined as:

For the purposes of employees who may be excluded from paid sick leave or expanded family and medical leave by their employer under the FFCRA, an emergency responder is an employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility. This also includes any individual that the highest official of a state or territory, including the District of Columbia, determines is an emergency responder necessary for that state's or territory's or the District of Columbia's response to COVID-19.