



CITY OF BEAUMONT

550 E. 6th Street, Beaumont, CA 92223
Phone (951) 769-8520 Fax (951) 769-8526
www.Beaumont-Ca.gov

Memo: Coronavirus Prevention

Date: March 19, 2020

To: All Employees

From: Kari Mendoza, Administrative Services Director

The world health community continues to closely monitor the emergence of coronavirus (COVID-19). At this time, it is uncertain how severe this outbreak will be. Given this uncertainty and the fact that we are in the midst of the influenza (flu) virus season, the City of Beaumont is following the recommendations from Governor Newsom and an order from the Riverside County Department of Public Health designed to slow the spread of COVID-19. The City is acting to protect the safety and security of its employees and members of the public who use City facilities while also allowing for the efficient and necessary operation of City government.

First and foremost, we want to maintain a safe workplace and encourage and/or adopt practices protecting the health of employees and members of the public who use our facilities and services. We also want to ensure the continuity of business operations as we do our part to slow down the transmission of COVID-19.

We ask all employees to cooperate in taking steps to reduce the transmission of communicable diseases in the workplace. Employees are reminded of the following:

- Stay home when you are sick.
- Wash your hands frequently with warm, soapy water for at least 20 seconds.
- Cover your mouth with your elbow or tissues whenever you sneeze or cough. Discard used tissues in the trash.
- Avoid close contact with people who are sick with respiratory symptoms like fever and cough.
- Clean and disinfect frequently touched surfaces daily.
- Avoiding touching eyes, nose or mouth with unwashed hands.
- Practice social distancing – six feet of separation.

Employees are encouraged to use telephone and video conferencing instead of face-to-face meetings as much as possible during this time. IT support services are available to employees who need assistance with this technology.

It is critical that employees do not report to work while they are experiencing symptoms common to COVID-19 such as fever, cough, shortness of breath, or other flu-like symptoms such as sore throat, runny or stuffy nose, body aches, headache, chills or fatigue. Currently, the Centers for Disease Control and Prevention (CDC) recommends that employees remain at home until at least 24-hours after they are free of fever (100° F or 37.8° C) or signs of a fever without the use of fever-reducing medications. In the past, although well intentioned, employees oftentimes have reported to work even though they feel ill. If you are exhibiting one or more of the



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symptoms listed above, you must stay home. The City provides paid sick leave and other benefits intended to compensate employees who are unable to work due to illness. Sick employees or employees who exhibit symptoms as described above that report to work will be sent home in accordance with these health guidelines.

As a reminder pursuant to the City of Beaumont Personnel Manual adopted June 30, 2009 Section 4.3.7 **Disaster Service Workers**: The protection of the health and safety and preservation of lives and property of the citizens of the City of Beaumont from the effects of natural, manmade, or war caused emergencies which result in conditions of disaster or in extreme peril to life, property and resources is of paramount City importance requiring the responsible efforts of public and private agencies and individual citizens. In furtherance of the exercise of the power of the City in protection of its citizens and resources, **all City employees are hereby declared to be Disaster Service Workers subject to such disaster service activities as may be assigned to them by their superiors or by Law.**

If you think you have been exposed to COVID-19 and develop a fever or symptoms of respiratory illness, such as cough or difficulty breathing, you should call your healthcare provider immediately. Any questions or concerns please feel free to contact me at 951-572-3228 or by email at karim@beaumontca.gov.



DATE: June 26, 2020
TO: All Employees
FROM: Kari Mendoza, Administrative Services Director 
RE: *Expectations of Employees Returning to Work*

On May 4, 2020, Governor Gavin Newsom announced that on May 8, 2020 California will be commencing Phase 2 of four-phased reopening plan. The reopening follows the Governor's March 19, 2020 issuance of Executive Order N-33-20, which imposed a stay-at-home requirement for all non-essential employees. Government facilities are considered critical infrastructure and all positions with the exception or recreation and part time positions have been deemed essential.

The City has a legal obligation to provide and maintain a safe and healthy workplace for its employees. The City takes this obligation seriously, and would not reopen its facilities and worksites until it could be reasonably sure that City employees would be safe and secure at such locations.

In order to ensure that City facilities and worksites are safe for employees and the public, the City has adopted a number of policies and protocol designed to limit the likelihood of transmission of COVID-19 at those locations. In order to achieve this goal, the City will be implementing the following policies, procedures, and protocols:

- Social distancing policies that relate to use of face masks, physical space requirements between employees, etc.;
- Cleaning and disinfecting policies;
- Temperature/symptom checking policies;
- COVID-19 testing policies;

The City will make available to all employees copies of these policies. As a City employee, you will be expected to observe and comply with these policies, procedures and protocols in order to return to and remain at work.

Upon reopening of City facilities and worksites, Directors, Managers and Supervisors will be monitoring employee conduct in order to ensure that all employees strictly observe and comply with these policies.

The City appreciates your continued understanding and flexibility as we continue to navigate the public health emergency caused by the COVID-19 pandemic.

Furthermore, the City appreciates the vital work you are doing to support our operations and your commitment to public service.



Return-to-Work-Place Toolkit

City of Beaumont Protocols for Maintaining a Safe and Healthy Workplace in Light of COVID-19

SECTION ONE: City of Beaumont-WIDE POLICIES AND PROTOCOLS

The **City of Beaumont** has adopted the following polices. Copies of the policies may be found here: **City Hall Computer Shared Drive and Human Resources.**

A. Policies

- Telecommuting Policy*
- Standalone FFCRA Leaves and Compensation Policy**
- Cleaning and Disinfecting Policy
- Social Distancing and Individual Responsibility Policy
- COVID-19 Testing Policy
- Temperature and Other COVID-19 Symptom Screening Policy
- CMIA-Compliant Non-Disclosure Policy
- Accommodations Policy for Employees at High-Risk of Severe Illness Should They Test

B. Guidelines and Other Documents

- Checklist for Identifying and Designating Essential Employees and Determining Work Schedules
- Guidance for Frontline Managers and Supervisors Implementing COVID-19 Policies and Practices
- Guidelines for Employees on COVID-19 and the “New Normal”
- Employee Social Distancing and Workplace Safety Responsibilities – Do’s and Don’ts of Compliance
- CMIA Medical Release Form
- Temperature Testing and Symptom Screen Form

SECTION TWO: FACILITY/WORKSITE-SPECIFIC MEASURES

City of Beaumont Facility/Worksite's Name and Address (e.g., City Hall, departments housed in their own buildings, community centers, and fire or police stations): All City Offices & buildings including: City Hall, Building B, Building D, Albert Chatigny Community Center, Transit Vehicle Maintenance Yard, Grounds Maintenance Yard, Wastewater Treatment Plant. Police Facilities are exempt at this time.

A. Use of Shared Areas

The following areas at City Hall are open to the public. Public access to such areas at any one time may be limited to the number of individuals identified below:

Public Area	Maximum number of persons allowed in the area at any given time (this figure includes agency personnel who may also be in the area with members of the public)
City Hall Hallway	TBD
Council Chamber	TBD
Room 4	TBD Council Overflow
Gymnasium	TBD Council Overflow

The City of Beaumont maintains several communal areas, which are utilized by City of Beaumont employees. These communal areas are listed below. Access to such areas at any one time may be limited to the number of individuals identified in the chart below.

Communal Area	Maximum number of employees permitted in the area at a given time
Break Rooms	1
Community Devices – copiers, postage machine, mail center	1
Conference Room	Depends on size, must maintain 6 ft of separation and proper social distancing

B. Public Notice

Signage is posted at each public entrance of the facility/worksites to inform all employees and members of the public that they must not enter the facility/worksites if they have a cough, fever, shortness of breath, difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, new loss of taste or smell, or other symptoms consistent with COVID-19 identified by the Centers for Disease Control (“CDC”). Signage states that, while in the facility/worksites, individuals must maintain a minimum six-foot distance from one another.

A copy of the **City of Beaumont’s** Social Distancing and Individual Responsibility Policy is posted at each public entrance to the facility/worksites and/or made available on the **City of Beaumont’s** website.

C. Employee Health and Safety

To reduce in-person head counts on any given workday, the **City of Beaumont** has authorized the **City Manager or Designee** to allow, remote work as appropriate for any given employee or class of employees. The **City of**

Beaumont has also authorized the **City Manager or Designee** to implement flexible or staggered work schedules (e.g., staggered start times or days at the worksite) as needed.

For those employees who participate in the **City of Beaumont's** rideshare/carpooling program, the **City of Beaumont** has amended or temporarily discontinued the rideshare/carpooling policy and protocols to address social distancing concerns.

The **City of Beaumont** has canceled non-essential travel.

The **City of Beaumont** has directed all employees not to come to work if they are sick, including, but not limited to, exhibiting any symptoms of COVID-19 (e.g., cough, fever, shortness of breath, chills, repeated shaking with chills, muscle pain, headache, sore throat, new loss of taste or smell, or other symptoms consistent with COVID-19 identified by the Centers for Disease Control ("CDC")). This may include recommending employees take their temperature themselves before the beginning of each workday.

The **City of Beaumont** is requiring employees to conduct daily self-screening health checks before entering the facility/worksites pursuant to guidance provided by the CDC, the Department of Fair Employment and Housing ("DFEH") and the Equal Employment Opportunity Commission ("EEOC"). Health screening includes the absence of any presentation of symptoms and temperature checks.

The **City of Beaumont** has identified local health department contacts with whom it will communicate regarding information about COVID-19 outbreaks at the **City of Beaumont**. The **City of Beaumont** will assist local health departments in facilitating contact tracing for employees who test positive for COVID-19.

The **City of Beaumont** is requiring all employees to use a cloth face covering at work when interacting with the public and other employees, and the City of Beaumont is providing some face coverings at no cost to employees.

The **City of Beaumont** has directed all employees that a cloth face covering must be worn at all times, except if an employee is in their own office and/or workspace with 6ft of proper social distancing.

The **City of Beaumont** has directed all employees who wear cloth face coverings to wash such face coverings after each shift.

The **City of Beaumont** has notified all members of the public that they will not be permitted to enter or remain in the facility/worksite unless they wear cloth face coverings. The **City of Beaumont** provided such notice by **posting signage at each public entrance of the facility/worksite.**

The **City of Beaumont** has arranged desks or individual workstations in such a manner so that employees are separated by at least six feet.

Break rooms, restrooms, and other common areas are disinfected frequently and thoroughly, according to the following schedule:

1. Breakrooms: Monday – Friday Once a Day by Janitorial - Employees responsible before and after use
2. Restrooms: Monday – Friday Once a Day by Janitorial - Employees responsible before and after use
3. Waiting areas: Monday – Friday Once a Day by Janitorial - Employees responsible before and after use
4. Conference rooms: Monday – Friday Once a Day by Janitorial - Employees responsible before and after use
5. **[Council/Board]** chambers: Monday – Friday Once a Day by Janitorial - Employees responsible before and after use
6. **City of Beaumont** vehicles: Employees responsible before and after use
7. Elevators: _____ TBD _____
8. Other common areas (list each and describe cleaning schedule):

The **City of Beaumont** has directed all employees to discontinue the use of shared office equipment to the extent practicable, or in the alternative to, sanitize shared surfaces and objects (e.g., conference room chairs and tables, counter tops, refrigerator door handles, agency vehicles keyboards, shared office supplies) before and after use.

The **City of Beaumont** has directed all employees to sanitize certain parts of an agency vehicle after each use, including outside handles, steering wheels, rearview mirrors, radios, buttons on doors used to control windows and mirrors, gearshifts, and keys. The **City of Beaumont** will place disinfectant and cleaning supplies in each vehicle.

The **City of Beaumont** has directed all employees to frequently wash their hands with soap and water, or use sanitizer when a sink is not available, approximately every 60 minutes, for 20-seconds and after the following activities: using the restroom, sneezing, touching their face, blowing their nose, touching the refrigerator, using shared equipment such as tool handles and vehicles, cleaning, sweeping, mopping, smoking, eating, drinking, entering and leaving the building, going on a break and before the start of their work shift. Employees are allowed breaks, as needed, to wash their hands.

The **City of Beaumont** has placed tissues/paper towels and no-touch disposal receptacles at locations where they can be easily accessed by employees and members of the public, including but not limited to outside of every restroom, public entrance and entrance to a **City of Beaumont** if such an entrance requires an individual to touch a door handle in order to enter.

Disinfectant and related supplies are available to all employees at the following location(s):

Each Building will be issued supplies, and additional available thru facilities.

Hand sanitizer that contains at least 60% ethanol or 70% isopropanol is available to all employees at the following location(s):

Entrance and Exits, Restrooms, Breakrooms, Community Devices and requests made thru Facilities.

Soap and water are available to all employees at the following location(s):

Restrooms and Breakrooms

The **City of Beaumont** will allow the use of shared food with the following restrictions: wash your hands before serving or eating food, no sharing of utensils, single serve options of all sharable items like salad dressing, condiments, etc. is required. Individually wrapped food items are acceptable. The **City of Beaumont** has instructed staff to maintain proper social distancing for in-person meetings or replace in-person meetings with other means of communication, including but not limited to telephone calls, e-mails, or videoconferences. The **City of Beaumont** has directed employees that non-essential meetings should be canceled or postponed.

The **City of Beaumont** has increased the frequency of air filter replacement and HVAC system cleaning. The **City of Beaumont** has also encouraged fresh air circulation by directing employees to open windows and doors, to the extent practicable and safe.

Other measures:

The **City of Beaumont** will provide training to all employees and officials regarding the measures it is taking and is requiring individuals to take to maintain a safe and healthy working environment in accordance with State guidelines.

Copies of this Protocol have been distributed to all employees in the following manner(s):

Electronically via email from Human Resources, hard copies from Supervisors.

Job classifications or facilities to which specific measures may not apply and reason for such exemption(s): _____

D. Measures Designed to Keep People At Least Six Feet Apart and Prevent Unnecessary Contact

The **City of Beaumont** has placed signage outside the facility/worksites that instructs people to remain at least six feet apart, including when waiting to enter the facility/worksites.

The **City of Beaumont** has placed tape or other markings at least six feet apart in public areas inside the facility/worksites where people frequently line up with signs directing members of the public to use the markings to maintain the requisite distance.

The **City of Beaumont** has instructed all employees to maintain at least a six-foot distance from members of the public and from each other, except employees whose job duties require them to come into closer contact with others or as otherwise necessary.

The **City of Beaumont** has instructed all employees using **City of Beaumont** vehicles that, if feasible, only one person should occupy a vehicle at a time, and that if two employees are required for a task in the field, they should ride in separate vehicles.

The **City of Beaumont** is providing for contactless payment systems (e.g., utility bills, building permits, or parking tickets) or, if not feasible, sanitizing payment

systems regularly. Describe: Website, Payment Kiosk and/or email accessibility.

Other measures (may be listed on separate page attached to these Protocols):

Job classifications or facilities to which these measures may not apply and reasoning for such exemption(s):

E. Measures to Prevent Crowds from Gathering

The **City of Beaumont** has limited the number of members of the public in the worksite/facility at any one time, which allows for members of the public and employees to more easily maintain at least a six-foot distance from one another at all practicable times.

The **City of Beaumont** will post an employee at the public access door to health screen and ensure the maximum number of members of the public at the facility/worksite is not exceeded.

The **City of Beaumont** is streaming public meetings, including providing opportunities for public comment. Public meetings may be streamed here:

<https://mmportal2.teammunicode.com/livestream>

The **City of Beaumont** has spaced out or blocked off seating available in public meeting areas.

Other measures (may be listed on separate page attached to these Protocols):

Job classifications or facilities to which specific measures may not apply (list each measure) and reasoning for exemption(s):

F. Measures to Increase Sanitation for the Public

Restrooms normally open to the public remain open to the public.

The **City of Beaumont** has removed, to the extent practicable, soft and porous materials in public areas (e.g., fabric couches and chairs, area rugs). Where **City of Beaumont** has removed seating, it has replaced such seating with chairs that can be easily disinfected.

Disinfectants that are effective against COVID-19, such as disposable wipes, are available near public entrances, communal areas and in restrooms.

Hand sanitizer, soap and water, or effective disinfectant is available to the public at or near the entrance of the facility/worksite, in communal areas, in restrooms and anywhere else inside the facility/worksite where people have direct interactions.

The **City of Beaumont** is disinfecting all payment portals, pens, clipboards and other shared supplies utilized by members of the public after each use.

The **City of Beaumont** is disinfecting all high-contact surfaces frequently.

The **City of Beaumont** has discontinued the use of rental equipment to the extent practicable.

Describe other measures:

You may contact the following person with any questions or comments about this Protocol:

Contact Name: Kari Mendoza

Job Title: Administrative Services Director

Phone Number: 951-572-3228

Email Address: karim@beaumontca.gov

Date Adopted: 6/26/20

Date Last Revised: 7/20/20

CHECKLIST FOR IDENTIFYING AND DESIGNATING CRITICAL INFRASTRUCTURE WORKERS (“ESSENTIAL EMPLOYEES”), NOTIFYING THEM OF SUCH DESIGNATION, AND DETERMINING WORK SCHEDULE

On March 19, 2020, Governor Gavin Newsom issued [Executive Order N-33-20](#)¹, ordering “all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, as outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>.” Accordingly, an employee designated as a critical infrastructure worker is exempt from Executive Order N-33-20’s requirement to stay at home or at the employee’s place of residence. These employees will be referred to as “Essential Employees.”

A public agency’s assessment of which employees are Essential Employees is necessary to the agency’s continued provision of essential services to the public. Public agencies may require Essential Employees to report to their agency worksites and perform their job duties consistent with the terms and conditions of their job classification.² This assessment is also necessary to determine which services are non-essential, and which employees a public agency may direct to remain at home in observance of the stay-at-home order or other orders affecting the ability of non-essential employees to perform work at their worksites.

Subsequent to the issuance of Executive Order N-33-20, the Department of Homeland Security (“DHS”) Cybersecurity & Infrastructure Security Agency (“CISA”) and the California State Public Health Officer provided guidance to help employers identify Essential Employees. When determining whether to designate an employee as an Essential Employee or a Non-Essential Employee, the public agency should consult these resources:

- ❖ CISA Advisory Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response (Apr. 17, 2020) https://www.cisa.gov/sites/default/files/publications/Version_3.0_CISA_Guidance_on_Essential_Critical_Infrastructure_Workers_4.pdf
- ❖ California Department of Public Health Essential Critical Infrastructure Workers guidance (Apr. 28, 2020) <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>

While the guidance from these authorities is advisory and not a directive, they are legitimate governmental sources upon which public agencies may rely to support their designations and may serve to justify an agency’s action if later challenged.

Public agencies should also consult with their county public health department to determine whether there are any local orders that would restrict public employees from performing services deemed essential by either the federal or state governments. While stay-at-home orders will likely be modified in the coming weeks, certain requirements and restrictions will likely be maintained in some form beyond their current expiration dates, and public agencies should continue to observe such requirements and restrictions.

This Checklist is intended to provide a framework to assist public agencies in determining which employees are Essential Employees. This Checklist is intended to supplement, not supplant, local, state, and federal guidance on this subject.

¹ Executive Order N-33-20 (Mar. 19, 2020), available at <https://covid19.ca.gov/img/Executive-Order-N-33-20.pdf>.
² An employee designated as an Essential Employee is different from an employee designated as a disaster service worker. While an employee designated as a disaster service worker may be asked to perform work outside of the normal scope of their job duties, an employee designated as an Essential Employee should only be asked to perform duties consistent with the terms and conditions of their job classification, unless asked to perform out-of-class work.

1. Determine which of the following essential critical infrastructure sectors the **City** is situated in or supports, either directly or indirectly: **Highlighted Below**

- Chemical
- Commercial Facilities³
- Communications⁴
- Critical Manufacturing
- Dams⁵
- Defense Industrial Base
- Emergency Services**
- Energy
- Financial Services
- Food and Agriculture
- Government Facilities⁶**
 - Includes childcare facilities, Pre-K through 12th grade schools, post-secondary schools, business schools, and trade schools**
- Healthcare and Public Health
- Information Technology⁷
- Nuclear Reactors, Materials, and Waste⁸
- Transportation Systems⁹**
- Water and Wastewater**

2. For each federal critical infrastructure sector identified in No. 1 above, consult with the appropriate **City** department or division heads and identify all **City** functions that are necessary to provide continued service or support to that sector. These are “essential functions.” Please note that while department or division may engage in essential functions, not all services performed or offered by the department or division will necessarily be “essential functions.”

3. For each essential function identified in No. 2 above, consult with the **City** department or division heads responsible for such essential function and list the services that the applicable department or division provides that are necessary in order for the **City** to continue providing that function. These are “essential services.”

4. For each essential service identified in No. 3 above, consult with the **City** department or division heads responsible for the provision of such essential service and list the job classifications that provide services

³ The California State Public Health Officer has incorporated the Commercial Facilities sector into a combined sector titled Industrial, Commercial, Residential, and Sheltering Facilities and Services.

⁴ The California State Public Health Officer has incorporated the Communications sector into a combined sector titled Communications and Information Technology.

⁵ The California State Public Health Officer has not included Dams as a separate sector. However, Dams may be associated with the Energy, Transportation Systems, and Water and Wastewater sectors.

⁶ The California State Public Health Officer has incorporated the Government Facilities sector into a sector titled Government Operations and Other Community-Based Essential Functions.

⁷ The California State Public Health Officer has incorporated the Information Technology sector into a combined sector titled Communications and Information Technology.

⁸ The California State Public Health Officer has not included Nuclear Reactors, Materials, and Waste as a separate sector and has addressed elements of this sector in the Chemical sector.

⁹ The California State Public Health Officer refers to the Transportation Systems sector as the Transportation and Logistics Sector.

that are necessary in order for the **City** to continue providing that service. These are “essential classifications.”

5. For each essential classification identified in No. 4 above, consult with department or division heads and line managers and supervisors and identify the number of employees within the essential classification whose continued service is necessary in order for the **City** to continue providing the essential service identified in No. 4 above.
6. Once the number of employees who are necessary to perform the essential service is established, determine which employees to designate as Essential Employees. All City of Beaumont has identified all government positions as essential excluding Recreation and Part Time Employees only at this time.
 - Establish and document legitimate, non-discriminatory selection criteria
 - Document rationale for specific Essential Employee designations
7. Notify the Essential Employees in writing that the **City** has designated them as such. The **City** may also notify Non-Essential Employees of their designation as non-essential.
8. Determine appropriate work schedules for Essential Employees, considering:
 - Whether the Essential Employees are able to perform some or all of their duties remotely
 - Whether the Essential Employees are able to engage in job sharing or work staggered schedules to promote social distancing
 - Whether any non-essential duties that require in person performance can be delayed until resumption of normal operations
9. For Essential Employees performing work at a **City** facility/worksite, follow all applicable local, state, and federal requirements and guidance concerning the health and safety of employees.
 - Consult local orders and guidance, such as those from the county public health department
 - Consult state guidance, such as guidance from the California Division of Occupational Safety and Health¹⁰
 - Consult federal guidance, such as guidance from the Occupational Safety and Health Administration (“OSHA”)¹¹ and the Centers for Disease Control (“CDC”)¹²

¹⁰ See <https://www.dir.ca.gov/dosh/coronavirus/Health-Care-General-Industry.html>.

¹¹ See <https://www.osha.gov/SLTC/covid-19/>.

¹² See <https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html>.

ADMINISTRATIVE POLICY AND PROTOCOLS FOR CLEANING AND DISINFECTING THE WORKPLACE

I. Preamble

The purpose of the California Occupational Safety and Health Act of 1973 is to assure safe and healthy working conditions for all workers. (Labor Code § 6300, et seq.)

The Centers for Disease Control and Prevention (“CDC”) recommends cleaning and disinfecting public spaces, such as the workplace, in order to reduce the risk of exposure to SARS-CoV-2, the virus that causes COVID-19 (hereinafter “the virus that causes COVID-19”). Normal routine cleaning with soap and water removes germs and dirt from surfaces, and lowers the risk of spreading the virus that causes COVID-19. Disinfecting kills germs on surfaces. Killing germs on surfaces after cleaning can further lower the risk of spreading infection.

The City therefore implements this Administrative Policy and Protocols for Cleaning and Disinfecting the Workplace for the protection of all employees, their families, and the public we serve.

II. Statement of Policy

The purpose of this Policy is to ensure healthy and safe working conditions for all City employees through adherence to federal, state, and local cleaning and disinfecting requirements, recommendations, and best practices intended to limit exposure to the virus that causes COVID-19. Ensuring healthy and safe working conditions and the health and safety of employees is a business necessity for the City.

III. Compliance

The City intends to fully and faithfully comply with any and all applicable federal, state, and local regulations and guidance regarding cleaning and disinfecting worksites in the administration of this Policy and associated protocol.

IV. Policy

Scope of Coverage:

This policy will apply with equal force to all properties and facilities over which the City has custody and control, including both indoor and outdoor areas.

Effective Date: June 29, 2020 - Updated July 15, 2020

This Policy shall be effective immediately upon adoption and shall remain in effect until the **City Council** advises employees that the Policy is no longer operative due to the end of the present public health emergency.

Cleaning Practices for Outdoor Areas:

The virus that causes COVID-19 naturally dies within hours to days in typical indoor and outdoor environments. Warmer temperatures and exposure to sunlight reduces the time the virus survives on surfaces and objects. Outdoor areas generally require normal routine cleaning and do not require disinfection.

(a) City's Responsibilities:

The **City** will maintain existing cleaning and hygiene practices of outdoor areas.

(b) Employee Responsibilities:

In addition to the efforts undertaken by **City** employees are expected to comply will directives issued in the **City's** Administrative Policy and Protocols for Social Distancing and Individual Responsibility in the Workplace, to the extent applicable to outdoor spaces, as well as the provisions in this Policy regarding collective efforts to routinely disinfect frequently used surfaces and objects.

Cleaning Practices for Indoor Areas that have been Unoccupied for at least Seven Days:

The virus that causes COVID-19 has not been shown to survive on surfaces longer than seven (7) days. Therefore, if an indoor area has been unoccupied for seven (7) days or more, the **City** will conduct normal routine cleaning of that area consistent with its existing cleaning and hygiene practices.

Cleaning and Disinfecting Practices for Indoor Areas that have been occupied within the last Seven Days:

(a) City's Responsibilities:

The **City** will evaluate each **City** building or facility to determine what kinds of surfaces make up each area. Most surfaces and objects will require only routine cleaning consistent with the **City's** current practices. Such routine cleaning involves cleaning the surface or object with soap and water. Additionally, each workday, the **City** will clean and disinfect frequently touched surfaces and

objects, including but not limited to light switches and doorknobs, to further reduce the risk of germs on those surfaces and objects.

Disinfecting will be conducted using an EPA-approved disinfectant, when available. If an EPA-approved disinfectant is unavailable, alternative disinfectants will be used, such as one-third (1/3) cup of bleach added to one (1) gallon of water or alternatively, seventy percent (70%) alcohol solutions, to disinfect, consistent with CDC guidelines. The **City** prohibits the mixing of bleach and other cleaning and disinfection products together, as this can cause fumes that may be dangerous when inhaled. The **City** requires that the use of any cleaning and disinfectant products adhere to the instructions from each product's manufacturer related to concentration, application method, contact time, etc. The **City** requires that all disinfectants be kept out of the reach of children.

(b) Employee Responsibilities:

In addition to the efforts undertaken by **City** employees are expected to comply will directives issued in the **City's** Administrative Policy and Protocols for Social Distancing and Individual Responsibility in the Workplace, as well as the provisions in this Policy regarding collective efforts to routinely disinfect frequently used surfaces and objects.

Provision of Sanitizing Supplies:

Hand sanitizer, soap and water, or effective disinfectant will be made available near the entrance of any **City** facility and in other appropriate areas for use by members the public and employees, and in locations where there is high-frequency employee interaction with members of the public (e.g., cashiers).

Tissues and no-touch disposal receptacles will be placed at locations where they can be easily accessed by employees and members of the public.

Collective Effort to Routinely Disinfect Frequently Used Surfaces and Objects:

The CDC has called upon every American to implement behavior to slow the spread of the virus that causes COVID-19. Everyone has a role in making sure our communities are as safe as possible to reopen and remain open. The **City** takes this responsibility extremely seriously.

(a) City's Responsibilities:

The **City** will ensure that surfaces and objects within its buildings and facilities are cleaned and disinfected each workday to maintain safe and healthy working conditions for all workers and members of the public.

(b) Employee Responsibilities:

In addition to the efforts undertaken by **City** every **City** employee across all departments has an individual responsibility to contribute to this effort by routinely disinfecting surfaces and objects with which that employee interacts. This includes mandatory compliance with the **City** Administrative Policy and Protocols for Social Distancing and Individual Responsibility in the Workplace. The **City** will provide effective disinfectants, such as disposable wipes, throughout its buildings and facilities to be used to disinfect these items to assist employees in meeting their individual responsibilities. Employees are expected to utilize these disinfectants to regularly wipe down commonly used surfaces and objects. A list of examples of such commonly used surfaces and objects is provided below.

Cleaning and Disinfecting Frequently Used Hard and Non-Porous Items:

(a) City's Responsibilities:

Each workday, the **City** will have all frequently used hard and non-porous surfaces or objects, such as glass, metal, or plastic, cleaned and then disinfected with an appropriate disinfectant. Examples of frequently used surfaces or objects that shall receive routine disinfection include, but are not limited to:

- Tables
- Doorknobs
- Light switches
- Countertops
- Handles
- Desks
- Phones
- Keyboards
- Toilets
- Faucets and sinks
- Gas pump handles
- Touch screens
- ATMs
- Copiers
- Printers
- Books/binders
- Refrigerators
- Microwaves
- Coffee makers
- File cabinets and shelves
- Shared computers
- Shared tools/equipment
- Stairways and stairwells
- Handrails
- Escalators
- Elevator buttons

(b) Employee Responsibilities:

In addition to the efforts undertaken by **City**, employees are expected to routinely disinfect surfaces and objects that they interact with. Employees should utilize effective disinfectants, such as disposable wipes, provided by the **City** to disinfect the surfaces and objects they come in contact with that may be touched by other employees or members of the public. These surfaces and objects include, but are not limited to, the list of examples provided above.

Cleaning and Disinfecting Soft and Porous Items:

The **City** will ensure that soft and porous items that are not frequently touched are cleaned or laundered, following the directions on the items' labels, using the warmest appropriate water setting.

Soft and porous materials that are frequently touched, such as area rugs, carpets, and upholstered seating, must be disinfected using an appropriate disinfectant.

The **City** will evaluate the soft and porous materials in each building or facility to consider whether items can be removed or stored to reduce frequent handling or contact with multiple people. Soft and porous materials, such as upholstered seating in communal areas, may be removed or stored to reduce the challenges with cleaning and disinfecting these surfaces and objects.

Cleaning and Disinfecting Practices Related to Bodies of Water:

There is no evidence that the virus that causes COVID-19 can spread directly to humans from water in pools, hot tubs or spas, or water play areas. The **City** will ensure proper operation, maintenance, and disinfection of such bodies of water, which should kill the virus that causes COVID-19. This includes maintaining proper disinfectant levels of chlorine or bromine and maintaining a level of pH (7.2-8).

Cleaning and Disinfecting Practices Related to City Vehicles/Transit Buses

(a) City's Responsibilities:

The **City** will provide hand sanitizer and effective disinfectant, such as disposable wipes, in each **City** vehicle.

Transit Buses: The **City** will provide hand sanitizer and effective disinfectant, such as disposable wipes, and globes in each **City** vehicle. Currently only 3 buses are on the road at any given time. Passengers are required to wear masks and board only from the rear entrance. Plexiglass has been installed in all deployed buses.

(b) Employee Responsibilities:

In addition to the efforts undertaken by **City** employees must disinfect frequently touched surfaces and objects within a **City** vehicle/buses before and after use of a **City** vehicle/buses, if that vehicle/bus is shared, or at the beginning and end of each shift, if no one else uses the vehicle during the employee's shift. These surfaces and objects include, but are not limited to, door handles, seatbelts, seats, steering wheels, and window buttons.

Air Filter and HVAC Cleaning:

The **City** will ensure that air filters and HVAC systems are properly maintained. The **City and Employees** will also ensure that fresh air is increased by opening windows and doors to the extent possible and safe.

Providing of Personal Protective Equipment ("PPE") for Workers Assigned to Clean or Disinfect the Workplace:

(a) City Requirements Applicable to City Employees Assigned Whose Job Duties Require Them to Clean or Disinfect City Buildings or Facilities:

City must wear appropriate PPE throughout the cleaning/disinfecting process, including the handling of trash.

The **City** will provide the necessary and appropriate PPE at no cost to any **City** employee whose job duties require them to clean or disinfect its buildings or facilities, as set forth in Occupational Safety and Health Administration ("OSHA") regulations. (See 29 C.F.R. § 1910.132 (h).) This provision does not apply to **City** employees that contribute to cleaning and disinfecting efforts in an isolated fashion, such as wiping down a doorknob or desk after its use.

Appropriate PPE includes disposable gloves and gowns that are compatible with the disinfectant products being used. The **City** require that employees whose job duties require them to clean and disinfect its buildings or facilities wear additional PPE, such as goggles or face shields, based on the cleaning/disinfectant products being used and whether a risk of splashing reasonably exists. If disposable gowns are unavailable, employees whose job duties require them to clean and disinfect its buildings or facilities must wear a similar type of covering, such as coveralls, aprons, or work uniforms. Any reusable (washable) clothing worn during the cleaning/disinfecting process must be laundered afterwards. Employees whose job duties require them to handle dirty laundry, must clean their hands after handling dirty laundry.

Proper Use of PPE and Training Related to PPE

City employees utilizing PPE must carefully remove gloves and gowns at the end of the cleaning/disinfecting process to avoid contamination of the wearer and surrounding area. After the removal of gloves, employees must wash their hands thoroughly with soap and water.

The **City** will ensure that any employees utilizing PPE as described in this section are trained on when to use PPE, what PPE is necessary, how to properly don (put on), use, and doff (take off) PPE, how to maintain and dispose of PPE, and the limitations of PPE. The **City** will also ensure that any employees utilizing PPE as described in this section are trained on proper eye and face protection, hand protection, and respiratory protection.

(b) **City Requirements Applicable to Employees of Third Party Companies Assigned to Clean or Disinfect City Buildings or Facilities:**

The foregoing provisions in subsection (a) regarding PPE apply with equal force to employees of third party companies who are responsible for cleaning **City** facilities and worksites, except that the **City** will not provide PPE to employees or third party companies or provide training to such employees. The **City** will communicate to the third party company its expectations regarding the use of PPE by their employees when cleaning **City** facilities and worksites.

ADMINISTRATIVE POLICY AND PROTOCOLS FOR SOCIAL DISTANCING AND INDIVIDUAL RESPONSIBILITY IN THE WORKPLACE

I. Preamble

The purpose of the California Occupational Safety and Health Act of 1973 is to assure safe and healthy working conditions for all workers. (Labor Code § 6300, et seq.)

The Centers for Disease Control and Prevention (“CDC”) recommends social distancing, also referred to as physical distancing, to reduce the spread of SARS-CoV-2, the virus that causes COVID-19 (hereinafter “the virus that causes COVID-19”). The virus that causes COVID-19 spreads primarily when people come into close contact (within about 6 feet) with each other for a prolonged period (approximately 10 minutes or more). Such spread happens when an infected person coughs, sneezes, or talks, and respiratory droplets from their mouth or nose are launched into the air and land in the mouths or noses of people nearby. The droplets can also be inhaled into the lungs. Studies indicate that people who are infected but do not have symptoms likely also play a role in the spread of the virus that causes COVID-19.

The **City** therefore implements this Administrative Policy and Protocol for Social Distancing and Individual Responsibility in the Workplace for the protection of all employees, their families, and the public we serve.

II. Statement of Policy

The purpose of this policy is ensure the health and safety of working conditions for all **City** employees through adherence to social distancing and cleaning and disinfecting principles and best practices. Ensuring healthy and safe working conditions and the health and safety of employees is a business necessity for the **City**.

III. Compliance

The City of Beaumont will fully and faithfully comply with any and all applicable laws, including, but not limited to, the Americans with Disabilities Act (“ADA”), the Rehabilitation Act of 1973, the Fair Employment and Housing Act (“FEHA”), and the California Confidentiality of Medical Information Act (“CMIA”) in the administration of this policy and associated protocol.

IV. Policy

Scope of Coverage:

This policy will apply with equal force to all **City** employees as preventing the transmission of the virus that causes COVID-19 in the workplace is reasonably related to all **City** jobs.

Effective Date: June 29, 2020

This policy shall be effective immediately upon adoption and shall remain in effect until the **City Manager or Designee** advises employees that the policy is no longer operative due to the end of the present public health emergency.

Reduction of In-Person Employee Headcount at Any Given Time:

To reduce the spread of the virus that causes COVID-19, the **City Manager or Designee** is authorized to allow or require remote work as appropriate for any given employee or class of employees. Employees may be required, for example, to work remotely one day and report to the workplace the next. The **City Manager or Designee** is further authorized to implement flexible, or staggered work hours, including staggered breaks, as needed.

Minimum Spacing of Six Feet:

Employees and members of the public entering and using **City** facilities must maintain a minimum physical distance of six feet between themselves and any other person at all times. While on duty at any **City** facility, employees must also minimize exposure to and contact with others.

To the extent that existing arrangements of workstations or furniture, including in break rooms or lunchrooms, do not provide for adequate spacing, they must be rearranged to provide for such spacing. If furniture cannot be rearranged to allow for adequate spacing, seats or desks that would encroach on the six-foot distance must be clearly marked as prohibited for use.

City Manager or Designee may designate one-way hallways, where appropriate, and mark such one-way hallways with clear signage.

City Manager or Designee may designate separate routes for entry and exit into office spaces to help maintain social distancing and lessen the instances of people closely passing each other.

If a particular workspace is open to the public, social distancing guidelines apply to visiting members of the public as well.

Entry to any City of Beaumont facility must be limited to a number of people that can easily maintain, at all times, a minimum six-foot physical distance from others, except as necessary to complete the business for which the person is at the facility.

Waiting areas must be rearranged so as to discourage members of the public from waiting or sitting within 6 feet of one another.

Signs must be posted outside all elevators, stating the maximum number of occupants on the elevator so that physical distancing can be maintained, and stating that occupants must wear face coverings in the elevator.

Where employees and members of the public form lines for products or services, such as at a public counter, appropriate markings must be placed at 6-foot intervals to indicate where employees and/or members of the public should stand while waiting in order to provide adequate spacing. Persons who are family members or household contacts, may stand or move together, but must be separated from others by a physical distance of at least six feet.

Employees are prohibited from engaging in handshakes, hugs, or any other unnecessary physical contact with any person at all times while on **City** premises or otherwise while on duty outside of their home (telework) workspace.

Physically Distanced Meetings When Necessary:

If an in-person meeting is held, it must take place in a conference room or other space that allows the participants sufficient space to maintain the minimum spacing of six feet. After a conference room is used for a meeting, the conference room must be cleaned and disinfected in accordance with the City of Beaumont's Cleaning and Disinfecting Policy before it can be used again. This includes, but it is not limited to, requiring that all employees who attended the in-person meeting clean and disinfect the space they occupied during the meeting (e.g., their chair, area of the conference table at which they sat) using City of Beaumont-provided sanitizing supplies, as described below.

If feasible per Supervision, in-person meetings can be replaced with other means of communication, including but not limited to telephone calls, e-mails, or videoconferences. Non-essential meetings should be canceled or postponed. Staff meetings normally held in meeting rooms or shop settings should take place outside when physical distancing is not practicable in the usual space.

Social Visits to be Avoided:

Employees should refrain from unnecessary social visits to other employees' workstations.

Employees should refrain from congregating in confined spaces, such as lunch or break rooms.

If socializing cannot be avoided, employees must observe the requirement that they maintain a minimum physical distance of six feet between themselves and any other person at all times.

Employees are prohibited from permitting social visitors (visitors who are not on official business) into any non-public areas of any **City** facility. When and where such social visits do occur, employees must maintain the minimum spacing of six feet at all times. Employees may socialize with visitors who are not on official business outside the workplace (e.g., an employee may go to lunch with their spouse off-site.)

Wearing of Facial Coverings:

Members of the public who enter a **City** facility must wear a face covering during their time in the facility.

Employees working at a **City** worksite must use cloth face coverings when working in open or shared workspaces.

A "cloth face covering" is a material that covers the nose and mouth. It may be secured to the head with ties or straps or simply wrapped around the lower face. It may be made of a variety of materials, such as cotton, silk, or linen. Acceptable cloth face covering options include, but are not limited to:

- Bandana;
- Neck gaiter;
- Homemade face covering;
- Scarf; and
- Tightly woven fabric, such as cotton t-shirts and some types of towels.

A cloth face covering that no longer covers the nose or mouth; has stretched out or damaged ties or straps; cannot remain securely attached to a person's face; has holes or tears in the fabric; and/or obstructs an employee's vision do not comply with this policy. An employee or member of the public must immediately replace their face covering under these circumstances or leave the facility.

Use of a surgical mask or N95 respirator is not required, but employees who choose to do so are in compliance with this policy as long as the surgical mask or N95 respirator is in good condition and can remain securely attached to the employee's face.

Hand Washing:

Employees are expected to wash their hands (for a minimum of 20 seconds), or use hand sanitizer when a sink is not available, every 60 minutes, and after any of the following activities: using the restroom, sneezing, touching the face, blowing the nose, cleaning, sweeping, mopping, smoking, eating, drinking, entering or leaving the facility, going on break, and before and after their work shift.

Provision and Use of Sanitizing Supplies:

Hand sanitizer (at least 60% ethanol or 70% isopropanol), soap and water, or effective disinfectant must be made available near the entrance of any **City** facility and in other appropriate areas for use by the public and employees, and in locations where there is high-frequency employee interaction with members of the public (e.g., cashiers.) Effective disinfectants, such as disposable wipes, should be provided so that commonly used surfaces (e.g., doorknobs, keyboards, remote controls, desks, staplers, copiers, other work tools and equipment) can be wiped down by employees before each use. Tissues and no-touch disposal receptacles must be placed at locations where they can be easily accessed by employees and members of the public.

It is each employee's responsibility to use these wipes and other supplies to sanitize every surface they touch after each use, except those in an employee's own private office space, including but not limited to doorknobs, tables, desk and counter tops, chairs, copiers, printers, books/binders, refrigerators, microwaves, coffee makers, file cabinets and shelves, shared computers, phones, tools, and other equipment. It is further each employee's responsibility to similarly sanitize their own office at the end of their work day or before that space is shared or used by any other person (e.g., an employee must wipe down all surfaces in his or her office before allowing another person to enter for a meeting).

Any items handled by public visitors to any **City** facility, including, but not limited to, visitor badges, clipboards, or pens, must be taken out of circulation after each use and not be used again until wiped down with effective disinfectants in accordance with this policy.

City Vehicles:

Wherever feasible, **City** vehicles should be occupied by only one person. If two employees are required for a task in the field, they should ride in separate vehicles. If sharing a vehicle cannot be avoided, employees should wear their face coverings while in the vehicle. **City** vehicle door handles, seatbelts, seats, and steering wheels must be sanitized before each use of the vehicle. A bottle of sanitizer must be placed in each **City** vehicle and replaced or refilled when empty.

Remote Public Access to Meetings:

Members of the public wishing to attend open session meetings of the **City Council, Planning Commission, Finance and Audit Committee or the Economic Development Committee** may do so in person or remotely. Information regarding how to attend remotely will be posted on the **City** website.

Attendance in person will be permitted with proper social distancing measures, health screening and cloth mask requirements.

Required Posting and Distribution:

Signs must be placed at conspicuous places at all public entrances that instruct members of the public not to enter if they are experiencing symptoms associated with COVID-19 (e.g., cough, shortness of breath or difficulty breathing, and/or more of the following: fever, chills, repeated shaking with chills, muscle pain, headache, sore throat, new loss of taste or smell, or any other symptom associated with COVID-19 identified by the CDC), The signs must also instruct persons who are not experiencing these symptoms and who can enter the facility that they are to wear face coverings and maintain six feet of distance between themselves and others while inside.

A copy of this document, ADMINISTRATIVE POLICY AND PROTOCOLS FOR SOCIAL DISTANCING AND INDIVIDUAL RESPONSIBILITY IN THE WORKPLACE, must be provided to each **City** employee working at any **City** facility and posted at each **City** facility. The location at which the ADMINISTRATIVE POLICY AND PROTOCOLS FOR SOCIAL DISTANCING AND INDIVIDUAL RESPONSIBILITY IN THE WORKPLACE must be easily viewable by the public and employees.

ADMINISTRATIVE POLICY AND PROTOCOLS FOR TESTING City of Beaumont EMPLOYEES FOR COVID-19

I. Preamble

The purpose of the California Occupational Safety and Health Act of 1973 is to assure safe and healthy working conditions for all workers. (Labor Code § 6300, et seq.)

On April 23, 2020, the Equal Employment and Opportunities Commission (“EEOC”) issued updated Technical Assistance Questions and Answers (“Guidance”) concerning the Americans with Disabilities Act (“ADA”) and Rehabilitation Act. The Guidance states that, despite certain restrictions under the ADA and the Rehabilitation Act concerning medical-related testing in the workplace, employers may administer a COVID-19 test to detect the virus that causes COVID-19 and determine if employees attempting to enter the workplace have the virus for the purpose of ensuring the health and safety of their workplaces. In publishing the Guidance, the EEOC recognized that an employee with the virus will pose a direct threat to the health of others.

II. Statement of Policy

The purpose of this policy is ensure the health and safety of working conditions for all **City** employees through the administration of COVID-19 testing for **City** employees. Ensuring healthy and safe working conditions and the health and safety of employees is a business necessity for the **City**.

III. Authority

Pursuant to Labor Code section 6300, et seq. and any applicable state or local public health orders, and consistent with the Equal Employment and Opportunity Commission’s April 23, 2020 Guidance and any guidance that the Department of Fair Employment and Housing may provide and any applicable state or local public health orders, the City of Beaumont is authorized to adopt this COVID-19 testing policy.

IV. Compliance

The City of Beaumont will fully and faithfully comply with any and all applicable laws, including, but not limited to, the ADA and Rehabilitation Act, the Fair Employment and Housing Act (FEHA”) and the California Medical Information Act (“CMIA”) in the administration of this policy and associated protocol.

V. Policy

Scope of Coverage:

This policy will apply with equal force to all **City** employees as testing for the virus that causes COVID-19 and preventing the transmission of the virus that causes COVID-19 in the workplace is reasonably related to all **City** jobs.

On a case-by-case basis, the **City Manager or Designee** is authorized to determine that this policy will not apply to an employee if the **City Manager or Designee** determines that testing such employee is not job related or consistent with business necessity. Testing may not be job related or consistent with business necessity for a particular employee if his or her job responsibilities do not result in contact with or proximity to other people, including other employees or members of the public.

Effective Dates:

This Policy shall be effective immediately upon adoption and shall remain in effect until the **City Manager or Designee** advises employees that the Policy is no longer operative due to the end of the present public health emergency.

Acknowledgement of Agreement to Submit to Testing:

The **City** may require that employees acknowledge receipt of the notice and execute an agreement submitting to testing for the virus that causes COVID-19. Such agreement will include a CMIA authorization for release of the test results to the **City**.

Refusal to Submit to Testing:

The **City** will place any employee who refuses to submit to testing in accordance with the testing protocol associated with this policy on unpaid leave. The employee may then elect to use any earned or accrued leave to which they are entitled in order to provide compensation during the time away from work.

Adoption of Testing Protocol:

The **City Manager or Designee** is authorized to adopt a testing protocol concerning the administration of COVID-19 tests for **City of Beaumont** employees.

Notification of Test Results:

The **Testing Center** will notify the employee of test results in writing and in a confidential manner. In the event of a positive COVID-19 test result, the **City** will also inform the employee by phone call so that the employee may consult with their health care provider and take precautionary measures to prevent transmission of the virus.

Test Results and Any Other Health or Medical Records:

The **City** will store test results and any other health or medical records, in a manner consistent with applicable law and in accordance with the **City's** practice for storing medical information in a file separate from the employee's personnel file.

Effect of Positive COVID-19 Diagnosis:

In the event that a **City** employee tests positive for the virus that causes COVID-19, the **City** will, as provided above, notify the employee of the test results. After informing the employee of the positive result, the **City** will instruct the employee not to return to work until such time as either of the following occur: (1) The employee's health care provider advises the employee that it is safe for them to return to work and has provided the employee with a note certifying this, which the employee provides to the **City**; or (2) The employee self-certifies that they are and have been: (A) Free of fever (a "fever" is defined as 100.4° F [37.8° C] or greater using an oral thermometer) for at least 72 hours without the use of fever-reducing medicines; (B) Any other signs of other COVID-19-related symptoms as determined by the Centers for Disease Control ("CDC") (e.g., cough, shortness of breath, fever, chills, headache, sore throat, repeated shaking with chills, new loss of taste or smell, and/or muscle pain) have significantly improved in the last 72 hours; and (C) At least 7 days have passed since any COVID-19 symptoms first appeared; and (D) Complying with all directives provided by their health care provider before seeking to return to work, including, but not limited to, directives regarding the length of time that the employee needs to self-isolate/quarantine, follow-up testing, and social distancing.

Leave Status of Employee with Positive COVID-19 Diagnosis:

The **City** will place any employee who tests positive for the virus that causes COVID-19 on paid sick leave status for the remainder of the day following the positive diagnosis. Thereafter, the employee may elect to remain on paid sick leave if they have a balance of such leave, may elect to use Emergency Paid Sick Leave as provided under the Families First Coronavirus Response Act if they have a balance of such leave, may elect another form of other earned or accrued leave, or may take such leave on an unpaid basis.

Reservation of Right to Require Additional or Subsequent Testing:

The **City** expressly reserves the right to require that employees submit to additional or subsequent tests in order to ensure healthy and safe working conditions for all employees.

ADMINISTRATIVE POLICY AND PROTOCOLS FOR TEMPERATURE TESTING AND SCREENING FOR SYMPTOMS ASSOCIATED WITH COVID-19

I. Preamble

The purpose of the California Occupational Safety and Health Act of 1973 is to assure safe and healthy working conditions for all workers. (Labor Code § 6300, et seq.)

The Centers for Disease Control and Prevention (“CDC”) currently identifies the following symptoms as being associated with COVID-19:

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea
- The CDC cautions that this list does not include all possible symptoms and that it may update the list as it learns more about COVID-19.

Each of these symptoms is hereinafter referred to as a “symptom associated with COVID-19.”

The CDC and the California Department of Public Health recommends that employers, including public entities, implement measures designed to prevent or reduce the transmission of the virus that causes COVID-19 between and among employees and at the workplace. One method for doing so is to require that employees submit to temperature testing and certify the absence of symptoms associated with COVID-19 prior to being allowed to enter any **City** facility or worksite.

II. Statement of Policy

The purpose of this policy is to prevent any individual who presents a fever or certifies that they have presented a symptom associated with COVID-19 from

entering a **City** facility or worksite in order to ensure the safety and health of **City** workplaces.

III. Authority

Pursuant to Labor Code section 6300, et seq., and consistent with guidance provided by the Equal Employment and Opportunity Commission (“EEOC”) and the Department of Fair Employment and Housing (“DFEH”), the **City** is authorized to adopt this temperature testing and COVID-19 screening policy in order to ensure that individuals who present symptoms associated with COVID-19 do not enter **City** facilities or worksites and to provide a healthy and safe workplace for **City** employees who use such facilities and worksites.

IV. Compliance

The **City** intends to fully and faithfully comply with any and all applicable laws, including, but not limited to, the Americans with Disabilities Act (“ADA”) and the Rehabilitation Act of 1973, and the Fair Employment and Housing Act (“FEHA”) in the administration of this policy and associated protocol.

V. Policy

Scope of Coverage:

This policy and its requirements apply with equal force and effect to all **City** employees in order to enter a **City** facility or worksite. No employee will be exempted from the requirements set forth in this policy.

Unless otherwise stated, this policy and its protocols will also apply to members of the public and visitors to **City** facility or worksite.

Effective Dates: June 29, 2020
Revised July 21, 2021

This Policy shall be effective immediately upon adoption and shall remain in effect until the **City Manager or Designee** advises employees that the Policy is no longer operative due to the end of the present public health emergency.

Notice to Employees: June 29, 2020
Revised July 21, 2021

The **City** will provide notice of this mandatory policy and its protocols to all **City** employees. The **City** will provide employees a copy of this policy for employees to read and review. Employees who do not receive or review such notice and the attached policy will not be excused from the policy's requirements.

Expectations of City Employees with Respect to the Presentation of Symptoms Associated with COVID-19:

The **City** expects and requires that all employees who present a symptom associated with COVID-19 to immediately inform either their immediate supervisor or the **City's** Department of Human Resources.

No employee who presents a symptom associated with COVID-19 prior to the start of the workday may report to work. Employees who develop symptoms after beginning their workday and after informing their immediate supervisor or the **City's** Department of Human Resources will be directed to leave work.

Any employee who fails to inform their supervisor or the Department of Human Resources that they present a symptom associated with COVID-19 or who attempts to or does report to work despite the presentation of such a symptom or symptoms may face disciplinary action by the **City**, up to and including termination.

Posting of Signage Notifying Employees and Members of the Public:

At each **City** facility and worksite, the **City** will post signage informing employees and members of the public of the **City's** policy requiring temperature testing and symptom screening prior to being allowed to enter **City** facilities and worksites.

The signage will direct employees and members of public to the designated location where the **City** will test individual's temperatures and administer the screening questionnaire concerning the presentation of symptoms associated with COVID-19.

The signage will provide that, at the designated location, there is a copy of the **City's** policy for review.

Procedure for Temperature Testing and Symptom Screening:

In accordance with the above referenced federal and state public health guidance, and in order to help prevent or reduce the transmission of the virus that causes COVID-19 between and among employees, **City** will implement the following protocols.

Social Distancing Required While Waiting for Temperature Testing and Symptom Screening:

Consistent with the **City's** social distancing policy, employees and members of the public who are waiting for temperature testing and symptom screening must adhere to the social distancing requirements set forth under that policy, including, but not limited to remaining at least six feet apart from any other individual.

Submission to Temperature Testing and Symptom Screening as a Precondition to Entrance to any City Facility or Worksite:

Prior to being allowed to enter and as a precondition to such entrance to any **City** facility or worksite, **City** employees and members of the public shall be required to submit to a temperature test and verbally attest to the absence of any presentation of symptoms associated with COVID-19.

The **CITY** will treat an employee refusing to submit to either temperature testing or symptom screening prior to or during their scheduled work day as an unexcused absence.

Requirement to Identify Oneself as a CITY Employee:

At the designated location, **CITY** employees are required to identify themselves as **CITY** employees in order for the **CITY** to record the temperature test and symptom screening results, if necessary.

Protocol for Temperature Testing:

At the designated location, the **CITY** will conduct a temperature test on each employee and member of the public who wishes to access the **CITY** facility or worksite.

The **CITY** will take individual's temperatures by a non-invasive contactless infrared thermometer. Temperature readings will be taken at least once.

If necessary, the **CITY** may take an individual's temperature a second time to confirm the results of the first test or if the first results suggest an erroneous result.

In the event that an employee or member of the public has a temperature that is 100.4 degrees Fahrenheit or higher, the **CITY** will deny that individual access to the **CITY** facility or worksite.

If an employee has a temperature that is 100.4 degrees Fahrenheit or higher, the **CITY** will record such results on the Temperature Test and Symptom Screen Form. The **CITY** will inform the individual of such tests results in a manner designed to preserve the confidentiality of the test results and instruct the individual to contact the **CITY's** Human Resources Department for further instruction. The **CITY** will then

promptly notify the **CITY's** Human Resources Department of the temperature test results and provide the name of the employee whose test results suggested a fever.

Protocol for Symptom Screening:

At the designated location, the **CITY** will require each employee and member of the public who wishes to access the **CITY** facility or worksite to certify to the fact that they do not currently present any symptom associated with COVID-19.

The **CITY** will post a list of the symptoms associated with COVID-19 and require that each individual certify orally to the fact that they do not currently present any symptom associated with COVID-19. For minor children entering a **CITY** facility or worksite, the **CITY** will deem the oral certification of a parent, guardian or child care provider that the child does not present any such symptom as sufficient to permit entrance to the **CITY** facility or worksite.

In the event that an employee or member of the public indicates that they currently present any symptom associated with COVID-19 or cannot certify that they do not present any such symptom, the **CITY** will deny that individual access to the **CITY** facility or worksite until the individual is able to certify that they do not currently present any symptom associated with COVID-19.

If an employee indicates that they currently present any symptom associated with COVID-19 or cannot certify that they do not present any such symptom, the **CITY** will record this response on the Temperature Test and Symptom Screen Form. If the employee indicates which symptom they present, the **CITY** will record this information on the Temperature Test and Symptom Screen Form. The **CITY** will instruct the individual to contact the **CITY's** Human Resources Department for further instruction. The **CITY** will then promptly notify the **CITY's** Human Resources Department of the employee's response to the request for certification and provide the name of the employee whose response suggested presentation of a symptom or symptoms associated with COVID-19.

This policy shall supplement any of the other policies, protocols or guidelines that the **CITY** has adopted in order to prevent or reduce the likelihood of transmission of the virus that causes COVID-19 among and between employees.

**ADMINISTRATIVE POLICY AND PROTOCOLS FOR THE
USE AND DISCLOSURE OF CONFIDENTIAL City of Beaumont MEDICAL
INFORMATION RELATED TO COVID-19**

I. Preamble

The **City** implemented COVID-19 testing policy and/or a temperature testing and COVID-19 symptom screening policy and/or an accommodation policy for high-risk employees in order to ensure the health and safety of **City** employees in accordance with the California Occupational Safety and Health Act of 1973 and its purpose to assure safe and healthy working conditions for all workers. (Labor Code § 6300, et seq.)

The **City's** COVID-19 testing policy and/or a temperature testing and COVID-19 symptom screening policy and/or an accommodation policy for high-risk employees authorize[s] the **City** to collect certain confidential medical information ("Medical Information") about **City** employees.

II. Definitions

"Medical Information" means any Individually Identifiable information, in electronic or physical form, in possession of or obtained from a provider of health care, health care service plan, pharmaceutical company, or contractor regarding an employee's medical history, mental or physical condition, or treatment. It also means any Individually Identifiable information collected by **City** in relation to the COVID-19 testing policy and/or a temperature testing and COVID-19 symptom screening policy and/or an accommodation policy for high-risk employees implemented by **City**.

"Individually Identifiable" means that the Medical Information includes or contains any element of personal identifying information sufficient to allow identification of the individual, such as the patient's name, address, electronic mail address, telephone number, or social security number, or other information that, alone or in combination with other publicly available information, reveals the individual's identity.

II. Statement of Policy

The purpose of this policy is to safeguard Medical Information in a manner compliant with the Confidentiality of Medical Information Act ("CMIA") and the Americans with Disabilities Act ("ADA") with respect to all Medical Information that the **City** acquires during the administration of these policies, or obtains by other means. The **City** recognizes the importance of confidentiality concerning the information at issue and will fully and faithfully comply with CMIA in its use and disclosure of such information.

III. Authority

The **City of Beaumont** is authorized to conduct the COVID-19 testing and/or temperature testing and COVID-19 symptom screening and/or an accommodation policy for high-risk employees under the authority provided for under these policies.

IV. Compliance

The **City** will fully and faithfully comply with the CMIA and ADA in the implementation and administration of this policy as well as the associated COVID-19 testing policy and/or a temperature testing and COVID-19 symptom screening policy and/or an accommodation policy for high-risk employees' policies.

V. Policy

Scope of Coverage:

This policy covers all Individually Identifiable Medical Information of all **City** employees and applicants that the **City** acquires or obtains and which relates to COVID-19, including, but not limited to, symptoms associated with COVID-19, positive COVID-19 test results, and other health or medical conditions that would place the employee at high-risk for a serious illness if the employee contracted COVID-19.

Specifically, this policy covers the following types of Medical Information:

- All Medical Information acquired by **City** during or as a result of the administration of the City's COVID-19 testing policy and/or a temperature testing and COVID-19 symptom screening policy and/or an accommodation policy for high-risk employees. For example, the policy covers COVID-19 test results, temperature test results, the results of screenings for symptoms associated with COVID-19, and information regarding other medical conditions.
- All Medical Information that the **City** obtains by means other than by testing administered by the **City**. For example, the County Public Health Department may inform the **City** that a **City** employee has tested positive or a **City** employee may voluntarily disclose a positive COVID-19 diagnosis not as the result of a test administered by the **City**.
- All Medical Information related to COVID-19 that the **City** acquires or obtains, including, but not limited to, information about an employee's health or medical conditions that may put the employee at increased risk of serious illness should the employee contract COVID-19 as provided under the City's accommodation policy for high-risk employees.

Effective Dates: June 29, 2020

This policy shall be effective immediately upon adoption and shall remain in effect as long as necessary to safeguard Medical Information acquired or obtained by the **City** employees and as otherwise required by law.

Notice of Privacy Practices:

The **City** will provide a Notice of Privacy Practices to employees to explain their rights under this policy.

Employee Authorization to Disclose Medical Information:

Permissible disclosures of employee Medical Information without prior written authorization from an employee are limited.

Should an employee wish to provide the **City** authority to make additional disclosures of Medical Information related to COVID-19, the employee or their legal representative may authorize such disclosure using the Authorization for Disclosure and Use of Medical Information (“Authorization”), and completing each of the required fields provided therein.

An employee may also authorize the Disclosure and Use of Medical Information in a handwritten document. Such a handwritten Authorization must:

- State the specific uses and limitations on the types of Medical Information to be disclosed;
- State the name or function of the **City** that may disclose the Medical Information;
- State the names or functions of the persons or entities authorized to receive the Medical Information;
- State the limitations, if any, on the use of the Medical Information by the persons or entities authorized to receive the Medical Information; and
- State a specific date after which the **City** is no longer authorized to disclose the Medical Information.

Permissible Uses and Disclosures of Medical Information:

Generally, the **City** may not disclose Medical Information without prior written authorization from an employee. The **City** may, however, use and disclose an employee’s Medical Information for certain public interest and benefit purposes, including, but not limited to:

- If compelled by judicial or administrative process or by any other specific provision of law;

- That part of the information which is relevant in a lawsuit, arbitration, grievance, or other claim or challenge to which the **City** and employee are parties and in which the patient has placed in issue his or her medical history, mental or physical condition, or treatment may be used or disclosed in connection with that proceeding;
- For the purpose of administering and maintaining employee benefit plans, including health care plans and plans providing short-term and long-term disability income, workers' compensation and for determining eligibility for paid and unpaid leave from work for medical reasons;
- To a provider of health care or other health care professional or facility to aid the diagnosis or treatment of the employee, where the employee or other person authorized by law to permit disclosure of Medical Information on the employee's behalf, is unable to authorize the disclosure.

The uses and disclosures of an employee's confidential information for these purposes do not require the employee's authorization.

Further, it shall not be a violation of the Policy and Protocols for the **City** to disclose information that does not contain Individually Identifiable information of an employee. For example, the **City** may notify other employees that an employee has tested positive for COVID-19 so long as the **City** does not disclose information that would lead others to identify that employee (e.g. their name, work location, position). In such a circumstance, it may be necessary for the **City** to inform certain persons, such as the individual's supervisor, janitorial staff, that an employee has tested positive so that **City** may take appropriate steps to ensure a healthy and safe workplace for all **City** employees.

Disclosures of Medical Information to the Employee:

Employees are entitled to access and review their medical file as maintained by the **City**. The **City** must disclose the Medical Information contained in the employee's medical file to the employee when requested.

Reasonable Safeguards for Medical Information:

The **City** employs reasonable safeguards in order to protect against and limit the incidental use and disclosure of employee's Medical Information.

The **City** will store Medical Information in a medical file that is separate and distinct from the employee's personnel file.

The **City** password protects all computers that are used to store protected health information, restricts employee access to the Medical Information, and encrypts emails and texts containing Medical Information.

City employees follow the following safeguards in order to limit the incidental use and disclosure of Medical Information:

1. Determine who is with an employee before discussing the employee's Medical Information.
2. Do not assume that an employee will permit disclosure of their Medical Information to a family member or friend.
3. Request that individuals leave the room or vicinity in order to provide the employee an opportunity to object to the disclosure of their Medical Information.
4. Dispose of unnecessary paper products that have protected health information in a shredder.]

Limiting the Disclosures of Medical Information:

All requests for Medical Information, whether routine or non-routine, are handled by the **City's** Department of Human Resources. All **City** employees must therefore direct all requests for Medical Information to the **City's** Department of Human Resources.

Policy on Requests to Review and/or Amend Employee Authorization for Disclosure of Medical Information:

Employees are entitled to request a true copy of an employee's authorization for the disclosure of Medical Information.

Employees are also entitled to cancel or modify an employee authorization for the disclosure of Medical Information. Employees who wish to cancel or modify an employee authorization must provide written notice to **City**. Cancellations and modifications of employee authorizations only become effective after **City** receives written notice of any such action.

Policy on Requests to Restrict Use and Disclosure of Medical Information:

Employees are entitled to request that the **City** restrict the use and/or disclosure of protected health information, as outlined in Civil Code Section 56.11(d)-(h).

If an employee has authorized disclosure of Medical Information but wishes to restrict such authorization, **City** shall communicate to the person or entity to which it discloses the Medical Information any limitations in the authorization regarding the use of the Medical Information.

ADMINISTRATIVE POLICY AND PROTOCOLS FOR THE ACCOMMODATION OF EMPLOYEES WHO ARE AT HIGH-RISK OF SEVERE ILLNESS FROM COVID-19

I. Preamble

Federal and State equal employment and opportunity laws, including the American with Disabilities Act (“ADA”) and the Rehabilitation Act, Title VII of the Civil Rights Act, the Fair Employment and Housing Act (“FEHA”), and the Age Discrimination in Employment Act (“ADEA”) impose certain obligations on the **City** in terms of the provision of reasonable accommodations.

Absent an undue hardship to the **City** or a direct threat to the health and safety of **City** employees, the **City** may provide certain employment-related accommodations to employees who, because they are age 65 or older or have an underlying medical condition, are at higher risk of severe illness if they contract the virus that causes COVID-19, in order to reduce the risk of such employees contracting the virus.

II. Statement of Policy

This discretionary policy provides to qualified employees the right to request that the **City** provide certain additional accommodations that, while not otherwise required by law, may reduce the risk of such employees contracting the virus that causes COVID-19.

III. Compliance

The **City** intends to fully and faithfully comply with any and all applicable laws, including, but not limited to, the ADA, Rehabilitation Act, the FEHA and the ADEA in the administration of this policy and associated protocol.

IV. Policy

Scope of Coverage:

This policy applies to and covers all **City** employees who can demonstrate that they are at higher risk of severe illness if they contract the virus that causes COVID-19 because they are age 65 or older or have one or more of the underlying medical conditions enumerated below.

Based on the available information at the time that this policy was adopted, the Centers for Disease Control and Prevention (“CDC”) identifies the following

individuals, of all ages, as those who are at increased risk of severe illness if the individual contracted the virus that causes COVID-19:

- People who have chronic kidney disease;
- People who have chronic obstructive pulmonary disease (“COPD”);
- People who are immunocompromised from a solid organ transplant;
- People who are obese, with a body mass index (“BMI”) of 30 or higher;
- People with serious heart conditions, such as heart failure, coronary artery disease, or cardiomyopathies;
- People with sickle cell disease; and
- People with type 2 diabetes mellitus.

Based on the available information at the time that this policy was adopted, the Centers for Disease Control and Prevention (“CDC”) identifies the following individuals, of all ages, as those who **might be** at increased risk of severe illness if the individual contracted the virus that causes COVID-19:

- People with moderate-to severe asthma;
- People who have cerebrovascular disease;
- People who have cystic fibrosis;
- People who have hypertension or high blood pressure;
- People who are immunocompromised from blood or bone marrow transplant, immune deficiencies, HIV, use of corticosteroids and other immune weakening medications;
- People with neurologic conditions, such as dementia;
- People with liver disease;
- People who are pregnant;
- People with pulmonary fibrosis;
- People who smoke;
- People with Thalassemia; and
- People with type 1 diabetes mellitus.

The **City** expressly reserves the right to modify the above enumerated conditions based on new information or guidance provided by the CDC on their website at <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html>, or elsewhere, in addition to guidance from other public health authorities.

Effective Dates: June 29, 2020 - Updated July 20, 2020

This Policy shall be effective immediately upon adoption and shall remain in effect until the **City Council** advises employees that the Policy is no longer operative due to the end of the present public health emergency.

Notice to Human Resources:

If an employee is age 65 or older, has any of the recognized underlying medical conditions enumerated herein, or another condition that the employee believes places them at higher risk for severe illness if they contract the virus that causes COVID-19, the employee may inquire with **City's** Human Resources Department regarding a potential workplace accommodation.

City Policy Against Retaliation:

The **City** will not terminate, suspend, discipline, or take any other adverse employment action against an employee exercising their privileges under this Policy.

Process for Accommodation Request:

While the request for accommodation under this policy is separate and distinct from a request for a reasonable accommodation under the ADA, an employee who desires an accommodation under this policy must make such a request in accordance with the **City's** Reasonable Accommodation Policy which is located in the **City of Beaumont Personnel Manual** which can be found at or via <http://beaumontca.gov/DocumentCenter/View/24261/Employee-Handbook?bidId=>.

Following receipt of the request, the **City's** Human Resources Department will require a note from the employee's health care provider(s) certifying that the employee has a qualified underlying medical condition that exposes the employee to a higher risk of severe illness if they contract the virus that causes COVID-19. Furthermore, the **City's** Human Resources Department may require additional information, including, but not limited to, documentation from the employee's health care provider to determine whether the employee's underlying condition necessitates an additional accommodation when the employee returns to the workplace.

Determinations regarding accommodations under this policy will be made on a case-by-case basis by the **City's** Human Resources Director or their designee. Accommodations may include, but are not limited to, the following:

- Alternative work assignments or locations;
- Telework;
- Reassignment;

- Increased social distancing measures; and/or
- Leave.

The **City's** Human Resources Department will work in good faith with the employee to fully consider all potential accommodations.

No Right to Appeal Accommodation Determinations:

Determinations made by the **City's** Human Resources Department are final and are not subject to appeal by the employee or the employee's employee organization.

ADMINISTRATIVE POLICY AND PROTOCOLS FOR EMPLOYEE LEAVE AND COMPENSATION UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

I. Preamble

The purpose of the Families First Coronavirus Response Act (“FFCRA”) is to provide employees with paid sick leave and expanded family and medical leave for reasons related to COVID-19. (Public Law No. 116-127.)

Subsequent to the enactment of the FFCRA, the Department of Labor (“DOL”) promulgated temporary regulations to implement expanded family and medical leave under Title I of the Family and Medical Leave Act (“FMLA”) and emergency paid sick leave to assist working families facing public health emergencies. The DOL also published a correction in the Federal Register to make certain technical corrections to the regulatory text. The DOL has also provided informal guidance concerning the implementation of the emergency paid sick leave and expanded family and medical leave provisions.

This policy is intended to provide City of Beaumont employees with the emergency paid sick leave and expanded family and medical leave to which they are entitled under FFCRA.

II. Statement of Policy

The City will provide eligible employees with leave pursuant to the Emergency Paid Sick Leave Act (“EPSLA”) (*i.e.*, Emergency Paid Sick Leave) and Emergency Family and Medical Leave Expansion Act (“EMFLEA”) (*i.e.*, Emergency Family and Medical Leave) as required under the Families First Coronavirus Response Act (“FFCRA” or the “Act”). The following provisions set forth certain rights and obligations with respect to said leave.

III. Compliance

The City of Beaumont will fully and faithfully comply with the requirements set forth in the FFCRA and the regulations promulgated by the DOL in its administration of this policy.

IV. Policy

Section 1. Effective Dates

The Administrative Policy and Protocols for Employee Leave and Compensation

Under the FFCRA shall expire on December 31, 2020 or when the EPSLA or EMFLEA provisions of the FFCRA are no longer effective under the law, whichever is later.

Section 2. Definitions

- A. "Child Care Provider" means a provider who receives compensation for providing childcare services on a regular basis. The term includes a center-based childcare provider, a group home childcare provider, a family childcare provider, or other provider of childcare services for compensation that is licensed, regulated, or registered under State law; and satisfies the State and local requirements. However, under the FFCRA, the eligible childcare provider *need not be compensated or licensed* if he or she is a family member or friend, such as a neighbor, who regularly cares for the Employee's child.
- B. "Emergency Family and Medical Leave" means leave provided under the EMFLEA (Sec. 3101, et seq. of the FFCRA).
- C. "Emergency Paid Sick Leave" means leave provided under the EPSLA (Sec. 5101, et seq. of the FFCRA).
- D. "Emergency responder" means the following for the purposes of employees who may be exempted from Emergency Paid Sick Leave and Emergency Family and Medical Leave: (1) Anyone necessary for the provision of transport, care, healthcare, comfort and nutrition of such patients, or others needed for the response to COVID-19; or (2) Anyone who serves in the military or national guard, or as a law enforcement officer, correctional institution personnel, fire fighter, emergency medical services personnel, physician, nurse, public health personnel, emergency medical technician, paramedic, emergency management personnel, 911 operator, child welfare worker and service provider, 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.
- E. "Health care provider" means the following for the purposes of employees who may be exempted from Emergency Paid Sick Leave and Emergency Family and Medical Leave: (1) Anyone employed at any doctor's office, hospital, health care center, clinic, postsecondary educational institution offering health care instruction, medical school, local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, any facility that performs laboratory or medical testing, pharmacy, or

any similar institution, employer, or entity; or (2) Any individual employed by an entity that contracts with any of these institutions described above to provide services or to maintain the operation of the facility where that individual's services support the operation of the facility. This also includes anyone employed by any entity that provides medical services, produces medical products, or is otherwise involved in the making of COVID-19 related medical equipment, tests, drugs, vaccines, diagnostic vehicles, or treatments.

- F. "Individual" for the purpose of Section 3.D. above means an employee's immediate family member, a person who regularly resides in the employee's home, or a similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person if he or she were quarantined or self-quarantined. "Individual" does not include persons with whom the Employee has no personal relationship.
- G. "Son or Daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing *in loco parentis*, who is under 18 years of age; or 18 years of age or older who is incapable of self-care because of a mental or physical disability. (29 U.S.C. 2611; 29 CFR 826.10(a).)
- H. "Subject to a Quarantine or Isolation Order" means a quarantine or isolation order includes quarantine, isolation, containment, shelter-in-place, or stay-at-home orders issued by any Federal, State, or local government authority that cause the employee to be unable to work even though his or her Employer has work that the employee could perform but for the order. This also includes when a Federal, State, or local government authority has advised categories of citizens (*e.g.*, of certain age ranges or of certain medical conditions) to shelter in place, stay at home, isolate, or quarantine, causing those categories of employees to be unable to work even though their employers have work for them.

Section 3. Emergency Paid Sick Leave

Qualifying Reasons for Emergency Paid Sick Leave:

Emergency Paid Sick Leave is only permitted for the following reasons:

- A. The employee is Subject to a Quarantine or Isolation Order related to COVID-19.
- B. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.

- C. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- D. The employee is caring for an individual who is Subject to a Quarantine or Isolation Order or who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- E. The employee is caring for the employee's son or daughter if the child's school or place of care has been closed, or the child's childcare provider is unavailable, due to COVID-19 precautions.
- F. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Employees Eligible for Emergency Paid Sick Leave:

- A. Subject to Sections B and C, below, all **City** employees are potentially eligible for Emergency Paid Sick Leave.
- B. Employees are not eligible for Emergency Paid Sick Leave if the **City** determines that the employee's duties and services are not needed during all or part of the period of requested Emergency Paid Sick Leave (for example, because the **City** has temporarily stopped providing the services that the employee would otherwise provide). In this circumstance, the **City** may deem that the employee is not working due to lack of work.
- C. The **City** may elect to exempt from the receipt of Emergency Paid Sick Leave any employee or class of employees who qualify as a "Health care provider" or "Emergency responder" as defined in Section 2.D. and E., above.
 - 1. The **City** has designated the following job classifications as "healthcare providers":
 - 2. The **City** has designated the following job classifications as "emergency responders":

Amount of Emergency Paid Sick Leave:

- Leave taken as Emergency Paid Sick Leave is in addition to any other statutory or contractual leave to which the employee is entitled.

- Full time employees working 40 hours per week may take up to 80 hours of Emergency Paid Sick Leave.
- Part time employees may take to up to the average number of hours that they work over a two-week period as determined by reviewing the six-month period prior to the usage of leave. If the employee has been employed by the **City** for fewer than six months, the **City** will calculate the leave entitlement based on the entire period the employee has been employed.
- Employees hired on or after April 1, 2020 who took the full 80 hours of Emergency Paid Sick Leave when employed by another employer are not entitled to take any additional Emergency Paid Sick Leave with the **City**. An employee who has taken some, but not all, of the Emergency Paid Sick Leave to which they are entitled when they were employed by another employer, is entitled only to the remaining portion of such leave from the **City**.
- An employee who is laid off or otherwise terminated on or after March 1, 2020 and who is rehired on or before December 31, 2020 will be eligible for unused Emergency Paid Sick Leave for the qualifying reasons set forth in Section 3.

Employee Benefits While on Emergency Paid Sick Leave:

The benefit amount varies based on the reason for the leave as follows:

- A. Employees are entitled to Emergency Paid Sick Leave at their regular rate of pay, subject to a cap of \$511 per day and \$5,110 in the aggregate, if they are unable to work or telework for one of the following reasons:
 1. The employee is Subject to a Quarantine or Isolation Order related to COVID-19;
 2. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or,
 3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- B. Employees are entitled to Emergency Paid Sick Leave at two-thirds (2/3) of their regular rate of pay, subject to a cap of \$200 per day and \$2,000 in the aggregate, if they are unable to work or telework for one of the following reasons:
 1. The employee is caring for an individual who is Subject to a Quarantine or Isolation Order related to COVID-19 or who has been

advised by a health care provider to self-quarantine due to concerns related to COVID-19;

2. The employee is caring for the employee's son or daughter if the child's school or place of care has been closed, or the child's childcare provider is unavailable, due to COVID-19 precautions; or
3. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

Supplementation of Paid Accrued Leaves:

Employees may supplement the compensation they receive if taking Emergency Paid Sick Leave (paid up to the specified limitations under the FFCRA) with their earned or accrued leaves in order to achieve 100% of the pay the employee would normally receive in a given week for working their regularly scheduled hours.]

Intermittent Leave

Generally, an employee must use the permitted days of Emergency Paid Sick Leave consecutively until the employee no longer has a qualifying reason to take the leave. An employee may request Emergency Paid Sick Leave on an intermittent basis only if the employee obtains the **City's** prior approval to do so, *and*:

- (1) The employee is not working *and* qualifies for use of Emergency Paid Sick Leave; or
- (2) The employee is teleworking; or
- (3) The employee is reporting to the worksite *and* has requested Emergency Paid Sick Leave to care for their son or daughter if the child's school or place of care has been closed, or the child's childcare provider is unavailable, due to COVID-19 precautions.

The **City** will evaluate such request to determine if such leave is operationally feasible.

Restoration to Prior Position:

An employee who uses Emergency Paid Sick Leave is entitled to reinstatement to their prior or an equivalent position, unless the employee's employment would have ended regardless of whether he or she took leave.

Emergency Paid Sick Leave is Protected Leave:

Emergency Paid Sick Leave is considered protected leave when used for the reasons specified in Section 3. The City shall not discharge, discipline, or in any other manner discriminate against an employee who takes Emergency Paid Sick Leave.

Emergency Paid Sick Leave Request:

The **City** requests but does not require that the employee provide notice of the need to use Emergency Paid Sick Leave until after the first workday of usage of such leave. However, an employee may provide notice of the need to use Emergency Paid Sick Leave prior to the usage of such leave.

After the first workday for which an employee takes Emergency Paid Sick Leave, the employee must provide reasonable notice for the usage of such as soon as is practicable thereafter.

An employee may provide notice of the need to use Emergency Paid Sick Leave orally or in writing and may provide such notice through the employee's spokesperson (e.g., spouse, adult family member, or other responsible party) if the employee is unable to provide such notice personally.

If an employee fails to provide proper notice, the **City** will give the employee notice of the failure and provide the employee with an opportunity to provide the required documentation, described below, prior to denying the employee's request for leave.

Certification of Emergency Paid Sick Leave:

An employee who seeks Emergency Paid Sick Leave must provide the following information, orally or in writing, prior to the commencement of the leave or as soon thereafter as practicable:

- (1) Employee's name;
- (2) Date(s) for which leave is requested;
- (3) Qualifying reason for the leave; and
- (4) Oral or written statement that the Employee is unable to work because of the qualified reason for leave.

In addition, the employee must provide the following documentation in support of his/her request for Emergency Paid Sick Leave:

- (1) To take Emergency Paid Sick Leave because the employee is Subject to a Quarantine or Isolation Order related to COVID-19, the employee must provide the name of the government entity that issued the quarantine or isolation order.
- (2) To take Emergency Paid Sick Leave because the employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19, the employee must provide the name of the health care provider who advised the employee to self-quarantine due to concerns related to COVID-19.
- (3) To take Emergency Paid Sick Leave because the employee is caring for an individual who is Subject to a Quarantine or Isolation Order related to COVID-19 or who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19, the employee must provide either: (1) The name of the government entity that issued the Quarantine or Isolation Order to which the individual being cared for is subject; or (2) The name of the health care provider who advised the individual being cared for to self-quarantine due to concerns related to COVID-19.
- (4) To take Emergency Paid Sick Leave because the employee is caring for the employee's son or daughter if the child's school or place of care has been closed, or the child's child care provider is unavailable, due to COVID-19 precautions, the employee must provide: (1) The name of the son or daughter being cared for; (2) The name of the School, Place of Care, or Child Care Provider that has closed or become unavailable; and (3) A representation that no other suitable person will be caring for the Son or Daughter during the period for which the employee takes Emergency Paid Sick Leave.

Emergency Paid Sick Leave Carry-Over:

Unused Emergency Paid Sick Leave will carryover for any employee who after termination, resignation, retirement, or other separation from employment is rehired prior to the expiration described in Section 13 below. Under no circumstances will unused Emergency Paid Sick Leave carry over after the expiration described in Section 13 below.

No Emergency Paid Sick Leave Cash-Out or Conversion to Service Credits:

Unused Emergency Paid Sick Leave may not be cashed out upon termination, resignation, retirement, or other separation from employment.

Unused Emergency Paid Sick Leave may not be converted to retirement service credits.

Section 4. Emergency Family and Medical Leave

Reasons for Emergency Family and Medical Leave:

Emergency Family and Medical Leave is only permitted for the leave due to an inability to work (or telework) because the employee needs to provide care for the employee's son or daughter under the Emergency Family and Medical Leave Expansion Act. (FMLA Sec. 110 (a)(2)(A).)

Employees Eligible for Emergency Family and Medical Leave:

- A. Employees are entitled to up to 12 weeks of job-protected Emergency Family and Medical Leave if the employee satisfies the following requirements:
 - 1. The employee has worked for the **City** for at least 30 calendar days;
 - 2. The employee is unable to work (or telework) due to a need to care for the employee's son or daughter whose school or place of care has been closed, or whose child care provider is unavailable due to a COVID-19 emergency declared by either a Federal, State, or local authority;
 - 3. The employee has not used all available FMLA leave. Emergency Family and Medical Leave is a form of FMLA leave, and is not in addition to any other FMLA leave;
 - 4. There is no other suitable person (such as a co-parent, co-guardian, or usual childcare provider) available to care for the employee's son or daughter during the period for which the employee takes Emergency Family and Medical Leave; and
 - 5. The **City** did not exempt the employee as either a "Health care provider" or "Emergency responder."

- B. Employees are not eligible for Emergency Family and Medical Leave if the **City** determines that the employee's duties and services are not needed during the period of requested Emergency Family and Medical Leave (for example, because the **City** has ceased offering the services that would

otherwise be provided by the employee). In this instance, the **City** may deem that the employee is not working due to lack of work.

- C. The **City** may elect to exempt from the receipt of Emergency Family and Medical Leave any employee or class of employees who qualify as a “Health care provider” or “Emergency responder” as defined in Section 2.D. and E., above.
 - a. The **City** has designated the following job classifications as “healthcare providers”:
 - b. The **City** has designated the following job classifications as “emergency responders”:
- D. An employee who is laid off or otherwise terminated on or after March 1, 2020 and who is rehired on or before December 31, 2020 will be eligible for unused Emergency Family and Medical Leave provide that the employee had been on the **City**’s payroll for 30 or more of the 60 calendar days prior to the date the employee was laid off or otherwise terminated.

Amount of Emergency Family and Medical Leave:

An eligible employee is entitled to a maximum of twelve workweeks of Emergency Family and Medical Leave during the period in which the leave may be taken (between April 1, 2020 to December 31, 2020) even if the twelve workweeks spans two twelve-month leave periods under the FMLA.

Employee Benefits While on Emergency Family and Medical Leave; Supplementation of Paid Accrued Leaves:

A. First Ten Days of Emergency Family and Medical Leave

The first ten (10) days of Emergency Family and Medical Leave are unpaid.

During this period, the employee may elect to use Emergency Paid Sick Leave, as described above, if the employee has not exhausted such leave through use at the **City** or prior employer. If the employee has exhausted the Emergency Paid Sick Leave, an employee may use their earned and accrued leaves to supplement the unpaid Emergency Family and Medical Leave in order to achieve up to 100% of the pay they would normally receive in a given week for working their regularly scheduled hours. Use of such accrued and unused leave will run concurrently with use of Emergency Family and Medical Leave.

B. Emergency Family and Medical Leave After the First Ten Days

After the tenth day, and for the remaining up to ten (10) weeks of Emergency Family and Medical Leave, an employee is entitled to compensation for such leave at two-thirds (2/3) of the employee's regular rate of pay, subject to a cap of \$200 per day and \$10,000 total.

During this period, employees may supplement the Emergency Family and Medical Leave (paid up to the specified limitations under the FFCRA) with their earned or accrued leave provided by the **City** in order to achieve 100% of the pay the employee would normally receive in a given week for working their regularly scheduled hours.

Intermittent Leave:

An employee may request Emergency Family and Medical Leave on an intermittent basis and the **City** will evaluate such request to determine if such leave is operationally feasible.

Required Use of Applicable Earned or Accrued Leave During Emergency Family Medical Leave:

Employees must use all earned or accrued leave increments concurrently with any Emergency Family Medical Leave. The employee must do so if the earned or accrued leave is available to care for the employee's child because the child's school or place of care is closed. The employee must use the earned or accrued leave in full day increments, unless the **City** permits the earned or accrued leave to be used to supplement the Emergency Family and Medical Leave compensation in order to achieve 100% of the pay the employee would normally receive for working their regularly scheduled hours. An employee who uses earned or accrued leave concurrently with Emergency Family and Medical Leave will receive full pay until the earned or accrued leave is exhausted. Thereafter, and for the remainder of the Emergency Family Medical Leave, the employee will be paid the Emergency Family Medical Leave compensation of two-thirds (2/3) of the employee's regular rate of pay, subject to a cap of \$200 per day and \$10,000 total.

Employee Notice of Emergency Family and Medical Leave:

Where the need to use Emergency Family and Medical Leave is foreseeable, the employee shall provide the **City** with such notice as soon as practicable.

The **City** requests, but does not require, that the employee provide notice of the need to use Emergency Family and Medical Leave unit after the first workday of the usage of such leave.

After the first workday for which an employee takes Emergency Family and Medical Leave, the employee must provide reasonable notice for the usage of such as soon as is practicable thereafter.

An employee may provide notice of the need to use Emergency Family and Medical Leave orally or in writing and may provide such notice through the employee's spokesperson (e.g., spouse, adult family member, or other responsible party) if the employee is unable to provide such notice personally.

If an employee fails to provide proper notice, the **City** will give the employee notice of the failure and provide the employee an opportunity to provide the required documentation, described below, prior to denying the request for leave.

Certification of Emergency Family and Medical Leave:

An employee who seeks Emergency Family and Medical Leave must provide the following information prior to taking leave or as soon thereafter as practicable:

- (1) Employee's name;
- (2) Date(s) for which leave is requested;
- (3) Qualifying reason for the leave;
- (4) Oral or written statement that the employee is unable to work because of the qualified reason for leave;
- (5) The name of the son or daughter being cared for;
- (6) The name of the school, place of care, or childcare provider that has closed or become unavailable; and
- (7) A representation that no other suitable person (such as a co-parent, co-guardian, or usual childcare provider) will be caring for the son or daughter during the period for which the Employee takes Emergency Family and Medical Leave.

Reinstatement Upon Return:

An employee who uses Emergency Family and Medical Leave is entitled to reinstatement to their prior or an equivalent position, unless the employee's employment would have ended regardless of whether he or she took leave.

Your Social Distancing and Workplace Safety Responsibilities

“DO”s and “DON’T”s of Compliance

- **DO** wave and say hello. **DON’T** shake hands or hug.
- **DO** wear a face covering while in public or shared areas of the **City**. **DON’T** wear a face covering that is no longer in good repair.
- **DO** stay 6 feet away from others at all times. **DON’T** think that’s all you have to do to comply.
- **DO** comply with all signs about one-way hallways, entrances, exits, and limits on elevators. **DON’T** go your habitual route or squeeze in one more.
- **DO** ask yourself, “Can I accomplish this task with an email, phone call or videoconference?” **DON’T** have in-person meetings unless you really must do so.
- **DO** wipe down anything you touch with the disinfectant products provided. **DON’T** rely on others to do it for you.
- **DO** wash your hands for at least 20 seconds at least every 60 minutes. **DON’T** wait for the 60-minute mark if you use the restroom, sneeze, touch your face, blow your nose, clean, disinfect, sweep or mop, smoke, eat, drink, enter the facility or leave the facility – wash immediately after.
- **DO** use hand sanitizer when soap and water are not available. **DON’T** make this substitution a habit.
- **DO** remove any pens or items touched by public visitors from circulation. **DON’T** use them again until they have been sanitized.
- **DO** take separate **City** vehicles if possible. **DON’T** remove your face covering if carpooling.
- **DO** stay connected with friends and family during this challenging time. **DON’T** have them visit you at work.
- **DO** ask your supervisor if you have any questions about your responsibilities. **DON’T** rely on guesses or rumors.

**AUTHORIZATION FOR DISCLOSURE AND USE OF
MEDICAL INFORMATION**
Confidentiality of Medical Information Act (CMIA), Civil Code § 56, et seq.

Pursuant to California's Confidentiality of Medical Information Act, I, _____
[Name of Employee], authorize [Name of Health Care Provider, Laboratory, etc.] to disclose the
medical information described in this authorization to representatives from the [Name of
Department, e.g., Human Resources or Risk Management] of the [Name of Employer]. I also
authorize the same representatives from the [Name of Employer] to use the medical information
for the purposes described in this authorization.

This authorization is limited to the following types of information:

[Insert specific limitations here, e.g., COVID-19 test results, including but not limited to any
results of tests administered to detect the presence of the COVID-19 virus (SARS-CoV-2)]

The recipients of this information may use the information for the following purpose(s):

[Insert specific authorized uses and any limitations on the use here, e.g., managing, controlling,
and responding to COVID-19 infections among [Name of Employer] personnel, medical
accommodation request, workers' compensation claim, etc.]

Expiration Date: [Name of Health Care Provider, Laboratory, etc.] is no longer authorized to
disclose medical information described in this authorization after [INSERT DATE].

Right to Receive Copy of This Authorization: I understand that if I sign this authorization, I have
the right to receive a copy of this authorization. Upon request, the [Name of Employer] will
provide me with a copy of this authorization.

**I authorize the disclosure and use of my medical information as described above for the
purposes listed above. I understand that this authorization is voluntary and that I am
signing this authorization voluntarily.**

Employee's Name (PLEASE PRINT) Signature Date

NOTICE OF City of Beaumont PRIVACY PRACTICES FOR MEDICAL INFORMATION RELATED TO COVID-19

THIS NOTICE DESCRIBES HOW THE **City of Beaumont** MAY USE YOUR MEDICAL INFORMATION, THE CONDITIONS UNDER WHICH THE **City of Beaumont** MAY DISCLOSE SUCH INFORMATION AND HOW YOU MAY ACCESS THIS INFORMATION.

PLEASE REVIEW THIS NOTICE CAREFULLY.

I. Preamble

The Notice of **City** Privacy Practices for Medical Information Related to COVID-19 (the "Notice") below is intended to provide **City** employees important information concerning the use and disclosure of Medical Information collected by the **City** in relation to its COVID-19 testing policy and/or a temperature testing and COVID-19 symptom screening policy and/or an accommodation policy for high-risk employees, as well as other important information concerning the rights of employees.

The **City** encourages program employees to carefully review the Notice and familiarize themselves with the rights provided under **City** policies, procedures, and protocol.

The obligations and rights described in the Notice shall take effect upon **City's** adoption of the related "Administrative Policy and Protocols for the Use and Disclosure of Confidential **City** Medical Information Related to COVID-19" ("Policy and Protocols").

The **City** is available to answer questions that employees may have about the Notice. Employees with questions should contact Kari Mendoza at karim@beaumontca.gov 951-572-3228 or Shay Norville at shayn@beaumontca.gov 951-769-8528.

II. Definitions

"Medical Information" means any Individually Identifiable information, in electronic or physical form, in possession of or obtained from a provider of health care, health care service plan, pharmaceutical company, or contractor regarding an employee's medical history, mental or physical condition, or treatment. It also means any Individually Identifiable information collected by **City** in relation to the COVID-19 testing policy and/or a temperature testing and COVID-19 symptom screening policy and/or an accommodation policy for high-risk employees implemented by **City**.

"Individually Identifiable" means that the Medical Information includes or contains any element of personal identifying information sufficient to allow identification of the

individual, such as the patient's name, address, electronic mail address, telephone number, or social security number, or other information that, alone or in combination with other publicly available information, reveals the individual's identity.

III. Scope of Coverage

This Notice covers the Medical Information of all **City** employees and applicants that the **City** acquires or obtains, and which relates to COVID-19. Such Medical Information may include, but is not limited to:

- Symptoms associated with COVID-19,
- Positive COVID-19 test results; and
- Other health or medical conditions that would place the employee at high-risk for a serious illness if the employee contracted COVID-19.

IV. Employee Rights Regarding Medical Information:

City employees possess certain rights under applicable state law, including, but not limited to the following:

1. The right to request restrictions on disclosure of Medical Information by the **City**;
2. The right to inspect and copy the Medical Information maintained by the **City**;
3. The right to request a true copy of an employee's authorization for the disclosure of Medical Information.
4. The right to cancel or modify an employee authorization for the disclosure of Medical Information.

Additional details concerning individual employee's rights are discussed in the Policy and Protocols.

V. The City's Duties Concerning Medical Information:

Federal law and state law impose certain duties upon the **City**, which the **City** will fully and faithfully discharge in a manner consistent with such requirements. These duties include, but are not limited to, the following:

1. Maintaining the privacy of employees' Medical Information;
2. Maintain Medical Information in a file separate from personnel records; and
3. Communicate any limitations in an employee's authorization regarding the use of the Medical Information to the person or entity to which it discloses the Medical Information

The **City** reserves the right to change the terms of this Notice and the changes will apply to the Medical Information that the **City** maintains about you. If and when the **City** revises this Notice, it will provide employees the revised Notice by email, U.S. mail, or another means of delivery sufficient to ensure notice to the employees.

VI. Permissible Uses and Disclosures of Medical Information Without Written Authorization:

Generally, the **City** may not disclose Medical Information without prior written authorization from an employee.

However, it shall not be a violation of the Policy and Protocols for the **City** to use and disclose an employee's confidential medical information for certain reasons recognized by law, including, but not limited to:

- If compelled by judicial or administrative process or by any other specific provision of law;
- That part of the information which is relevant in a lawsuit, arbitration, grievance, or other claim or challenge to which the **City** and employee are parties and in which the patient has placed in issue his or her medical history, mental or physical condition, or treatment may be used or disclosed in connection with that proceeding;
- For the purpose of administering and maintaining employee benefit plans, including health care plans and plans providing short-term and long-term disability income, workers' compensation and for determining eligibility for paid and unpaid leave from work for medical reasons;
- To a provider of health care or other health care professional or facility to aid the diagnosis or treatment of the employee, where the employee or other person authorized by law to permit disclosure of Medical Information on the employee's behalf, is unable to authorize the disclosure; and

The uses and disclosures of an employee's confidential information described above do **not** require the employee's authorization.

Further, it shall not be a violation of the Policy and Protocols for the **City** to disclose information that does not contain Individually Identifiable information of an employee. For example, the **City** may notify other employees that an employee has tested positive for COVID-19 so long as the **City** does not disclose information that would lead others to identify that employee (e.g. their name, work location, position). In such a circumstance, it may be necessary for the **City** to inform certain persons, such as the individual's supervisor, janitorial staff, that an employee has tested positive so that **City** may take appropriate steps to ensure a healthy and safe workplace for all **City** employees.

If an employee has authorized disclosure of Medical Information but wishes to restrict such authorization, **City** shall communicate to the person or entity to which it discloses the Medical Information any limitations in the authorization regarding the use of the Medical Information.

VII. Employee Complaints Regarding Privacy of Medical Information:

Employees are entitled to complain to the **City** if they believe their privacy rights have been violated by an impermissible disclosure of Medical Information. Should an employee believe that the **City** violated their privacy rights, the participant may file a complaint with Human Resources or the City Manager's Office.

Should an employee file such a complaint or seek other redress, the **City** will not retaliate against that participant.

VIII. Acknowledgment of Receipt

Employees shall acknowledge receipt of the **City's** Notice of Privacy Practices.

Name (Printed): _____

Signature: _____

Date: _____

EMPLOYEE RIGHTS

PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The **Families First Coronavirus Response Act (FFCRA or Act)** requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020.

► PAID LEAVE ENTITLEMENTS

Generally, employers covered under the Act must provide employees:

Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:

- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
- ⅔ for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
- Up to 12 weeks of paid sick leave and expanded family and medical leave paid at ⅓ for qualifying reason #5 below for up to \$200 daily and \$12,000 total.

A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.

► ELIGIBLE EMPLOYEES

In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to two weeks of fully or partially paid sick leave for COVID-19 related reasons (see below). *Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.*

► QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to **telework**, because the employee:

- | | |
|---|---|
| <ol style="list-style-type: none">1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;2. has been advised by a health care provider to self-quarantine related to COVID-19;3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;4. is caring for an individual subject to an order described in (1) or self-quarantine as described in (2); | <ol style="list-style-type: none">5. is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services. |
|---|---|

► ENFORCEMENT

The U.S. Department of Labor's Wage and Hour Division (WHD) has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline, or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint, or institutes a proceeding under or related to this Act. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.



WAGE AND HOUR DIVISION
UNITED STATES DEPARTMENT OF LABOR

For additional information
or to file a complaint:
1-866-487-9243
TTY: 1-877-889-5627
dol.gov/agencies/whd

