

**Sierra County
Board of Supervisors'
Agenda Transmittal &
Record of Proceedings**

MEETING DATE: August 18, 2020	TYPE OF AGENDA ITEM: <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Timed <input type="checkbox"/> Consent
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DEPARTMENT: Personnel/Risk Management
APPROVING PARTY: Margaret Long, Director/Van Maddox, Risk Mgr
PHONE NUMBER: 530-289-2879

AGENDA ITEM: Resolution adopting the Sierra County protocols for maintaining a safe and healthy workplace in light of COVID-19.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other
See attached resolution and policy

BACKGROUND INFORMATION:

FUNDING SOURCE:
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND:
AMOUNT: \$ N/A

ARE ADDITIONAL PERSONNEL REQUIRED? <input type="checkbox"/> Yes, -- -- <input checked="" type="checkbox"/> No	IS THIS ITEM ALLOCATED IN THE BUDGET? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IS A BUDGET TRANSFER REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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SPACE BELOW FOR CLERK'S USE

BOARD ACTION: <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2020- _____ Agreement 2020- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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COMMENTS:

CLERK TO THE BOARD _____ DATE _____

BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA

**RESOLUTION ADOPTING SIERRA COUNTY
PROTOCOLS FOR MAINTAINING A SAFE AND
HEALTHY WORKPLACE IN LIGHT OF COVID-19**

Resolution 2020-

NOW, THEREFORE, BE IT RESOLVED that the Sierra County Board of Supervisors, County of Sierra, State of California does hereby adopt the attached Sierra County Protocols for Maintaining a Safe and Healthy Workplace in Light of COVID-19.

ADOPTED by the Board of Supervisors of the County of Sierra on the _____ day of _____, 2020, by the following vote:

AYES: Supervisors
NOES: None
ABSTAIN: None
ABSENT: None

COUNTY OF SIERRA

JIM BEARD, CHAIRMAN
BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:

HEATHER FOSTER
CLERK TO THE BOARD

DAVID PRENTICE
COUNTY COUNSEL



SIERRA COUNTY PROTOCOLS FOR MAINTAINING A SAFE AND HEALTHY WORKPLACE IN LIGHT OF COVID-19

SECTION ONE: COUNTY WIDE POLICIES AND PROTOCOLS

The County has adopted the following policies. Copies of the policies may be found here: Human Resources/Risk Management Department.

A. Policies

- Telecommuting Policy
- Cleaning and Disinfecting Policy
- Physical Distancing and Individual Responsibility Policy
- Use and Disclosure of Confidential Medical Information related to COVID-19
- Accommodations Policy for Employees at High-Risk of Severe Illness Should They Test Positive for COVID-19
- Standalone FFCRA Leaves and Compensation Policy

B. Guidelines and Other Documents

- Guidance for Frontline Managers and Supervisors Implementing COVID-19 Policies and Practices
- Guidelines for Employees on COVID-19 and the “New Normal”
- Employee Physical Distancing and Workplace Safety Responsibilities – Do’s and Don’ts of Compliance
- CMIA Medical Release Form

SECTION TWO: FACILITY/WORKSITE-SPECIFIC MEASURES

A. Use of Shared Areas

Public access to such areas at any one time may be limited to the number of individuals identified below:

Public Area-A public place is generally an indoor or outdoor area, whether privately or publicly owned, to which the public have access	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)
All County owned Public Areas	As allowed per maintaining 6 feet physical distance

The County maintains several communal areas, which are utilized by County 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
Boardroom	As allowed by maintaining 6 feet physical distance
Courthouse Lobby	As allowed by maintaining 6 feet physical distance

Personnel Conference Room	As allowed by maintaining 6 feet physical distance
Sheriff's Conference Room	As allowed by maintaining 6 feet physical distance
Basement Copier Room	As allowed by maintaining 6 feet physical distance
Downieville Wellness Room	As allowed by maintaining 6 feet physical distance
Loyalton Wellness Center	As allowed by maintaining 6 feet physical distance
Loyalton Probation Conference Room	As allowed by maintaining 6 feet physical distance
Health & Human Services Conference Room	As allowed by maintaining 6 feet physical distance
Behavioral Health Kitchen	As allowed by maintaining 6 feet physical distance

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, 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.

C. Employee Health and Safety

- The County has canceled non-essential travel until further notice.
- The County will continue to allow telecommuting positions.
- The County will allow staggered shifts for certain positions.

- The County 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, 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”)).
- The County has identified local health department contacts with whom it will communicate regarding information about COVID-19 outbreaks at the County. The County will assist local health departments in facilitating contact tracing for employees who test positive for COVID-19.
- The County will implement the following Covid-19 self screening system:

SCREENING STEPS

1. TAKE YOUR TEMPERATURE WITHIN 2 HOURS OF STARTING WORK.

If you need a thermometer, please let your supervisor know so that we can get you one.

2. IF ALL CLEAR – You’re OK to work today

3. IF YOU HAVE A TEMP OR SYMPTOM(S) STAY HOME AND CALL YOUR SUPERVISOR

Given that, every situation will be unique, this will be the time to discuss options and receive direction about how to proceed. Some people may have symptoms related to ongoing conditions. Some may have seen a doctor and been diagnosed with something other than COVID-19. In other words, symptoms do not have to automatically mean stay home and be quarantined.

- The County is requiring all employees to use a cloth face covering at work when interacting with the public and other employees, and the County is providing such face coverings at no cost to any employees who do not bring their own. The only exception to this requirement is if an employee is alone in their own office or have appropriate barriers and physical distancing at their individual workspaces. The County has notified all members of the public that they will not be permitted to enter or remain in the facility/worksites unless they wear cloth face coverings. The County provided such notice by posting guidance on the County website and posting signage at each public entrance of County facilities.

- The County has arranged desks or individual workstations in such a manner so that employees are separated by at least six feet or have barriers between workstations.
- Break rooms, restrooms, and other common areas are disinfected frequently and thoroughly, according to the following schedule:
 1. Breakrooms: Deep Clean two times a week and after use by staff
 2. Restrooms: Deep Clean two times a week
 3. Waiting areas: Deep Clean two times a week
 4. Conference rooms: Deep Clean two times a week and after use by staff
 5. Board chambers: Deep Clean two times a week and after use by staff
 6. County vehicles: After each use by staff
- The County 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.*, shared copier/printers, conference room chairs and tables, counter tops, refrigerator door handles, agency vehicles keyboards, shared office supplies) after use.
- The County has directed all employees to sanitize certain parts of agency county 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 County will place disinfectant and cleaning supplies in each vehicle.
- The County has directed all employees to frequently wash their hands with soap and water, or use sanitizer when a sink is not available, 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 copier, printer, postage meters, 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 County has placed no-touch hand sanitizer receptacles at locations where they can be easily accessed by employees and members of the public.
- Disinfectant and related supplies are available to all employees by contacting Building Maintenance.

- Hand sanitizer that contains at least 60% ethanol or 70% isopropanol is available to all employees by contacting Building Maintenance or the Public Health Department.
- The County has suspended the use of shared food and beverages (e.g. bringing in lunch for meetings that is shared “buffet style.”)
- The County has instructed staff to replace in-person meetings with other means of communication, including but not limited to telephone calls, e-mails, or video conferences that cannot maintain social distancing.
- The County has also encouraged fresh air circulation by directing employees to open windows and doors, to the extent practicable and safe.
- Restrooms normally open to the public will remain open to the public.
- The County will provide training to all employees and officials regarding the measures it is taking and is requiring individuals to take measures 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): Department Safety Meeting and emailed to each county employee.

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

- The County 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 County 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 County has instructed all employees using County vehicles that, vehicles be used at no more than 50% capacity with driver and passengers masked.

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

Contact Name: JUDI BEHLKE

Job Title: SIERRA COUNTY PERSONNEL ANALYST/SIERRA COUNTY SAFETY OFFICER

Phone Number: 530-289-2879

Email Address: JBEHLKE@SIERRACOUNTY.CA.GOV



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 County 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 County 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 County.

III. Compliance

The County 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 County has custody and control, including both indoor and outdoor areas.

Effective Date:

This Policy shall be effective immediately upon adoption and shall remain in effect until the Human Resources Department in concurrence with Public Health, 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) County's Responsibilities:

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

(b) Employee Responsibilities:

In addition to the efforts undertaken by County, employees are expected to comply with 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 County 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) County's Responsibilities:

The County will evaluate each 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 County's current practices. Such routine cleaning involves cleaning the surface or object with soap and water, followed by disinfection. Additionally, each workday, the County 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 County prohibits the mixing of bleach and other cleaning and disinfection products together, as this can cause fumes that may be dangerous when inhaled. The County 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.

(b) Employee Responsibilities:

In addition to the efforts undertaken by County employees are expected to comply with provisions in this policy regarding collective efforts to routinely disinfect frequently used surfaces and objects.

Provision of Sanitizing Supplies:

The county will make hand sanitizer available near the entrance of any County facility and in other appropriate areas for use.

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 County takes this responsibility extremely seriously.

(a) County's Responsibilities:

The County 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 the County, every 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 protocols for Physical Distancing and Individual Responsibility in the Workplace. The County will provide effective disinfectants 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.

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

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

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

The County will provide the necessary and appropriate PPE at no cost to 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 County 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 County may 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

County 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 County 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 County 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.



ADMINISTRATIVE POLICY AND PROTOCOLS FOR PHYSICAL 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 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 mouth, nose, and/or eyes 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 County therefore implements this Administrative Policy and Protocol for Physical 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 to ensure the health and safety of working conditions for all County employees through adherence to physical 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 County.

III. Compliance

The County 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 County employees as preventing the transmission of the virus that causes COVID-19 in the workplace is reasonably related to all County jobs.

Effective Date:

This policy shall be effective immediately upon adoption and shall remain in effect until the Human Resources Department in concurrence with Public Health advises employees that the policy is no longer operative.

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

To reduce the spread of the virus that causes COVID-19, the Department Manager, in concurrence with Human Resources, is authorized to allow, encourage, 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 Department Manager, in concurrence with Human Resources, 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 County facilities must maintain a minimum physical distance of six feet between themselves and any other person at all times. While on duty at any County facility, or working off site, 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 conference rooms, 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.

Entry to any County 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 will be rearranged to discourage members of the public from waiting or sitting within 6 feet of one another.

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 shall refrain from engaging in handshakes, hugs, or any other unnecessary physical contact with any person at all times while on County premises or otherwise while on duty outside of their home (telework) workspace.

Physically Distanced Meetings Only When Necessary:

Where feasible, in-person meetings must be replaced with other means of communication, including but not limited to telephone calls, e-mails, or video conferences. Staff meetings normally held in meeting rooms or shop settings should take place outside when physical distancing is not practicable in the usual space, or video conferencing is not available. All participants should wear face coverings.

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 and all participants should wear face coverings. After a conference room is used for a meeting, the conference room must be cleaned and disinfected in accordance with the County'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 County provided sanitizing supplies, as described below.

Social Visits to be Avoided:

Employees should refrain from congregating in confined spaces, such as conference 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 and face coverings should be worn.

Employees are prohibited from permitting social visitors (visitors who are not on official business) into any non-public areas of County 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 Face Coverings:

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

Employees working at a County worksite, including in office and out of office locations, should use cloth face coverings unless in an individual office alone or in an individual workspace with barriers and six feet apart.

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 with no holes or tears in the fabric;
- Neck gaiter with no holes or tears in the fabric;
- Homemade face covering with no holes or tears in the fabric;
- Scarf; with no holes or tears in the fabric;
- Tightly woven fabric, such as cotton t-shirts and some types of towels with no holes or tears in the fabric;

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 is not required, but employees who choose to do so are in compliance with this policy as long as the surgical mask 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, 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 or use of shared equipment. <https://www.cdc.gov/handwashing/hand-sanitizer-use.html>

Provision and Use of Sanitizing Supplies:

Hand sanitizer (at least 60% ethanol or 70% isopropanol), soap and water must be made available near the entrance of any County facility and in other appropriate areas for use by the public and employees. Effective disinfectants 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.

It is each employee’s responsibility to use these 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 County 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.

County Vehicles:

County vehicles should be occupied by 50% of capacity. If sharing a vehicle, employees should wear their face coverings while in the vehicle. County 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 County vehicle and replaced or refilled when empty. It is the responsibility of all employees who operate vehicles to ensure hand sanitizer is available in each car.

Remote Public Access to Meetings

Members of the public wishing to attend open session meetings of the Board of Supervisors may do so remotely. Information regarding how to attend remotely will be posted on the County website.

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 PHYSICAL DISTANCING AND INDIVIDUAL RESPONSIBILITY IN THE WORKPLACE, must be provided to each County employee and posted at or near the entrance of each County 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.

ACKNOWLEDGMENT OF RECEIPT OF SIERRA COUNTY'S ADMINISTRATIVE POLICY AND PROTOCOLS FOR SOCIAL DISTANCING AND INDIVIDUAL RESPONSIBILITY IN THE WORKPLACE

I acknowledge I have received a copy of Sierra County's administrative policy and protocols for social distancing and individual responsibility in the workplace (the "policy"). I have read the policy, understand it and agree to follow it.

I understand it is my obligation to refrain from engaging in conduct in violation of the Policy.

Print Name

Signature

Date



ADMINISTRATIVE POLICY AND PROTOCOLS FOR THE USE AND DISCLOSURE OF CONFIDENTIAL COUNTY MEDICAL INFORMATION RELATED TO COVID-19

I. Preamble

The County implemented COVID-19 symptom screenings in order to ensure the health and safety of County 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 **County's COVID-19 symptom screening** collects certain confidential medical information ("Medical Information") about County 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 County in relation to the COVID-19 testing and/or COVID-19 symptom screening implemented by County. "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 County acquires during the administration of these protocols and/or policies, or obtains by other means. The County 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 County is authorized to conduct the COVID-19 symptom screening under the authority provided for under policy.

IV. Compliance

The County will fully and faithfully comply with the CMIA and ADA in the implementation and administration of this policy.

V. Policy

Scope of Coverage:

This policy covers all Individually Identifiable Medical Information of all County employees and applicants that the County 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 County during or as a result of the administration of the COVID-19 symptom screening.
- All Medical Information that the County obtains by means other than by testing administered by the County. For example, the County Public Health Department may inform the County that an employee has tested positive or an employee may voluntarily disclose a positive COVID-19 diagnosis not as the result of a test administered by the County.
- All Medical Information related to COVID-19 that the County 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.

Effective Dates:

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 County employees and as otherwise required by law.

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 County 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 County 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 County is no longer authorized to disclose the Medical Information.

Permissible Uses and Disclosures of Medical Information:

Generally, the County may not disclose Medical Information without prior written authorization from an employee. The County 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 County 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 County to disclose information that does not contain Individually Identifiable information of an employee. For example, the County may notify other employees that an employee has tested positive for COVID-19 so long as the County 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 County to inform certain persons, such as the individual's supervisor, janitorial staff, that an employee has tested positive so that County may take appropriate steps to ensure a healthy and safe workplace for all employees.

Disclosures of Medical Information to the Employee:

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

Reasonable Safeguards for Medical Information:

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

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

County 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 County's Department of Human Resources. All County employees must therefore direct all requests for Medical Information to the County'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 Personnel. Cancellations and modifications of employee authorizations only become effective after County 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 County 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, County 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 County in terms of the provision of reasonable accommodations.

Absent an undue hardship to the County or a direct threat to the health and safety of County employees, the County 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 County 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 County 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 County 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”) identify the following individuals as those who might be at higher risk of severe illness if the individual contracted the virus that causes COVID-19:

- People 65 years of age and older;
- People who have chronic lung disease;
- People with moderate to severe asthma;
- People who have serious heart conditions;
- People who are immunocompromised by conditions such as cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, and prolonged use of corticosteroids and other immune weakening medications;
- People with severe obesity (body mass index of 40 or higher);
- People with diabetes;
- People with chronic kidney disease undergoing dialysis; and
- People with liver disease

The County expressly reserves the right to modify the above-enumerated conditions based on new information or guidance provided by the CDC or other public health authorities.

Effective Dates:

This Policy shall be effective immediately upon adoption and shall remain in effect until the Human Resources Department in concurrence with Public Health 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 County's Human Resources Department regarding a potential workplace accommodation.

County Policy against Retaliation:

The County will not terminate, suspend, discipline, or take any other adverse employment action against an employee because they are 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 writing.

Following receipt of the request, the County'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 County'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.

The County's Human Resources Director or their designee will make determinations regarding accommodations under this policy on a case-by-case basis. Accommodations may include, but are not limited to, the following:

- Alternative work assignments or locations;
- Telework;
- Reassignment;
- Increased physical distancing measures; and/or
- Leave.

The County'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 County'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 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 County will provide eligible employees with leave pursuant to the Emergency Paid Sick Leave Act (“EPSLA”) (*i.e.*, Emergency Paid Sick Leave), 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 County 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 child care provider, a group home child care provider, a family child care provider, or other provider of child care 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 County employees are potentially eligible for Emergency Paid Sick Leave.
- B. Employees are not eligible for Emergency Paid Sick Leave if the County 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 County has temporarily stopped providing the services that the employee would otherwise provide). In this circumstance, the County may deem that the employee is not working due to lack of work.

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 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 County for fewer than six months, the County 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 County. 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 County.
- 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 County'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 County 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 County 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 County 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 County 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, 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) 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 County 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 child care 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 County 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 County 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 County has ceased offering the services that would otherwise be provided by the employee). In this instance, the County may deem that the employee is not working due to lack of work.
 - a. The County has designated the following job classifications as "healthcare providers":

Public Health Nurse
Clinic Outreach Nurse
Nurse Practitioner
Public Health Officer

- C. 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 County’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 County 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 County 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 County 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 County 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 County with such notice as soon as practicable.

The County 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 County 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) 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 child care 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.

DATE: [Date]
TO: All Supervisors and Managers
FROM: **Sierra County Human Resources**
RE: *Guidance for Managers and Supervisors Implementing COVID-19 Policies, Protocols and Procedures*

Governor Gavin Newsom announced that on May 8, 2020 California has commenced 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 to all non-essential employees.

This memorandum serves as guidance for County managers and supervisors as they work with employees returning to work and adjusting to new policies, procedures, and protocols that the County adopted in order to ensure the health and safety of employees returning to work.

Educate yourself about the Agency's New COVID-19 Policies, Procedures, and Protocol

- As employees that have been telecommuting return to work, they will need to adjust to a number of new policies and procedures that the County implemented in order to ensure that County facilities and worksites are safe for employees and the public. As a front line supervisor, subordinates may ask you questions about these new policies. You should prepare yourself to respond to questions from your subordinates by becoming familiar with these policies, which include:
 - Physical distance policies that relate to use of face masks, physical space requirements between employees, etc.;
 - Cleaning and disinfecting policies
- In the event that you have questions about these policies, you can contact Judi Behlke at jbehlke@sieracounty.ca.gov or 530-289-2879 If you believe that certain County policies, procedures or protocols cannot be applied to your subordinates (for example, employees who must come into contact with another employee with less than 6-feet distance between them due to their job duties), discuss these concerns with your supervisor and Human Resources.
- In the event that your subordinates have questions about these policies that you do not feel comfortable answering, please direct your subordinates to contact Judi Behlke at jbehlke@sierracounty.ca.gov or 530-289-2879

Apply County COVID-19 Policies in a Fair and Uniform Manner

- Supervisors must apply all COVID-19 policies in a fair and uniform manner, without regard to non-job-related characteristics, including, but not limited to, race, color, creed, religion, national origin, gender, sexual orientation and age. Uniform and fair implementation typically does not rely on subjective factors (for example, whether or not a supervisor gets along better with one subordinate over another). Make no special arrangements with any employees or otherwise treat any employees or groups of employees in an unequal or disparate manner. Policies that are applied or enforced unequally may cause strife in the workplace and may, under certain circumstances, lead to civil action against the County and/or the manager or supervisor who took the action.
- Navigating compliance with COVID-19 policies, procedures, and protocols will be challenging and will likely involve issues related to employee health and personal employee matters that are sensitive to some employees. Therefore, when and where necessary, consult with your supervisor and/or Human Resources, and do not discipline an employee for non-compliance with COVID-19 policies and procedures without first consulting with Human Resources.

Communicating With Subordinates

- In coordination with your supervisor and Human Resources, determine the best ways to communicate with subordinates about the County's COVID-19 policies, procedures, and protocols. Consider clearly and simply explaining to employees the reasoning behind the policies and how such policies will be applied in their work setting.
- Ensure subordinates have access to all applicable County COVID-19 policies, procedures and protocols and be prepared to provide such policies, procedures and protocols upon request by subordinates in both hard copy and email.
- Communicate with subordinates that you are available to answer questions related to the policies, procedures and protocols and identify the best ways they may contact you with any such questions.
- Refrain from criticizing the policies, procedures and protocols with employees and remember that you are a member of management responsible for applying and enforcing the policies, procedures and protocols.

Be Familiar with Potential Labor Association/Union Issues

- Managers and supervisors must implement and enforce the terms of labor agreements between the County and its employee organizations, including any agreements related to COVID-19. Therefore, managers and supervisors must ensure they are familiar with any labor agreements that may cover and affect the terms and conditions of work for subordinate employees. Should you have any questions about such agreements or the specific terms contained therein, please consult with your supervisor and/or Human Resources.

- The County has an obligation to provide notice and an opportunity to meet and confer with employee associations regarding proposed changes to employees' wages, hours, or working conditions. However, under certain circumstances, the County may be permitted to act prior to providing notice or an opportunity to bargain such as a result of the COVID-19 emergency. You are not authorized to act in any matter that would change a term and condition of a subordinates employment.
- Do not be intimidated by subordinates or union/labor association leadership COVID-19 related demands upon returning to work. The County will work with you and all employee associations to ensure that employees are returning to a safe work environment.

MEMORANDUM

DATE: [Date]
TO: All Employees
FROM: **Sierra County Human Resources**
RE: *Expectations of Employees Returning to/Remaining at Work*

Governor Gavin Newsom announced that on May 8, 2020 California has commenced 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.

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

In order to ensure that County facilities and worksites are safe for employees and the public, the County 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 County will be implementing the following policies, procedures, and protocols:

- Physical distancing policies that relate to use of face masks, physical space requirements between employees, etc.;
- Health self-screening
- Cleaning and disinfecting policies.

The County will make available to all employees copies of these policies. As a County 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 County facilities and worksites, County managers and supervisors will be monitoring employee conduct in order to ensure that all employees strictly observe and comply with these policies.

The County appreciates your continued understanding and flexibility as we continue to navigate the public health emergency caused by the COVID-19 pandemic. Furthermore, the County appreciates the vital work you are doing to support our operations and your commitment to public service.

Your Physical Distancing and Workplace Safety Responsibilities

“DO”s and “DON’T”s of Compliance

- **DO** wave and say hello. **DO NOT** shake hands or hug.
- **DO** wear a face-covering while in public or shared areas of the **County**. **DO NOT** wear a face covering that is no longer in good repair.
- **DO** stay 6 feet away from others at all times. **DO NOT** think that is all you have to do to comply.
- **DO** comply with all signs about one-way hallways, entrances, and exits. **DO NOT** go your habitual route.
- **DO** ask yourself, “Can I accomplish this task with an email, phone call or video conference?” **DO NOT** have in-person meetings unless you really must do so.
- **DO** wipe down anything you touch with the disinfectant products provided. **DO NOT** rely on others to do it for you.
- **DO** wash your hands for at least 20 seconds . **DO NOT** forget , 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. **DO NOT** make this substitution a habit.
- **DO** remove any pens or items touched by public visitors from circulation. **DO NOT** use them again until they have been sanitized.
- **DO** take separate **County** vehicles if possible. **DO NOT** remove your face covering if carpooling.
- **DO** stay connected with friends and family during this challenging time. **DO NOT** have them visit you at work.
- **DO** ask your supervisor if you have any questions about your responsibilities. **DO NOT** rely on guesses or rumors.

NOTICE OF COUNTY PRIVACY PRACTICES FOR MEDICAL INFORMATION RELATED TO COVID-19

THIS NOTICE DESCRIBES HOW THE COUNTY MAY USE YOUR MEDICAL INFORMATION, THE CONDITIONS UNDER WHICH THE COUNTY MAY DISCLOSE SUCH INFORMATION AND HOW YOU MAY ACCESS THIS INFORMATION. PLEASE REVIEW THIS NOTICE CAREFULLY.

I. Preamble

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

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

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

The County is available to answer questions that employees may have about the Notice. Employees with questions should contact Human Resources at 530-289-2879.

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 County in relation to the COVID-19 testing and COVID-19 symptom screening and/or an accommodation policy for high-risk employees implemented by the County.

“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 County employees and applicants that the County 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.

III. Employee Rights Regarding Medical Information:

County 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 County.
2. The right to inspect and copy the Medical Information maintained by the County.
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.

IV. The County's Duties Concerning Medical Information:

Federal law and state law impose certain duties upon the County, which the County 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 County reserves the right to change the terms of this Notice and the changes will apply to the Medical Information that the County maintains about you. If and when the County 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.

V. Permissible Uses and Disclosures of Medical Information without Written Authorization:

Generally, the County 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 County to use and disclose an employee's confidential medical information 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 County 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 County to disclose information that does not contain Individually Identifiable information of an employee. For example, the County may notify other employees that an employee has tested positive for COVID-19 so long as the County 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 County to inform certain persons, such as the individual's supervisor, janitorial staff, that an employee has tested positive so that County may take appropriate steps to ensure a healthy and safe workplace for all County employees.

If an employee has authorized disclosure of Medical Information but wishes to restrict such authorization, County 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.

VI. Employee Complaints Regarding Privacy of Medical Information:

Employees are entitled to complain to the County if they believe their privacy rights have been violated by an impermissible disclosure of Medical Information. Should an employee believe that the County violated their privacy rights; the participant may file a complaint with Human Resources at 530-289-2879.

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

VII. Acknowledgment of Receipt

Employees shall acknowledge receipt of the County’s Notice of Privacy Practices.

Name (Printed) _____

Signature: _____

Date: _____

For additional information, please see links listed below:

<https://files.covid19.ca.gov/pdf/guidance-office-workspaces.pdf>

<https://files.covid19.ca.gov/pdf/checklist-office-workspaces.pdf>

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

https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/C/OVID-19/Guidance-for-Face-Coverings_06-18-2020.pdf

<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>

<https://www.cdc.gov/handwashing/hand-sanitizer-use.html>

<https://www.labor.ca.gov/coronavirus2019/#chart>

<https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave>

<https://www.gov.ca.gov/wp-content/uploads/2020/05/5.6.20-EO-N-62-20-text.pdf>

<https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2-covid-19>

<https://www.cdph.ca.gov/Programs/CCDPHP/DEODC/OHB/Pages/OHWMay2020.aspx>

<https://www.labor.ca.gov/coronavirus2019/>

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