

City of Lynchburg
Response to Virginia Occupational Safety and Health Program
Emergency Temporary Standard 16 VAC 25-220

Effective August 12, 2020

Overview

In response to the Virginia Occupational Safety and Health Program's (VOSH) enactment of Emergency Temporary Standard 16 VAC 25-220 (in compliance with VA Code 40.1-22(6)(a) or 2.2-4011, and as described in 16 VAC 25-60-20 and 16 VAC 25-60-30) The City of Lynchburg will take the following measures to mitigate the spread of COVID-19 through safety protocols and proactive communication.

These policies, in alignment with the City of Lynchburg Employment Policies & Procedures, will apply to all full-time, part-time, and hourly employees as well as contractors, interns, and volunteers, and will be referred to within this document as "employee(s)."

The City Manager or the City Manager's designee(s) is/are authorized to enforce the policies and directives within this document and/or change them at any time for the overall health and safety of employees and the general public.

Adherence to these policies will be in alignment with disciplinary action as outlined in the Employment Policies & Procedures, if behaviors are deemed to put others' health at risk.

The City of Lynchburg will require all staff to:

- Wear a mask in common/public areas and when in the presence of others when on the job and during breaks (those who cannot wear masks due to a documented health condition from a medical provider should adhere to the remaining health and safety protocols to limit spread and exposure of the virus).
- Maintain six feet of physical distancing while in the workplace.
- Wash hands routinely with soap and water for 20 seconds or more.
- Cover sneezes and coughs.
- Avoid touching eyes, nose, and mouth.
- Routinely clean and disinfect frequently touched surfaces.

Additionally, staff are asked to frequently use hand sanitizing agents as provided to each department when hand washing is not an immediate/viable option.

Hand sanitizing stations will be placed throughout the organization. Employees should contact Public Works immediately to notify if additional supplies are needed.

NOTE: The City of Lynchburg Fire, Police, Emergency Services, Airport, Juvenile Services, and some Social Services personnel will be guided and governed by more stringent standards/protocols and training established by their respective regulatory agencies and codes which may differ from this policy.

Assessment of Workplace for Hazards: Exposure Risk Levels

Each City department will be responsible for assigning a risk level to each employee based on potential risk factors as outlined in the VOSH Emergency Temporary Standard.

All risk categories will be trained and provided with personal protective equipment (PPE) in compliance with their department's protocols. Those in "very high," "high," and "medium" risk categories will receive additional required training, as applicable, including temperature screening and an infectious disease training.

Should anyone's duties shift to ensure continuity of operations, employees will be notified by their supervisor and informed of any duties that may change the role's placement in the designated risk category.

Training

All employees who work in departments with hazards or job tasks classified at "very high," "high," or "medium" exposure risk must be provided with SARS CoV-2 virus and COVID-19 disease training, regardless of an individual employee's risk classification. Training will include:

- Characteristics of the SARS-CoV-2 virus and COVID-19 disease;
- Ability of each employee to recognize the hazards of the SARS-CoV-2 virus;
- Instructions and procedures to minimize these hazards;
- Requirements of the VA 16-25-220 standard/regulation;
- The mandatory and non-mandatory recommendations in any Centers for Disease Control and Prevention (CDC) guidelines or State of Virginia guidance documents the employer is complying with, if any, in lieu of a provision of standard VA 16-25-220 as provided for in section 16VAC25-220-10 G 1 and G 2;
- Methods of transmission of the SARS-CoV-2 virus;
- Signs and symptoms of the COVID-19 disease;
- Risk factors of severe COVID-19 illness with underlying health conditions;
- Awareness of the ability of pre-symptomatic and asymptomatic COVID-19 persons to transmit the SARS-CoV-2 virus;
- Safe and healthy work practices, including but not limited to, physical distancing, disinfection procedures, disinfecting frequency, ventilation, noncontact methods of greeting, etc.;
- When PPE is required;
- What PPE is required;
- How to properly don, doff, adjust, and wear PPE;
- Limitations of PPE;
- Proper care, maintenance, useful life, and disposal of PPE;
- Heat-related illness prevention including the signs and symptoms of heat-related illness;
- The anti-discrimination provisions of standard VA 16-25-220 as provided for in section 16VAC25-220-90; and
- The employer's Infectious Disease Preparedness and Response Plan, where applicable.

A written certification record for those employees exposed to hazards or job tasks classified at “very high,” “high,” or “medium” exposure risk levels will be signed by the employee and the person conducting training. The latest training certification shall be maintained. The written certification record shall contain the name or other unique identifier of the employee trained, the trained employee’s physical or electronic signature, the date(s) of the training, and the name of the person who conducted the training, or for computer-based training, the name of the person or entity that prepared the training materials. If the employer relies on training conducted by another employer or completed prior to the effective date of this standard, the certification record shall indicate the date the employer determined the prior training was adequate rather than the date of actual training.

Departments with hazards or job tasks classified as “low” risk shall provide written or oral information to employees exposed to such hazards or engaged in such job tasks on the hazards and characteristics of SARS-COV-2 and the symptoms of Covid-19 and measures to minimize exposure. A written certification record will be signed by the employee and the person conducting training.

Self-Monitoring

In addition to hand washing, sanitizing work areas, wearing masks, and physical distancing, all employees are required to self-monitor their health status on a daily basis. Employees are expected to stay home, contact their supervisors, and self-quarantine immediately if observing any of the following signs/symptoms.

Per the Center for Disease Control (CDC), those with COVID-19 have had a wide range of symptoms reported – ranging from mild symptoms to severe illness. Symptoms may appear 2-14 days after exposure to the virus. People with these symptoms may have COVID-19:

- Fever (100.4 degrees or above) 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

This list does not include all possible symptoms. The CDC will continue to update this list as more is learned about COVID-19.

Employees are also asked to monitor the health of those in their households and that of close contacts for possible symptoms and/or exposure risks, reporting any possible exposure to their supervisors as soon as possible.

Digital Monitoring On-site

Employees in “very high,” “high,” and “medium” risk categories are required to conduct health screenings. Departments may obtain digital thermometers to assist in monitoring employees’ health status, with each staff person checking his/her temperature each day when reporting for duty, to the extent as such action is possible. If health screenings are conducted, records are required to be maintained indefinitely. Anyone with a fever of 100.4 or above, showing visible symptoms, or answers yes to any screening questions must go home immediately and follow self-isolation guidance.

Isolation and Quarantine

Isolation is used to separate people infected with SARS-CoV-2, the virus that causes COVID-19, from people who are not infected. People who are in isolation should stay home until it’s safe for them to be around others. In the home, anyone sick or infected should separate themselves from others by staying in a specific “sick room” or area and using a separate bathroom (if available).

Quarantine is used to keep someone who might have been exposed to COVID-19 away from others. Quarantine helps prevent spread of disease that can occur before a person knows they are sick or if they are infected with the virus without feeling symptoms. People in quarantine should stay home or separate themselves from others, monitor their health, and follow directions from their state or local health department.

Who needs to isolate?

- Those who are known to have COVID -19 (meaning any person symptomatic or asymptomatic, who has tested positive for SARS-COV-2)
- Those who have symptoms of COVID-19 and are able to recover at home

Who needs to quarantine?

- Those who may be infected with COVID-19, meaning any person not a currently known or suspected COVID-19 person, but who has potentially been exposed to SARS-CoV-2 through:
 - o Contact within 6 feet of someone who has tested positive for COVID-19 within the last 14 days.
(Note: The CDC defines close contact as any individual who was within 6 feet of an infected person for at least 15 minutes starting from 2 days before illness onset (or, for asymptomatic patients, 2 days prior to positive specimen collection) until the time the patient is isolated)
 - o Contact, as indicated above, within 6 feet of an individual suspected COVID-19 person within the last 14 days (meaning a person that is COVID-19 symptomatic, but has not tested positive for SARS-CoV-2 and no alternative diagnosis has been made [e.g. tested positive for influenza]).

Until further notice, those with 2 degrees or more of separation from a known or suspected COVID-19 person should wear a mask when in the presence of others, and maintain a 6-foot distance from others while in the workplace.

Travel

Employees should avoid personal travel to locations out of the immediate Central Virginia region. In the event an employee travels out of the Central Virginia region, the employee must notify their supervisor of their travel plans prior to leaving and must call their supervisor before returning to work. Generally, if employees are asymptomatic and not exposed to anyone known to have COVID-19 or symptoms of COVID-19, wore a mask and maintained social distancing, the employee may return to work if they do the following:

- Monitor their temperature and symptoms daily
- Wear a mask while in the workplace for 14 days upon return from travel

If traveling within the United States employees should continue to follow all CDC/Virginia Department of Health (VDH) recommendations to avoid exposure to COVID-19.

Avoid large crowds and practice physical distancing, keeping in mind that bars, beaches, and crowded restaurants are all ideal areas for spreading the virus.

For the protection of staff and the public, Department Directors may require anyone traveling to quarantine for 14 days upon return, if the situation warrants. This will be determined on a case-by-case basis depending on location and exposure risk. Telework accommodations may be considered during this quarantine period, if essential to City operations as deemed so by the Department Director. If telework is not available, leave allocations would be applied per the City's Employment Policies & Procedures.

This protocol is in alignment with the CDC and Virginia Department of Health guidelines to ensure the safety of staff, their families, and our community as a whole.

International Air Travel or Ship/Cruise Travel

Employees who choose to fly internationally or vacation on a ship/cruise MUST self-quarantine for fourteen (14) days upon return. During this timeframe, the employee should monitor his/her health and report any changes to his/her supervisor immediately.

If choosing any of these means of travel, employees will be required to use leave allocations afforded per the City's Employment Policies & Procedures during the mandatory self-quarantine period, if work from home options are not available for his/her role.

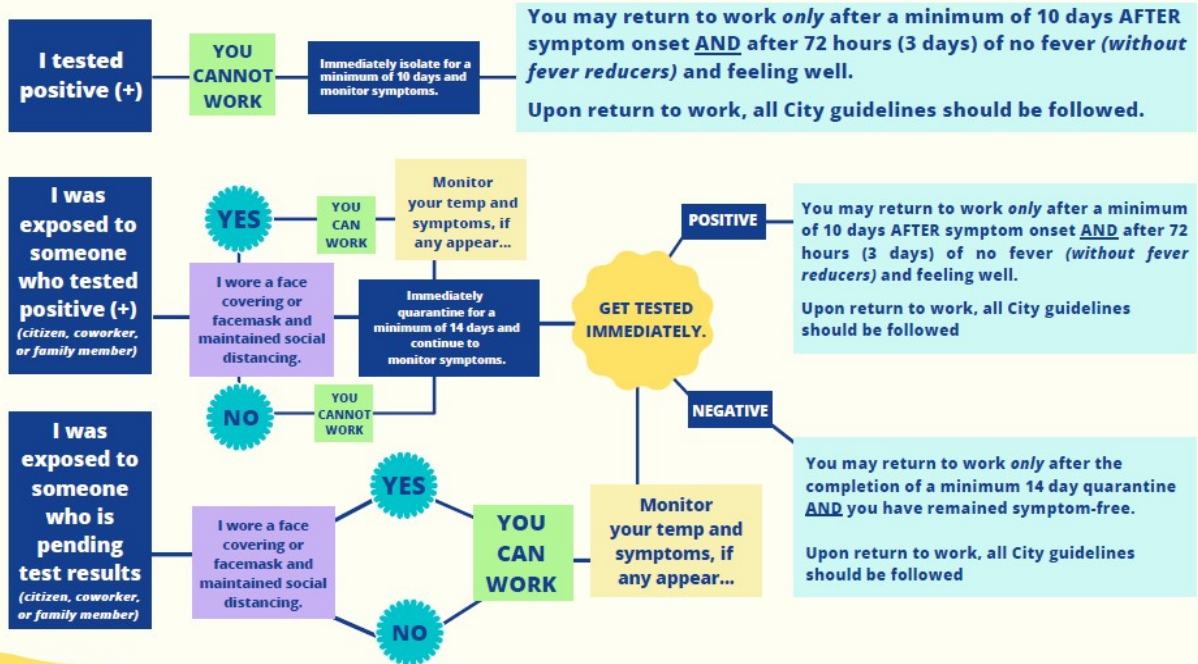
Returning to Work

The following flow chart (page 6) will guide isolation and quarantine durations and "return to work" time frames for those with symptoms, positive tests, and exposure, based on CDC and the Virginia Department of Health contact exposure guidelines. Those who have traveled will follow the guidance in the "Travel" section of this policy (page 5).

Again, if permitted to work per the following chart (page 6), employees are required to follow established safety policies (i.e. wear a mask, social distance, clean work areas, etc.).

SHOULD I RETURN TO WORK?

SAFE ACTIONS FOR EMPLOYEE RETURN POST-COVID-19 EXPOSURE



BE SAFE.

NOTE: If you develop symptoms, or have been exposed to anyone who has tested to positive, or is pending test results, please contact your supervisor immediately. Supervisors will be provided with guidance.

Reporting Exposure, Symptoms, and Test Results

Whether symptomatic or asymptomatic, any employee who tests positive for COVID-19 or who is suspected to have COVID-19 (as previously defined) should contact his/her supervisor via text or phone call immediately upon knowledge of infection/positive test or possible exposure, and remove themselves immediately from City facilities.

Any infected or possibly infected employee will likewise be required to report any direct contacts he/she had with others at work within the past 14 days that may be at risk of exposure.

Supervisors with knowledge of a confirmed COVID-19 case or suspected case are required to immediately contact the City Manager, Deputy City Manager, Deputy Fire Chief for Administration, and Risk Manager by email. This notification should include the employee's position title, department/division, and the date and time the employee was notified that they tested positive. The Deputy Fire Chief for Administration will notify the Virginia Department of Health and the Risk Manager will notify the Virginia Department of Labor and Industry (when there are three or more employees in the same work space who test positive within a 14-day period).

Those in direct contact (within six feet for 15 minutes or more) or who may have been exposed to an infected individual or someone suspected of being infected with COVID-19 will be notified (as appropriate) by their respective supervisor via telephone call, email, or personal communication within 24 hours of the case being confirmed.

Other employees at the same worksite in the same time period must be notified of a confirmed case as well.

Return to Work Status

The City of Lynchburg will make "return-to-work" decisions founded primarily on symptom-based and time-based strategies, as recommended by the CDC and the Central Virginia Department of Health.

No employee confirmed or suspected of having/carrying COVID-19 will be permitted to work, per the flow chart on page 6, and based on the last date of contact with a person who has COVID-19 or is suspected of having COVID-19.

Based on the position/risk factors for public exposure, Department heads may require an employee's negative COVID-19 test result, before return-to-work status is reinstated.

Preferred testing sites, procedures, and authorization forms are posted under "COVID-19 Updates for Employees" accessible through City Notes (<https://citynotes.lynchburgva.gov/content/covid-19-updates-employees>) or lynchburgva.gov (<https://www.lynchburgva.gov/covid-19-information-city-employees>).

The City of Lynchburg will cover any cost of required testing. Employees on the City's insurance plan should utilize their coverage for the testing, as no co-pay is required. Employees who are not on the City's insurance plan should utilize a preferred testing site. The City will make reasonable efforts to maintain compensation for employees who are ill or waiting test results, as determined by law and through available leave allocations/options. Information on the Families First Coronavirus Response Act

(FFCRA) time allocations, FAQs, and Leave Request Form are available under “COVID-19 Updates for Employees.”

Employees seeking to return to work based on COVID-19 testing, should, when possible, consult with the Central Virginia Department of Health and/or their physician for documented clearance before returning to City facilities.

Return-to-work will be coordinated with the employee’s immediate supervisor once the safety measures indicated in this policy have been fulfilled.

VOSH guidelines do not entitle employees to refuse to return to work or to walk off the job because of the fear of exposure to COVID-19.

The Department Director may require additional quarantine/self-isolation beyond what is stipulated in this policy, if deemed necessary for the safety of the organization.

Police and Fire Return to Work:

It is recognized that certain positions may have different instructions and return to work policies than that of the general employee pool. Directive messaging and return to work protocols for these roles will be governed by the official health director for such function and their overarching regulatory agency (i.e. BREMS, Health Director’s Office, etc.)

Face Coverings/Masks

Employees are expected to wear a cloth face covering/mask or equivalent grade mask when entering any commonly used space (outdoors to indoors, hallways, restrooms, copy areas, supply rooms, kitchens, open office settings, garages, lobbies/public areas, etc.).

If any employee needs a face mask, they should contact their supervisor.

Those with health issues that prevent the wearing of a mask/face covering are required to provide a note from their physician to their supervisor. They are asked to socially distance from others at all times and take needed precautions to mitigate the possible spreading of the virus. Those who cannot wear a mask should coordinate with their supervisor to conduct their work in a manner where they are not in direct contact (within 6 feet) of the public and other staff members.

Requests by an employee not to wear PPE will be handled in accordance with applicable federal and state standards.

Employment and Cleaning Standards

Cleaning and disinfecting of work areas/surfaces must be in compliance with OSHA and DOL standards, and will be managed through the Department of Public Works.

In addition to the requirements contained in 16 VAC – 25-200 the City shall comply with the VOSH sanitation standard/regulation applicable to its industry.

Employees that interact with customers, the general public, contractors, and other persons, will be provided with and immediately use supplies to clean and disinfectant surfaces where there is the potential for exposure to the COVID-19 virus (by themselves or other employees). The City will likewise ensure adherence to VOSH hazard communication standards applicable to respective areas of service.

Areas in the place of employment where known positive COVID-19 and suspected COVID-19 employees or other persons accessed or worked will be disinfected prior to allowing other employees access to the areas. Where feasible, a period of 24 hours will be observed prior to cleaning and disinfecting. This requirement will not apply if the area(s) in question have been unoccupied for seven or more days.

All common spaces, including bathrooms, frequently touched surfaces and doors will at a minimum be cleaned and disinfected at the end of each shift. All shared tools, equipment, workspaces, and vehicles shall be cleaned and disinfected prior to transfer from one employee to another.

The City will ensure that disinfecting chemicals/products used by staff are approved by the Environmental Protection Act (EPA) and listed on List N for use against COVID- 19 and emerging viral pathogens. Public Works staff will ensure compliance with manufacturer’s instructions for all disinfecting chemicals and products when in use for sanitation regarding COVID-19 (e.g., concentration, application method, contact time, PPE, etc.).

All employees will have easy, frequent access, and permission to use soap and water, and hand sanitizer where feasible, during the duration of work. Employees assigned to a work station where job tasks require frequent interaction inside six feet with other persons shall be provided with hand sanitizer where feasible at their work station.

Mobile and off-site crews will be provided with hand sanitizer where feasible for use during the duration of work at a work site and shall have transportation immediately available to nearby toilet facilities and handwashing facilities which meet the requirements of VOSH laws, standards and regulations dealing with sanitation.

Individual work areas and any food preparation areas should be cleaned frequently with sanitizing agents.

Cleaning of Exposed Areas

Supervisors will contact the Public Works Department immediately to alert cleaning crews of any COVID-19 exposed areas. These areas will be cleaned as soon as possible per OSHA safety guidelines to disinfect work surfaces and communal spaces that may have been affected.

Contractors and Other Service Providers to the Organization

All subcontractors and companies that provide the City with contract or temporary labor that has any worker suspected or confirmed to have COVID-19 must stay home/away from City facilities, and alert City Administration to any confirmed or suspected COVID-19 cases immediately.

Conference Rooms, Common Areas, and Break Areas

Access to conference rooms, common areas, and break areas shall be closed or controlled. At the entrance of the designated common area or room each Department shall clearly post the policy limiting the occupancy of the space, and requirements for physical distancing, hand washing and hand sanitizing, and cleaning and disinfecting of shared surfaces. The Department shall limit occupancy of the designated common area or room so that occupants can maintain physical distancing from each other, and shall enforce the occupancy limit. Employees shall be required to clean and disinfect the immediate area in which they were located prior to leaving.

Riding in Vehicles

Staff are encouraged to coordinate needed transportation so that only one employee is present in a vehicle. In instances where multiple employees (two or more) must ride together, masks must be worn by all parties for the duration of any trip, regardless of distance. City vehicles should be sanitized to the best of occupants' abilities upon returning to the fleet for use by other parties. All PPE must be adequate and applicable to its respective industry standard (I.e. ambulances, fire trucks, etc. may have additional industry standards than that of the general employee pool).

Discrimination

Discrimination against an employee for exercising rights under this standard/regulation is prohibited.

No person shall discharge or in any way discriminate against an employee because the employee has exercised rights under the safety and health provisions of this standard/regulation or Title 40.1 of the Code of Virginia for themselves or others.

No person shall discharge or in any way discriminate against an employee who voluntarily provides and wears their own personal protective equipment, including but not limited to a respirator, face mask, face shield, or gloves, if such equipment is not provided by the employer, provided that the PPE does not create a greater hazard to the employee, or create a serious hazard for other employees.

No person shall discharge or in any way discriminate against an employee who raises a reasonable concern about infection control related to the SARS-CoV-2 virus and COVID-19 disease to the employer, the employer's agent, other employees, a government agency, or to the public such as through print, online, social, or any other media.

Policy Changes

As the COVID-19 pandemic is dynamic in its effects, this policy may adapt as needed based on the guidance of the CDC, VDH, or other vetted information in order to maintain the safety and health of City staff and our residents. Updates to this policy will be posted/noted as such in subsequent versions of the document.

August 12, 2020