

Elmira College HERO Act Plan & Policy from the Employee Handbook: Airborne Infectious Disease Exposure Prevention Plan & Policy

(Added 8/5/2021)

The purpose of this plan is to protect employees against exposure and disease during an airborne infectious disease outbreak. This plan goes into effect when an airborne infectious disease is designated by the New York State Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to the public health. This plan is subject to any additional or greater requirements arising from a declaration of a state of emergency due to an airborne infectious disease, as well as any applicable federal standards.

I. RESPONSIBILITIES

This plan applies to all “employees” as defined by the New York State HERO Act, which means any person providing labor or services for remuneration for Elmira College or business within the state, without regard to an individual’s immigration status, and shall include part-time workers, independent contractors, domestic workers, and other temporary and seasonal workers. The term also includes individuals working for digital applications or platforms, staffing agencies, contractors or subcontractors on behalf of Elmira College at any individual work site, as well as any individual delivering goods or transporting people at, to or from the work site on behalf of Elmira Colleges, regardless of whether delivery or transport is conducted by an individual or entity that would otherwise be deemed an employer under this chapter.

This plan requires commitment to ensure compliance with all plan elements aimed at preventing the spread of infectious disease. The following supervisory employee(s) are designated to enforce compliance with the plan. Additionally, these supervisory employees will act as the designated contacts unless otherwise noted in this plan:

Name	Title	Location	Phone
Wendy Fiscus	Director of CHC	Clarke Health Center	607-735-1750
Jessica Carpenter	Assoc. VP, HR	Office of HR, McGraw 115	607-735-1812
Joseph Kane	Director of Campus Safety	Campus Safety Office	607-735-1776

II. EXPOSURE CONTROL DURING A DESIGNATED OUTBREAK

A. Minimum controls During an Outbreak

During an airborne infectious disease outbreak, the following minimum controls will be used in all areas of the College:

1. **General Awareness:** Individuals may not be aware that they have the infectious disease and can spread it to others. Employees should remember to:

- Maintain physical distancing;
 - Exercise coughing/sneezing etiquette;
 - Wear face coverings, gloves, and personal protective equipment (PPE), as appropriate;
 - Individuals limit what they touch;
 - Stop social etiquette behaviors such as hugging and hand shaking, and
 - Wash hands properly and often.
2. **“Stay at Home Policy”**: If an employee develops symptoms of the infectious disease, the employee should not be on campus. The employee should inform the designated contact and his/her supervisor and follow New York State Department of Health (NYSDOH) and Centers for Disease Control and Prevention (CDC) guidance regarding obtaining medical care and isolating.
 3. **Health Screening**: Employees will be screened for symptoms of the infectious disease at the beginning of their shift. Employees are to self-monitor throughout their shift and report any new or emerging signs or symptoms of the infectious disease to the designated contact. An employee showing signs or symptoms of the infectious disease should be removed from the workplace and should contact a healthcare professional for instructions.
The health screening elements will follow guidance from NYSDOH and CDC guidance, if available.
 4. **Face Coverings**: To protect your coworkers, employees will wear face coverings throughout the workday to the greatest extent possible. Face coverings and physical distancing should be used together whenever possible. The face covering must cover the nose and mouth, and fit snugly, but comfortably, against the face. The face covering itself must not create a hazard, e.g. have features could get caught in machinery or cause severe fogging of eyewear. The face coverings must be kept clean and sanitary and changed when soiled, contaminated, or damaged.
 5. **Physical Distancing**: Physical distancing will be followed as much as feasible. Avoid unnecessary gatherings and maintain a distance of at least six feet (or as recommended by the NYSDOH/CDC for the infectious agent) from each other. Use a face covering when physical distance cannot be maintained.
 - *In situations where prolonged close contact with other individuals is likely, The College may use some or all of the following control methods:*
 - restricting or limiting visitor entry;
 - limiting occupancy;
 - allowing only one person at a time inside small enclosed spaces with poor ventilation;
 - reconfiguring workspaces;
 - physical barriers;
 - signage;
 - floor markings;

- telecommuting;
 - remote meetings;
 - preventing gatherings;
 - restricting travel;
 - creating new work shifts and/or staggering work hours;
6. **Hand Hygiene:** To prevent the spread of infection, employees should wash hands with soap and water for at least 20 seconds or use a hand sanitizer with at least 60% alcohol to clean hands BEFORE and AFTER:
- Touching your eyes, nose, or mouth;
 - Touching your mask;
 - Entering and leaving a public place; and
 - Touching an item or surface that may be frequently touched by other people, such as door handles, tables, computer screens, writing instruments, telephones, etc.
- Because hand sanitizers are less effective on soiled hands, wash hands rather than using hand sanitizer when your hands are soiled.
7. **Cleaning and Disinfection:** See Section V of this plan.
8. **“Respiratory Etiquette”:** Because infectious diseases can be spread by droplets expelled from the mouth and nose, employees should exercise appropriate respiratory etiquette by covering nose and mouth when sneezing, coughing or yawning.
9. **Special Accommodations for Individuals with Added Risk Factors:** Some employees, due to age, underlying health condition, or other factors, may be at increased risk of severe illness if infected. Please inform your supervisor or the HR department if you fall within this group and need an accommodation.

B. Advanced Controls During an Outbreak

For activities where the Minimum Controls alone will not provide sufficient protection for employees, additional controls from the following hierarchy may be necessary. Elmira College President, Provost, and/or Vice President of Finance and Administration will determine if the following are necessary:

1. *Elimination:* will consider the temporary suspension or elimination of risky activities where adequate controls could not provide sufficient protection for employees. Examples include:
 - Limiting or eliminating in-person learning,
 - Limiting gatherings by location (outdoors), and scale
 - Limiting or eliminating in-person recreational and/or sporting events

2. *Engineering Controls*: will consider appropriate controls to contain and/or remove the infectious agent, prevent the agent from being spread, or isolate the worker from the infectious agent. Examples of engineering controls include:
 - Mechanical Ventilation such as local exhaust ventilation, for example:
 - Local duct.
 - a. General Ventilation, for example:
 - Increasing the percentage of fresh air introduced into air handling systems;
 - Avoiding air recirculation;
 - Utilize air filters with rating of Minimum Efficiency Reporting Value (MERV) 13 or higher, if compatible with the HVAC system(s). If MERV-13 or higher filters are not compatible with the HVAC system(s), use filters with the highest compatible filtering efficiency for the HVAC system(s);
 - If fans are used in the facility, arrange them so that air does not blow directly from one worker to another. Remove personal fans as necessary but keep heat hazards in mind and address in other methods if appropriate; and
 - Air purifiers.
3. *Natural Ventilation*, for example:
 - Opening outside windows and doors; and
 - Opening windows on one side of the room to let fresh air in and installing window exhaust fans on the opposite side of the room so that they exhaust air outdoors.
 - Automatic disinfection systems such as ultraviolet light disinfection systems.
 - Install cleanable barriers such as partitions and clear plastic sneeze/cough guards.
 - Establish entry to building protocols that are contactless.
 - Install hand washing or sanitizing stations throughout campus buildings.
4. “*Administrative Controls*” are policies and work rules used to prevent exposure. For example:
 - Increasing the space between employees and students;
 - Disinfecting procedures for specific operations;
 - Employee training;
 - Identify and prioritize job functions that are essential for continuous operations;
 - Cross-train employees to ensure critical operations can continue during worker absence;
 - Limit the use of shared workstations;
 - Close break rooms;
 - Prohibiting eating and drinking in the work area;
 - Do not utilize drinking fountains;
 - Post signs reminding of respiratory etiquette, masks, hand hygiene;

- Rearrange traffic flow to allow for one-way walking paths;
- Provide clearly designated entrance and exits;
- Provide additional short breaks for handwashing and cleaning;
- Establishing pods or cohorts of staff and students to limit exposure;
- minimize elevator use, post signage of limitations;
- Increase time between classes to allow for cleaning and ventilation;
- Utilize remote learning methods;
- Require health screening of students upon entry to facilities; and
- Limit attendance of in-person meetings. Host the meetings outdoors or electronically.

5. *Personal Protective Equipment (PPE)* are devices like eye protection, face shields, respirators, and gloves that protect the wearer from infection. PPE will be provided, used and maintained in a sanitary and reliable condition at no cost to the employee. PPE provided to an employee will be based on a hazard assessment for the workplace.

- The use of respiratory protection, e.g. an N95 filtering facepiece respirator, requires compliance with the OSHA Respiratory Protection Standard 29 CFR 1910.134 or temporary respiratory protection requirements OSHA allows for during the infectious disease outbreak.
- Respirators with exhalation valves will release exhaled droplets from the respirators. Respirators are designed to protect the wearer. Surgical masks and face coverings, which are not respirators, are designed to protect others, not the wearer.

C. Exposure Control Readiness, Maintenance and Storage:

The controls we have selected will be obtained, properly stored, and maintained so that they are ready for immediate use in the event of an infectious disease outbreak and any applicable expiration dates will be properly considered.

III. HOUSEKEEPING DURING A DESIGNATED OUTBREAK

A. Disinfection Methods and Schedules

Objects that are touched repeatedly by multiple individuals, such as door handles, light switches, control buttons/levers, dials, levers, water faucet handles, computers, phones, or handrails must be cleaned frequently with an appropriate disinfectant. Surfaces that are handled less often, or by fewer individuals, may require less frequent disinfection. The disinfection methods and schedules selected are based on specific workplace conditions.

The New York State Department of Environmental Conservation (NYSDEC) and the Environmental Protection Agency (EPA) have compiled lists of approved disinfectants

that are effective against many infectious agents (see dec.ny.gov and epa.gov/pesticide-registration/selected-epa-registered-disinfectants). Select disinfectants based on NYSDOH and CDC guidance and follow manufacturer guidance for methods, dilution, use, and contact time.

B. Adjustments to Normal Housekeeping Procedures

Normal housekeeping duties and schedules should continue to be followed during an infectious disease outbreak, to the extent practicable and appropriate consistent with NYSDOH and/or CDC guidance in effect at the time. However, routine procedures may need to be adjusted and additional cleaning and disinfecting may be required.

Housekeeping staff may be at increased risk because they may be cleaning many potentially contaminated surfaces. Some housekeeping activities, like dry sweeping, vacuuming, and dusting, can resuspend into the air particles that are contaminated with the infectious agent. For that reason, alternative methods and/or increased levels of protection may be needed.

Rather than dusting, for example, the CDC recommends cleaning surfaces with soap and water before disinfecting them. Conducting housekeeping during “off” hours may also reduce other workers’ exposures to the infectious agent. Best practice dictates that housekeepers should wear respiratory protection. See cdc.gov for more guidance.

- C. If an employee develops symptoms of the infectious disease at work, it is ideal to isolate the area in accordance with guidance issued by NYSDOH or the CDC, before cleaning and disinfecting the sick employee’s work area. This delay will allow contaminated droplets to settle out of the air and the space to be ventilated.
- D. As feasible, liners should be used in trash containers. Empty the containers often enough to prevent overfilling. Do not forcefully squeeze the air out of the trash bags before tying them closed. Trash containers may contain soiled tissue or face coverings.

IV. INFECTION RESPONSE DURING A DESIGNATED OUTBREAK

If an actual, or suspected, infectious disease case occurs at work, take the following actions:

- Instruct the sick individual to wear a face covering and leave the worksite and follow NYSDOH/CDC guidance.
- Follow local and state authority guidance to inform impacted individuals.

V. TRAINING AND INFORMATION DURING A DESIGNATED OUTBREAK

- A. The Office of Human Resources will verbally inform all employees of the existence and location of the Plan, the circumstances it can be activated, the infectious disease standard, employer policies, and employee rights under the HERO Act. (Note: training

need not be provided to the following individuals: any individuals working for staffing agencies, contractors or subcontractors on behalf of Elmira College at any individual work site, as well as any individual delivering goods or transporting people at, to or from the work site on behalf of Elmira College, where delivery or transport is conducted by an individual or entity that would otherwise be deemed an employer under this chapter)

- B. When this plan is activated, all employees will receive training which will cover all elements of this plan and the following topics:
- The infectious agent and the disease(s) it can cause;
 - The signs and symptoms of the disease;
 - How the disease can be spread;
 - An explanation of this Exposure Prevention Plan;
 - The activities and locations at our campus that may involve exposure to the infectious agent;
 - The use and limitations of exposure controls
 - A review of the standard, including employee rights provided under Labor Law, Section 218-B.

- C. The Training will be
- Provided at no cost to employees and take place during working hours. if training during normal work hours is not possible, employees will be compensated for the training time (with pay or time off);
 - Appropriate content and vocabulary to your educational level, literacy, and preferred language; and
 - Verbally provided in person or through telephonic, electronic, or other means.

VI. PLAN EVALUATIONS DURING A DESIGNATED OUTBREAK

Elmira College will review and revise this plan periodically, upon activation of the plan, and as often as needed to keep up-to-date with current requirements.

Plan Revisions Documented within this Plan Policy on Next Page.

Plan Revision History			
Date	Participants	Major Changes	Approved By

VII. RETALIATION PROTECTIONS AND REPORTING OF ANY VIOLATIONS

Elmira College, or person acting as or on behalf of Elmira College, or the officer or agent of Elmira College, shall NOT discriminate, threaten, retaliate against, or take adverse action against any employee for exercising their rights under this plan, including reporting conduct the employee reasonably believes in good faith violates the plan or airborne infectious disease concerns to their employer, government agencies or officials or for refusing to work where an employee reasonably believes in good faith that such work exposes him or her, other workers, or the public to an unreasonable risk of exposure, provided the employee, another employee, or representative has notified the College verbally or in writing, including electronic communication, of the inconsistent working conditions and the College’s failure to cure or if the employer knew or should have known of the consistent working conditions.

Employees who wish to report a violation of this Plan, should make report to the Office of Human Resources, Provost of Elmira College, the Vice President of Finance & Administration, or the Director of the Clarke Health Center. Employees may also file a report via the Campus Conduct Hotline.

Notification of a violation by an employee may be made verbally or in writing, and without limitation to format including electronic communications. To the extent that communications between the College and employee regarding a potential risk of

exposure are in writing, they shall be maintained by the College for two years after the conclusion of the designation of a high risk disease from the Commissioner of Health, or two years after the conclusion of the Governor's emergency declaration of a high risk disease.