



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

Purpose

Pursuant to Chapter 168 of the Laws of 2020 , and to ensure the continuation of services provided by the State of New York and the health and safety of the public sector workforce, each New York State agency and authority must prepare a plan for the continuation of operations in the event that the Governor declares a state disaster emergency involving a communicable disease.

Applicable agencies and authorities must post finalized plans by April 1, 2021 in (1) a clear and conspicuous location (e.g., bulletin boards or other similar location where employees normally view information posted by the employer), (2) in their employee handbook if they have one, and (3) on either their intranet or internet website.

Continuity of Operations Plan for a Disaster Emergency Involving a Communicable Disease

Individual (s) Responsible for Maintaining this Plan:

Geoff von Bieberstein
Director of Human Resources
geoffrey.vonbieberstein@labor.ny.gov
518-457-6651

Date of Posting:

April 1, 2021

Statutory Elements of the Plan:

- A list and description of the types of positions considered essential in the event of a state-ordered reduction of in-person workforce.

Essential shall refer to a designation made that a public employee is required to be physically present at a worksite to perform his or her job. Such designation may be changed at any time in the sole discretion of the employer.



New York State Department of Labor (NYS DOL)

CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

- A description of protocols the employer will follow for non-essential employees to telecommute including, but not limited to, facilitating or requesting the procurement, distribution, downloading and installation of any needed technology, including software, data, and the transferring of office phone lines to work or personal cell phones as practicable or applicable to the workplace, and any devices.

Non-essential shall refer to a designation made that a public employee is not required to be physically present at a work site to perform his or her job. Such designation may be changed at any time in the sole discretion of the employer.

- A description of how the employer will, to the extent possible, stagger work shifts of essential employees in order to reduce overcrowding on public transportation systems and at worksites.
- A description of the protocol that the employer will implement in order to procure the appropriate personal protective equipment for essential employees, based upon the various tasks and needs of such employees, in a quantity sufficient to provide personal protective equipment to each essential employee during any given work shift. Such description shall also include a plan for storage of such equipment to prevent degradation and permit immediate access in the event of an emergency declaration.
- A description of the protocol in the event an employee is exposed to a known case of the communicable disease that is the subject of the state disaster emergency, exhibits symptoms of such disease, or tests positive for such disease in order to prevent the spread or contraction of such disease in the workplace. Such protocol shall also detail actions to be taken to immediately and thoroughly disinfect the work area of any employee known or suspected to be infected with the communicable disease as well as any common area surface and shared equipment such employee may have touched, and the employer policy on available leave in the event of the need of an employee to receive testing, treatment, isolation, or quarantine. Such protocol shall not involve any action that would violate any existing federal, state, or local law, including regarding sick leave or health information privacy.
- A protocol for documenting hours and work locations, including off-site visits, for essential employees. Such protocol shall be designed only to aid in tracking of the disease and to identify the population of exposed employees in order to facilitate the provision of any benefits which may be available to certain employees on that basis.
- A protocol for how the public employer will work with such employer's locality to identify sites for emergency housing for essential employees in order to further contain the spread of the communicable disease that is the subject of the declared emergency, to the extent applicable to the needs of the workplace.

Any other public health requirements determined by the New York State Department of Health (DOH) that are designed to reduce transmission of infectious diseases, such as face coverings, contact tracing, diagnostic testing, social distancing, hand and respiratory hygiene, and cleaning and disinfection protocols.



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

Activation of this Plan:

In the event of activation of this plan, employees will receive a concise notification indicating that the Department of Labor (DOL) has activated its Continuity of Operations Plan for a Disaster Emergency Involving a Communicable Disease (COOP-Communicable Disease) via one or more of these notification mechanisms:

1. GEARS / NYAlert (sign up at this link: [Emergency Management](#))
2. A mass email to all employees from DOL to employee DOL email addresses.
3. Intranet and Internet postings on the DOL intranet ([NYS DOL Intranet Homepage](#)) and/or website ([Information for DOL Employees During Coronavirus Emergency - New York State Department of Labor \(ny.gov\)](#))

Depending on the severity of the incident and available timeframes, some or all these mechanisms may be used.

If the COOP-Communicable Disease is initiated, employees must review any messaging carefully and thoroughly and maintain alertness for periodic updates regarding reporting to the workplace and operational changes.

DOL wants staff to be informed during this type of emergency situation.

This messaging will provide instruction regarding which staff are designated essential (i.e., must report to work) and any other critical instruction or communications.



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

A. Essential Personnel

What are the positions your agency or authority considers essential in the event of a state-ordered reduction of your in-person workforce? Please provide a list and description of the types of positions.

The following categories of employees at DOL are essential for the purposes of this plan:

1. Employees engaged in critical Unemployment Insurance (UI) functions that cannot be completed remotely;
2. Employees engaged in critical UI support functions that cannot be completed remotely;
3. Employees engaged in critical worker protection activities, such as health and safety inspection, or oversight activity;
4. Employees who are engaged in the processing of licenses and certificates that cannot be performed remotely;
5. Employees engaged in mailing and supply functions which cannot be conducted remotely;
6. Security staff;
7. Maintenance staff; and
8. Other staff designated to report for a specific operational purpose.

In the event of a state-ordered reduction of DOL on-site staff, it is anticipated that only staff designated as “essential” will report to the workplace, or that a more general “capacity” reduction in density will occur.

B. Telecommuting and Telecommuting Readiness

What are the protocols your agency or authority will follow for non-essential employees to telecommute including, but not limited to, facilitating or requesting the procurement, distribution, downloading and installation of any needed technology, including software, data, and the transferring of office phone lines to work or personal cell phones as practicable or applicable to the workplace, and any devices? Please provide a description of these protocols as follows:

- Protocol for telecommuting;
- Protocol for procurement, distribution, downloading and installation of needed technology; and
- Protocol for phone coverage and transfer of office phone lines to work or personal cell phones.

The ability of many employees to telecommute/remote work will be important to maintain continuity of operations in the event of a state disaster emergency involving a communicable disease.



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

The ability of employees to telecommute, or work remotely, during the activation of this plan serves the dual purpose of preserving the ability for DOL to accomplish mission critical tasks, while minimizing risk to employees during a communicable disease incident.

For the COVID-19 pandemic, the Governor's Office of Employee Relations (GOER) established a Statewide, uniform, pilot telecommuting program which outlines how agencies/authorities manage telecommuting. In the event of a future state disaster emergency involving a communicable disease, DOL will receive direction from GOER on the rules and guidelines applicable to telecommuting, and will take steps to implement and operationalize any telecommuting program, where applicable, for DOL.

To maintain operational readiness in the event that this plan is activated, and a large cohort of staff are shifted to work remotely, both program managers and individuals should periodically review the following information and make and maintain appropriate determinations prior to activation of this plan.

Considerations for Program and Administrative Management:

1. Identify individual work processes or crucial program tasks that can be completed remotely, and which require staff presence in the office;
2. Consider if identified work processes or crucial program tasks that currently require staff presence could, with some level of modification, be altered in order to use telecommuting, on a short term or long term basis, while maintaining compliance with applicable laws and rules (e.g. confidentiality);
3. Review if staff currently have either DOL or personally owned equipment with the required access, technology, etc. to work remotely at present;
4. Determine if, with currently available resources, the work unit or program could operate in a long-term manner with minimal staff reporting, on a full or part time basis;
5. Determine if contact information for unit or program staff is available, and if they have contact information for appropriate supervisory or management parties; and
6. Determine the need for phone coverage and the option to transfer office phone lines (Cisco VoIP) to cell phones or work cell phones for off-site phone answering coverage.

If supervisors and managers of a work unit or program have the ability to increase readiness in the event that the COOP-Communicable Disease is activated, they should work with staff to do so.

Considerations for Individual Employees:

1. Individuals should consider which work processes or crucial program tasks they perform can be completed remotely, and which would require presence in the office.



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

2. Consider if identified work processes or crucial program tasks that currently require in office presence could, with some level of modification, be altered in order to use telecommuting, on a short term or long term basis, while maintaining compliance with applicable laws and rules (e.g. confidentiality).
3. Employees should individually identify if they have either DOL or personally owned equipment with the required access, technology, etc., to work remotely at present.
4. Individuals should periodically verify functionality of equipment and remote access, even if not working remotely currently
5. Individuals should determine if they have contact information for their supervisor and manager, and if these parties have their contact information.
6. Individuals should determine if they have the ability to remotely forward and un-forward work phones to a phone at another location or residence.

If staff have the ability to increase readiness in the event that this COOP-Communicable Disease is activated, they should work in conjunction with their supervisory chain to do so prior to plan activation.

In the event that this plan is activated and staff are directed to engage in telework, individual program areas are to use computers, laptops, cell phones or other equipment and software (e.g., RSA tokens) currently available to maintain required work activities with staff who have the ability to telework.

As an ITS-hosted agency, DOL will utilize the ITSM Service Now Self-Service Portal to submit hardware and software requests. ITS Workplace Services will “push” needed software to the device. ITS Workplace services will arrange the receipt of needed hardware by the user, following whatever situational protocols are necessary for such a transaction based on the guidelines at that time from the Centers for Disease Control and Prevention (“CDC”) or the New York State Department of Health (“DOH”). Staff can locate additional information and resources at the ITS.ny.gov Working Remotely website.

Individual program areas will also implement coverage based on pre-determined need for phone coverage and exercise the option to transfer office phone lines (Cisco VoIP) to cell phones or work cell phones for off-site phone answering coverage. NYS ITS operates a Cisco Unified Communications Domain Manager, giving the ability for all DOL VoIP users to forward office calls to a work cell phone or personal/home device. Sign on and update instructions can be emailed to all users, who sign on using the employee’s DOL credentials. Additional information and guides are available on the ITS website.

Procurement for additional items that may be needed following activation of this plan, or in preparation for plan activation, must follow the established New York State Office of General



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

Services (NYS OGS) procurement procedures (e.g., State Financial System (SFS) Request) unless a waiver or alternate procurement mechanism is presented by a higher authority.

DOL will periodically assess its technology needs for telecommuting and work with ITS to ensure that appropriate information technology resources are available.

C. Maintaining Safe Conditions in the Workplace and On the Job through a Variety of Plan Mechanisms in Addition to Telecommuting

How will your agency or authority, to the extent possible, stagger work shifts or adjust work hours of essential employees in order to reduce overcrowding on public transportation systems and at worksites? Consider the following in developing your work shift/schedule adjustments, if applicable:

- *Will you need to alter working hours/shifts/schedules of essential employees?*
- *Will you need to split shifts or change operations to different days of the week?*
- *How will you manage engagement between employees and any clients and/or visitors at the worksite, accounting for physical distancing requirements, as applicable?*
- *How will you promote physical/social distancing in this type of operation or work setting?*
- *What common situations that may not readily allow for 6 feet of distance between individuals exist at the worksite (including employees, clients and essential visitors)?*

Should this COOP-Communicable Disease be activated, a variety of mechanisms in addition to telecommuting may be implemented.

As the specifics regarding a communicable disease may vary significantly, circumstances will be evaluated and messaging to staff via some of the same mechanisms as plan activation will be used to convey specific information.

Based on the current COVID-19 pandemic, DOL may use one or more of the following actions to accomplish mission critical work and maintain staff safety to the highest level possible.

These provisions are subject to modification based on field conditions and exact circumstances.

1. Reduced Density in DOL Offices

- A. To maintain safe conditions in DOL offices, when operating under this plan the normal occupancy rate will be reduced as recommended/required by the New York State Department of Health (NYS DOH) or other regulatory agency to prevent/reduce the spread of the communicable disease.
- B. Operational needs for staff to report to their worksite will be regularly assessed by individual program areas and will be dependent on the severity, duration, and circumstances surrounding the communicable disease event.
- C. If required in office work by essential staff requires a cohort of staff which would exceed the recommended density in the workplace, staggered or split shifts will be evaluated and implemented by agency management if operationally feasible.



New York State Department of Labor (NYS DOL)

CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

- D. Whenever possible, employees will be encouraged to participate in compressed workweeks, Voluntary Reductions in Work Schedules (VRWS), and/or splitting time between the office and telecommuting. This will help to reduce density in the workplace.
- E. Start times, break times, and lunch times for reporting staff will be staggered by on-site management, with staff input if required, to ensure physical distancing is maintained and/or reduce overcrowding on public transportation systems.
- F. Requests for alternative work arrangements/reasonable accommodations will be reviewed by DOL in accordance with all applicable state and federal laws, rules and regulations and DOL policies.

2. Precautions Prior to Re-occupancy of Vacated Workspaces

If an area or a worksite is completely vacated based on a response to the communicable disease, prior to any staff re-occupying the area, the worksite will be evaluated* against NYS DOH recommendations, as applicable, to determine if items including but not limited to the following, are required:

- A. Workstations provide the requisite physical distance and/or barriers (e.g., cubicle walls);
- B. Areas where employees may congregate (form a line, perform screening, take breaks, smoke, clock in/out, use coffee machines, etc.) meet social distance requirements. Recommended spacing distances (e.g., 6 foot spacing) will be marked on floors;
- C. Additional cleaning/decontamination; and
- D. Appropriate Workplace modification such as posting appropriate signs, controls to maintain social distancing, as necessary depending on specific circumstances.

*This requirement for evaluation does not preclude staff access to a location, to evaluate conditions or obtain a required work item, as long as, NYS DOH or other public health authority recommendations are followed.

3. Precautions or Limitations Pertaining to in Person Client/Vendors Interaction

To the extent personnel from another agency, authority, board or commission occupy facilities owned or controlled by DOL, these protocols will include areas where the employees, clients or vendors of DOL may interact or jointly occupy with employees, clients or vendors of that other agency, authority, board or commission.

- A. While this plan is activated, in-person meetings with clients, vendors, etc., may only occur if such interactions can be conducted in accordance with NYS DOH/CDC recommended precautions. The default service method when operating under this plan will be virtual or non-contact service.
- B. Clients will be encouraged to submit paperwork and payment electronically. Staff will be required to use technology to reduce the number of in-person meetings and meetings will be held remotely/virtually when possible. Any necessary in-person meetings will be held



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

with a limited number of attendees and/or in large conference rooms to meet the recommended social distances.

- C. Individual program areas will review their work processes and alter them, to the extent possible according to applicable laws and rules, to minimize in-person client contact. Resources such as telephones, electronic communications, or other technological solutions will be used as alternatives to in-person client interface.
- D. Where in-person client interface must occur, clients will be required to schedule an appointment.
- E. Clients will be asked to wear the DOH recommended Personal Protective Equipment (PPE) if engaging with employees in close proximity. Extra recommended PPE will be maintained in the office and provided to any client entering the facility without personally owned PPE.
- F. Appropriate client area physical modification and or sign placement will be facilitated by location managers consistent with any applicable NYS DOH/CDC recommendations.

4. Precautions Pertaining to Field Staff and Field Activity

- A. During the activation of this plan, field visits will be limited to critical matters of health and safety.
- B. To minimize disease transmission, DOL will provide field staff with Personal Protective Equipment (PPE), as required or recommended by DOH. All field staff will be required to use PPE. PPE will be provided prior to field work.
- C. Staff will be reminded to maintain the recommended physical distance when possible during any field work. Field staff will work with employees at the facility they are visiting to maintain physical distancing.

D. Personal Protective Equipment (PPE)

What is the protocol your agency or authority will implement in order to procure the appropriate personal protective equipment (PPE) for essential employees, based upon the various tasks and needs of such employees, in a quantity sufficient to provide personal protective equipment to each essential employee during any given work shift? You should consider different job groupings or responsibilities (e.g., patient/direct care, public-facing positions) when describing the protocol. Also, consider the following in developing your protocol:

- *What is your plan for storage of such PPE to prevent degradation and permit immediate access in the event of an emergency declaration?*
- *What will be your protocol for cleaning and/or disposal of PPE, to the extent applicable?*



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

- *How will you train employees on how to put on, take off, clean and disinfect (as applicable) and discard PPE?*
- *What is your plan for posting signage to remind employees of appropriate use of PPE?*

A future activation of this plan may be accompanied by a recommendation or requirement that staff utilize Personal Protective Equipment (PPE) when at a job site. This section may be applicable if PPE utilization is recommended or required by a communicable disease. Staff will be notified if they are required to utilize PPE.

PPE Procurement and Storage Prior to an Emergency Declaration:

The DOL property office will procure PPE through NYS OGS state contract unless PPE is offered by some other entity or authority (e.g. New York State Office of Emergency Management, NYSOEM).

In the case of items anticipated to be used in many types of communicable disease incidents, DOL currently maintains an existing stock (face coverings, hand sanitizer, sanitizingwipes, disinfectant and paper towels, etc.). This stock is continually depleted and replenished, which avoids degradation of supplies.

This stock is maintained in a central location and periodically shipped to locations as needed.

DOL will provide appropriate PPE to employees based on requirements and recommendations of NYS DOH and other appropriate authorities and engage in a similar use of older stock of PPE and associated items as is currently practiced.

Distribution of PPE in an Emergency Situation:

Individual program areas and/or locations will assess their worksite and job functions to determine the type and amounts of PPE needed for the communicable disease prevention on a regular basis.

An electronic request form will be used and sent to a centrally located distribution/stock storage center.

Designated site contacts will order and distribute PPE to site staff as needed based on reporting patterns and consumption of PPE.

The same designated site contacts will post signs regarding the use of PPE in the work area.

Training in the Appropriate Use of PPE:

All staff will complete required training as determined by the New York State Governors Office of Employee Relations (NYS GOER) relevant to the communicable disease event.

Employees will be provided training on the proper donning, doffing, cleaning (as appropriate) and disposal of PPE.



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

Training will likely be delivered electronically via the NYS Statewide Learning Management System (SLMS). The topic(s), intended audiences, and number of training courses will be dependent on the communicable disease event.

Training will provide general information related to the State's response and an overview of required PPE. There may be additional worksite or building-specific training.

DOL will ensure that employees view the general training before the required deadlines (e.g., before or upon their return to work).

Required worksite or building-specific training (including "hands-on" PPE training) delivered by appropriate management designated staff, with the assistance of DOL professional training staff, may occur the first day staff return to the worksite, depending on the event.

Proper Use and Disposal of PPE:

Supervisors will monitor staff to ensure that the recommended PPE is being worn properly, at the proper times, and discarded in the proper receptacles. If required, each location will be provided with a specific trash can for disposable PPE (e.g., face masks/gloves).

Disposable PPE will be provided by DOL unless use of disposable PPE is not feasible. If PPE that requires cleaning or reuse is provided by DOL, employees will be trained on the purpose, use, limitations of, cleaning of, and proper care, maintenance, expected useful life of and disposal of non-disposable PPE.

Field staff will not discard used disposable PPE at non-DOL facilities. They should discard the PPE either in a garbage receptacle in the office or in another appropriate location.

E. Screening and Exposure Protocols

What is the protocol in the event an employee is exposed to a known case of the communicable disease that is the subject of the state disaster emergency, exhibits symptoms of such disease, or tests positive for such disease in order to prevent the spread or contraction of such disease in the workplace? Current requirements under the COVID-19 disaster emergency, as follows, should be taken into account in the description of your protocol:

- Implement mandatory remote or in-person daily health screening for COVID-19 contact or symptoms (e.g., questionnaire, temperature check) for in-person employees at or near the beginning of each workday.
- Coordinate screening to prevent employees from intermingling in close contact with each other prior to completion of the screening.
- Ensure agency/authority is following all screening, testing, and tracing procedures as outlined in the applicable DOH guidance, including instructions to employees on when to return home and when to return to work.



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

- Ensure screening staff are trained supervisory-level employees or health care professionals, wearing appropriate personal protective equipment including at least a face covering and gloves, if the screening involves contact.
- Maintain a record of all staff who are screened, as well as if screening was passed or if the staff member was instructed to return home, provided no other health information is recorded or maintained. Record must be reviewed and secured on a daily basis.
- Designate a worksite-level safety monitor whose responsibilities include continuous compliance with all aspects of the site safety plan.
- Where practicable, maintain a log of every person, including employees and visitors, who may have close contact with other individuals at the worksite or area, excluding deliveries that are performed with appropriate PPE or through contactless means.

Activation of this plan in the event of a communicable disease will likely result in the implementation of screening and exposure protocols similar to those currently used for COVID 19.

DOL will utilize engineering controls, safe work practices and PPE in order to minimize exposure in a future state disaster emergency caused by a communicable disease which will be dependent on the communicable disease that causes such disaster emergency.

DOL will provide periodic updates, as information becomes available, on the communicable disease and its transmission as part of its exposure protocols in order to assist with reducing transmission.

The Centers for Disease Control and Prevention (CDC)/NYS DOH recommended processes and Director of State Operations and Infrastructure guidance will be followed. This guidance may vary, depending on the nature of the communicable disease, the symptoms caused by the disease, and the mechanism of spread.

Employees will be provided specific screening information and incident specific protocols may be developed, but employees can expect representative screening or exposure protocols to operate as follows:

Screening:

Employees entering DOL worksites will likely be required to complete a health screening at the time interval required by CDC/NYS DOH. Screening may be done using an online application similar to the one used during the 2020-21 COVID-19 pandemic at screening.ny.gov.

DOL anticipates that a similar electronic screening will be developed or used for future communicable disease events. The screening questions will be focused on relevant symptoms and/or exposure parameters as identified by CDC/NYS DOH.

If feasible, employees who cannot “self-screen” using the application will be provided with another method of screening, such as reporting to a Screening Coordinator at their worksite.

Screening staff will be trained supervisory-level employees or health care professionals, wearing appropriate personal protective equipment including at least a face covering and gloves, if the screening involves contact.



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

The results of self-screening or in person health screenings will be maintained electronically in a secure application or at each site in a secured filing cabinet (if using a paper screening form).

Currently, designated Site Captains, supervisory level employees, and Managers serve in coordinator, screener, and safety monitor roles at DOL offices. These staff will provide and oversee screening and safety protocols at DOL sites.

Designated Site Captains or Managers will serve as worksite-level safety monitors whose responsibilities include continuous compliance with all aspects of the site safety plan.

Existing designated staff, with substitutions or additions as required, will be used during a future activation of this plan.

Where practicable, reception or security staff will maintain a log of every person, including employees and visitors, who may have close contact with other individuals at the worksite or area, excluding deliveries that are performed with appropriate PPE or through contactless means.

To the extent personnel from another agency, authority, board or commission occupy facilities owned or controlled by DOL, these screening protocols will include employees, clients or vendors of that other agency, authority, board or commission.

Health Screening Failures or “De-Facto” Screening Failures Reported by Other Means:

Staff who fail an applicable health screening will be instructed to leave the DOL location, or not report to the location, and the failure will be reported electronically or verbally to the DOL Office of Employee Relations for evaluation.

Staff who verbalize or demonstrate a symptom or circumstance which would result in a failure will be referred to the DOL Office of Employee Relations by a screener, supervisor, or manager, for the circumstance to be evaluated.

If, after evaluation of the circumstances, with necessary consultation with NYS DOH or other authority, OER believes that a potential or actual exposure to a communicable disease has occurred, the matter will be handled by OER in accordance with the appropriate exposure protocol.

Exposure Protocol:

In the event of activation of this plan, the agency will abide by The Center for Disease Control and Prevention (CDC)/NYS DOH recommended processes and/or Director of State Operations and Infrastructure guidance regarding items such as:

1. Separating and/or administratively quarantining employees who are known or suspected to have a communicable disease based on a screening result or independently identified symptoms or circumstances.



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

2. Separating and/or administratively quarantining employees who have been in contact with persons who are known or suspected to have a communicable disease.
3. Contact tracing and notification to appropriate parties regarding known or potential exposure to a communicable disease.
4. Reporting known or suspected cases to entities such as State or Local Departments of Health and Department Executive Management

The implementation and management of a particular exposure protocol for DOL employees will be overseen by the DOL Office of Employee Relations (OER) and Office of Emergency Management.

The privacy and confidentiality of employees impacted by a communicable disease will be maintained to the extent allowed by public health and applicable law or policy.

Disinfection/ Cleaning on an ongoing and Post-exposure Basis:

Buildings/worksites will be cleaned using the methods and frequency as recommended by CDC/NYS DOH.

For each DOL location, a facility contact identified by DOL management will be responsible for maintaining and storing a detailed cleaning log.

Upon activation of this plan, Employees who are confirmed or suspected to be infected with a relevant communicable disease are required to report that status to their direct supervisor. Supervisors are additionally required to report confirmed or suspected employee infection status to the DOL Office of Employee Relations and ensure the employee workstation or immediate work area of the employee remains vacant until the area can be cleaned.

OER will work with DOL's Property Office, informing them of the area(s) that are impacted by the infected staff, so the Property Office can facilitate the thorough disinfection of all impacted areas per applicable guidance.

Leave Benefits for Infected or Quarantined Employees:

While the amount and types of leave available to an employee will be dependent on the particular disaster emergency that has been declared and any provisions of law that provide for leave under such circumstances, during the COVID-19 pandemic an employee's leave options included GOER quarantine leave, leave under other applicable State policies, , and the employee's own leave accruals. Policy on available leaves will be established by the Department of Civil Service and/or GOER who shall provide guidance to the DOL on how to instruct employees about available leaves.

F. Protocol for Documenting Work Hours/Locations



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

How will your agency or authority document hours and work locations, including off-site visits, for essential employees? Your protocol shall be designed only to aid in tracking of the disease and to identify the population of exposed employees in order to facilitate the provision of any benefits which may be available to certain employees on that basis. You should also consider the following questions in describing your protocol:

- *How will these records be maintained?*
- *Who is responsible for maintaining these records?*
- *Who will be in charge of accessing these records for the purposes of disease tracking and identifying potential exposures?*
- *If these records are in paper form, what are your protocols for preserving these records?*

During the activation of this plan, DOL Human Resources staff may need to utilize available technology and datasets including, but not limited to, those listed below, to identify when and where staff are performing their job functions. This information has relevance for the purpose of tracking of the disease and identifying the population of potentially exposed employees. These datasets will only be used for contact tracing purposes when operating under this plan.

These records will be maintained in electronic form, with the exception of limited paper itineraries which are maintained by the supervisors of staff engaged in field activity and will be retained consistent with NYS general document retention policies and practices.

These records, when required to be used for the purposes of disease or exposure tracking, will be accessed and used for this purpose by staff in DOL's Offices of Employee Relations and or Bureau of Personnel, with necessary assistance by on-site managerial or supervisory staff.

Data sources which may be used for these purposes include, but are not limited to:

1. Leave & Accrual Tracking System (LATS) - Employees will be directed to use the comment section to identify where the employee was performing their job function (i.e. a specific field location, home residence, or DOL worksite).
2. Electronic card swipe systems (at locations where installed) will be utilized for contact tracing purposes when an employee unknowingly is infected / potentially infected and reports to their worksite. The swipe system will also identify employees who may have been in close contact with the exposed / potentially infected employee who reported to the worksite unknowingly so they can take the required action (e.g., quarantine).
3. Itineraries - Field staff will fill out and post an itinerary as to where they will be reporting to perform inspections, investigations, audits, etc. Supervisors of field staff will keep records of where work is performed.
4. Employees will be encouraged to use cell phone applications for contact tracing (such as the 2020-21 "COVID Alert NY") if available for the communicable disease.



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

G. Protocol for Identifying Emergency Housing for Essential Employees

How will you work with local officials to identify sites for emergency housing for essential employees in order to further contain the spread of the communicable disease that is the subject of the declared emergency, to the extent applicable to the needs of the workplace?

The DOL Deputy Commissioner of Administration or designee will be the point of contact for the identification of emergency housing for essential employees. The DOL Deputy Commissioner of Administration or designee will be responsible for contacting county and local elected officials, owners/operators of local hotels and similar establishments, and local college and university officials (both public and private) to develop information about the local availability of emergency housing for essential employees. Emergency housing opportunities, once developed, will be communicated to employees who may need such housing.

H. Other Workplace Requirements

Current NYS DOH guidelines for COVID-19 are as follows and will be modified depending on the particular emergency declared.

- Ensure a distance of at least 6 feet is maintained among employees at all times, unless safety of the core activity requires a shorter distance (e.g., moving and lifting equipment). Any time an employee must come within 6 feet of another person, the employee and person should wear acceptable face coverings.
- When distancing is not feasible between workstations or areas, provide and require the use of face coverings or erect physical barriers, such as plastic shielding walls, in lieu of face coverings, in areas where they would not affect air flow, heating, cooling, or ventilation.
- Smaller office spaces (where required physical distancing cannot be achieved) should be occupied by only one individual at a time, unless all occupants are wearing face coverings. If occupied by more than one person, occupancy will be kept under 50% of maximum capacity.
- Social distancing markers should be posted around the workplace using tape or signs that indicate 6 feet of spacing in commonly used areas and any areas in which lines are commonly formed or people may congregate (e.g., clock in/out stations, health screening stations, break rooms, water coolers, etc.). Further, bi-directional foot traffic should be reduced by using tape or signs with arrows in narrow aisles, hallways, or spaces.
- Post signs, consistent with the NYS DOH COVID-19 signage, to remind employees about social distancing, hand hygiene, PPE, and cleaning guidelines.
- Limit employee travel for work to only essential travel.



New York State Department of Labor (NYS DOL) CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE

- Hygiene and sanitation requirements from the Centers for Disease Control and Prevention CDC and NYS DOH must be followed, and cleaning logs that include the date, time, and scope of cleaning must be maintained.
- Hand hygiene stations, including handwashing with soap, water, and disposable paper towels, as well as NYS Clean hand sanitizer or a hand sanitizer containing 60% or more alcohol for areas where handwashing facilities may not be available or practical, must be provided and maintained for personnel.
- Appropriate cleaning/disinfection supplies for shared and frequently touched surfaces must be provided, and employees must use these supplies before and after use of these surfaces, followed by hand hygiene.
- Regular cleaning and disinfection of the office location must be undertaken. More frequent cleaning and disinfection must be undertaken for high risk areas used by many individuals and for frequently touched surfaces, at least after each shift, daily, or more frequently as needed, and align with NYS DOH's "Interim Guidance for Cleaning and Disinfection of Public and Private Facilities for COVID-19."
- Exposed areas must be cleaned and disinfected in the event of an employee testing positive for COVID-19. Such cleaning should include, at a minimum, all heavy transit areas and high-touch surfaces (e.g., vending machines, handrails, bathrooms, doorknobs, etc.).
- CDC guidelines on "Cleaning and Disinfecting Your Facility" should be complied with if someone in your facility is suspected or confirmed to have COVID-19.
- Agencies/authorities must have internally identified key points of contact, including but not limited to site safety monitors, individuals responsible for monitoring compliance with this plan, and central points of contact who will coordinate efforts to notify appropriate health authorities of positive cases and assist with required contact tracing.
- Utilize any specific information or requirements for the specific communicable disease as necessary.

DOL will comply with all executive orders and emergency regulations related to the state disaster emergency.



New York State Department of Labor (NYS DOL)
CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER
EMERGENCY INVOLVING A COMMUNICABLE DISEASE

De-Activation of this Plan, or Elements of this Plan:

If, after activation of this plan, the circumstances of the communicable disease situation modify to the extent that the plan will be de-activated in whole or in part, employees will receive a notification in a similar manner to the activation notification.