
DATE: April 14, 2023

FROM: Erica Felix-Warwick *EFW*
Personnel Director

TO: Mayor G.T. Bynum

SUBJECT: Policy recommendation - Revisions to PPPM 1000 – Infectious Disease Policy sunset

The City's Infectious Disease Policy (PPPM1000) which was created in 2020, provided for various procedures to keep employees, citizens and vendors safe during the Covid 19 Pandemic. In January of 2023 we amended the policy reducing the annual HCL allowable from 80 to 40 hours. Now, in consideration that the federal declaration of the pandemic will end on May 11, 2023, I am recommending that all sections of PPPM1000 that pertain to a declared pandemic be allowed to sunset effective May 11, 2023.

The impact of this action on employees will mean they no longer will have to call City Medical to report symptoms and absences will be recorded as sick leave or other applicable leave type. HCL will no longer be available. This action will not impact a department head's ability to approve remote work as needed based on their operations and best practices.

Dr. Berry will continue to monitor local infections and hospitalization and at any point if either the CDC or local health officials change the status and declare a pandemic condition exists, we can then revisit these policies and procedures and active them as needed.

SECTION 1000

1001 Infectious Disease Policy

The City will take proactive steps to protect employees in the workplace during periods when an infectious disease is prevalent, while ensuring that essential services are continuously provided. The provisions of this policy apply in the event a Civil Emergency is declared by the Mayor in response to an epidemic or pandemic, and part or all of the provisions may apply as the Mayor may determine for other public health emergencies, as well as during influenza season. The City will attempt to adopt and adhere to measures consistent with the guidance of the Centers for Disease Control and Prevention (CDC) and other public health agencies or officials. The City recognizes that public health emergencies can evolve quickly and therefore this policy is fluid and intended to embrace any applicable public health recommendation changes.

The Mayor may issue directives to employees at any time that may alter this policy and employees must comply regardless of when or if this policy is formally revised. Sworn employees should follow any specific directions of their department to the extent the department requirements conflict with this policy.

.1 Definitions

- .11 Cleaning - refers to the removal of dirt and impurities, including germs, from surfaces. Cleaning alone does not kill germs, but removing the germs decreases their number and therefore any risk of spreading infection.
- .12 Community Spread - means people have been infected with the infectious disease in an area, including some who are not sure how or where they became infected.
- .13 Disinfecting - works by using chemicals to kill germs on surfaces. This process does not necessarily clean dirty surfaces or remove germs, but killing germs remaining on a surface after cleaning further reduces any risk of spreading infection.
- .14 Infectious Disease – illness that enters the body and can cause an infection.
- .15 Epidemic – means the spread of an infectious disease within a specific community.
- .16 Isolation – means to separate sick people with a contagious disease from people who are not sick.
- .17 Mask – means a non-medical cloth face covering that covers the nose and mouth of the wearer and is not Personal Protective Equipment intended to protect the wearer.

- .18 Pandemic – means the global spread of an infectious disease with an impact on society.
- .19 Personal Protective Equipment (PPE) – means equipment worn to minimize exposure to hazards that cause serious workplace injuries and illnesses.
- .20 Quarantine – is a restriction of movement on persons who may have been exposed to an infectious disease but who do not have a confirmed medical diagnosis.
- .21 Vaccinated – means fully vaccinated for a particular infectious disease. For example, to be fully vaccinated for Covid 19, means two weeks after a person's second dose in a two dose series such as a Pfizer or Moderna vaccine or two weeks after a single dose vaccine such as Johnson & Johnson's Janssen vaccine. Further questions about vaccination should be directed to CityMedical@cityoftulsa.org.

.2 Infection Control Measures

For these guidelines to be successful, employees must uniformly and timely follow them across City worksites.

.21 Vaccination

Employees are encouraged to receive the relevant vaccine unless they have a medical contraindication for it or are exempt under federal law. However, in the pandemic setting an effective vaccine may not be available during the initial stages.

- .211 Vaccinated employees may be required to provide acceptable proof of vaccination or exemption under federal law to City Medical when required to uphold this policy. The determination as to whether proof is acceptable will be made by the City Physician, Personnel Director or their designees.

.22 Respiratory Etiquette

Employees must cover their nose and mouth, preferably with a tissue, when they cough or sneeze and immediately dispose of the tissue. All City facilities should provide readily accessible tissues and no-touch waste receptacles for tissue disposal for employee and visitor use.

.23 Hand Hygiene

Employees must wash their hands often with soap and water, especially after a cough or sneeze. If water is unavailable, they should use an alcohol-based hand sanitizer that contains 60% alcohol content or greater. City

facilities should ensure availability for visitors and employees to hand washing facilities. Avoid touching eyes, nose, and face.

.24 Social or Physical Distancing.

Employees should avoid close contact with other people. Sick employees are not to come to the workplace and must keep their distance from others. Employees should eliminate all nonessential travel, avoid face to face meetings, eliminate handshakes, and instead teleconference when possible. Employees should avoid travel using public transportation and attending public events when possible. Employees in a public setting must try to maintain at least a six-foot space from other individuals. City facilities should attempt to maintain a six-foot buffer zone between seating in waiting areas and between the workstation seating of employees and that of visitors.

.25 Isolation and Quarantine

.251 Vaccinated employees (or those exempt under federal law) are eligible to use up to eighty (80) hours of Hazardous Condition Leave (HCL) for quarantine on a calendar year basis. This 80 hours of HCL, in conjunction with any applicable expanded Federal or State benefits, is provided above and beyond hours required by law for use during a pandemic.

.2511 If an employee has previously used 80 hours of HCL under the Infectious Disease Policy and the City Physician determines, in his sole opinion, that the exposure was most likely job-related, the Personnel Director may approve additional HCL under this policy.

.2512 If an employee is absent to provide care for a dependent with a pandemic illness or who is symptomatic and subject to quarantine, the employee or their supervisor must contact Human Resources at FMLA@cityoftulsa.org, who will then determine and advise of the employee's FMLA eligibility and proper leave designation.

.2513 If the employee is required to miss work due to a dependent child who has been quarantined by their school or daycare but does not have a positive test result or symptoms of the pandemic illness, Vacation Leave or Compensatory Leave may be used.

.2514 Sick Leave policy will be used in all other instances of leave taken for quarantine after the combined HCL and any applicable Federal or State benefits are exhausted.

- .2515 Some quarantine absences may qualify for FMLA. Notification of these absences and questions related to FMLA should be addressed to FMLA@cityoftulsa.org.
- .2516 Sick leave or Leave without Pay used due to quarantine orders with proper documentation through City Medical will not be held against a vaccinated employee for purposes of Progression, Promotion, PPR or SPI eligibility.
- .252 Any employee who has been exposed to an individual who has tested positive for Covid-19, or has been in close proximity to an individual who suspects they may have Covid-19 due to experiencing symptoms, awaiting testing or their known exposure is REQUIRED to immediately contact City Medical (918 596-1207) to report their information and receive instructions. Sworn employees should contact the hotline number for their department.
- .253 Any employee who is feeling sick and exhibiting any of the symptoms of Covid-19 is REQUIRED to immediately contact City Medical (918 596-1207) to report their symptoms and receive instructions. Sworn employees should contact the hotline number for their department.
- .254 Employees with a contagious illness must stay home from work, and should stay home from school, and social gatherings, and remain home until well. They must get medical clearance by City Medical to return to work. If they have a household member ill with the flu or infectious disease or have been caring for someone with it, they must have clearance to return to work by City Medical staff.
- .2531 An employee who is on quarantine is ineligible for HCL if it is discovered they are not staying home from school or social gatherings while they are on quarantine from work.
- .255 Any employee who travels outside of the United States of America, must comply with all federal regulations related to quarantine and testing prior to returning. Additionally, upon return from international travel, the employee is required to follow CDC guidelines which currently can be found at <https://www.cdc.gov/coronavirus/2019-ncov/travelers/international-travel-during-covid19.html>.

Any questions regarding CDC travel directives should be directed to City Medical before an employee returns to work after international travel.

.26 Early Detection and Surveillance.

Employees with symptoms of the flu or infectious disease are encouraged to call City Medical or their health care provider for guidance on testing and/or diagnosis. They should not present for care without an appointment during an epidemic or pandemic to either City Medical or their designated healthcare provider as there may be public health issues to consider.

.27 Workplace Disinfection.

Influenza and other respiratory virus can be spread by aerosolized airborne droplets or unwashed hands that contaminate objects and surfaces. Virus may remain viable and cause infections for as much as 7-10 days after contamination.

.271 When an infectious disease is prevalent, employees are encouraged to clean their individual worksite areas daily using cleaning materials supplied by the City. Common areas should be cleaned by janitorial or other designated cleaning staff.

.272 The work area of an infected (or possibly infected) employee should be closed off and restricted from access for as long as practical before being disinfected to minimize potential for exposure to respiratory droplets.

.2721 All areas used by an infected employee should be cleaned and disinfected (e.g., offices, bathrooms, and common areas), focusing especially on frequently touched surfaces.

.273 Cleaning and disinfecting should be done according to CDC recommendations.

.28 Personal Protective Equipment.

The use of Personal Protective Equipment should be implemented during a pandemic by employees who have been appropriately trained and tested and are authorized to wear PPE as part of their job duties.

.29 Masks

.291 When an infectious disease is prevalent as in a pandemic or epidemic as determined by public health officials, and unless exempted for medical reasons approved by City Medical staff, unvaccinated employees are required to wear a mask inside City

facilities, worksites or vehicles when in the physical presence of others and it is difficult to maintain six (6) feet of distance.

.2911 Department heads may impose more stringent mask requirements for each department facility and/or work site(s), based on circumstances unique to them.

.292 The requirement to wear a mask is not a substitute for maintaining physical or social distancing as much as possible and frequent handwashing.

.293 Employees are responsible for providing their own masks, although the City may provide certain positions with masks as it determines necessary.

.30 Absenteeism Reporting

Each supervisor will ensure that all leave (i.e., Vacation, Compensatory Leave, Sick, etc.) for subordinates is entered into the time and attendance system each day by 9 a.m. (or within two hours of the beginning of a shift for any employee whose shift begins at or after 9 a.m.).

.3 Monitoring

To protect the health of City employees and the public, employees may be monitored for symptoms of infection.

.31 Employees will be observed for signs of infection and may be questioned about relevant symptoms.

.32 Employees may have their body temperature measured, preferably in an area away from the general workforce. A temperature protocol will be established in a separate document.

.33 Employees are required to cooperate with monitoring efforts and answer any questions truthfully.

.34 Any records made in reference to .32 and .33 directly above, will be kept confidential to the extent possible.

.35 Employees having a body temperature of 100 degrees Fahrenheit or higher, or showing symptoms of possible infection, must leave the workplace and should consult their health care provider or other public health facility (for example, the Tulsa Health Department) for possible testing and evaluation. Employees sent home are not to return to work until they receive medical clearance by City Medical staff.

- .36 If, after being sent home, an employee has been determined not to have an infectious disease, the employee cannot return to work until they receive medical clearance by City Medical.

.4 Off-Site Job Performance

Portions of the City's workforce perform essential functions that, with appropriate technology, can be executed away from City workplaces. Because of the nature of an epidemic or pandemic, it is prudent for people to avoid congregating, to the greatest extent possible.

- .41 In cases where the nature of employees' work permits effective performance of tasks at locations other than the normal workplace, and appropriate technology is readily available to facilitate their performance, employees may be allowed or required to work remotely.
- .42 Supervisors should make regular contact with employees working remotely, using telephone, email, or other appropriate technology to ensure that assignments are made and being completed timely.
- .43 Employees working remotely will be held to the same standards of quality and effectiveness as they would be when in the standard workplace.

.5 Pay Provisions

It may become necessary to sequester employees at critical facilities (e.g. water treatment plants) in order to secure the safe operations of City operations or resources. In such case, employees may be quarantined at a City facility or work site for the duration appropriate to the infectious disease incident.

- .51 FLSA non-exempt employees required to work beyond their regular work schedule during a declaration of an epidemic or pandemic event will receive such compensation for hours actually worked as is provided in their respective collective bargaining agreements, where applicable, or in the Personnel Policies and Procedures Manual, or otherwise as required by law.

.6 Leave Provisions

- .61 If applicable, Hazardous Conditions Leave pay will be paid (see PPPM 811.17), and if not, normal leave provisions in PPPM Section 300 will apply. For those employees who are vaccinated for Covid 19, they are eligible to receive Hazardous Condition Leave if they receive their initial dose on or before August 9, 2021 and complete their full vaccine regime on or before September 1, 2021.

.611 Unless exempt under federal law, unvaccinated employees are not eligible for Hazardous Condition Leave and normal leave provisions in PPPM Section 300 apply.

.6111 Employees who request exemption under federal law (ADA, Title VII, or other employment laws) because of a disability or sincerely held religious belief, must submit a request for a reasonable accommodation to the City Physician, the Personnel Director or Human Resources Department to begin the interactive process. If need is established, any accommodations must not pose an undue hardship or direct threat to the health and safety of others.

.6112 Employees will be paid up to two (2) hours for time taken to receive vaccinations for existing epidemics or pandemics as identified by the Mayor. Employees should take vaccinations at a City facility if offered. For offsite vaccinations, employees should work with their management to schedule appropriate time to comply with this policy.

.62 Employees who travel as provided in Section .255 above are not eligible for HCL pay while they are unable to work due to self-quarantine.

.621 If the travel is by a Required Hazardous Condition Employee (as that term is defined in PPPM 811) who reports to their worksite (as opposed to teleworking), they will be considered to have voluntarily limited their availability to work and will be placed on leave without pay during the self-quarantine period.

.622 If the travel is by a Non-required Hazardous Condition Employee (as that term is defined in PPPM 811) who is teleworking, they may continue to telework while self-quarantined, but if there is any time that they are required to report to a City facility during the self-quarantine period, they will not be able to report to work and that time will be recorded as leave without pay.

.63 Verified absences due to an epidemic or pandemic illness may be covered under Hazardous Condition Leave and will not affect eligibility for job promotions.

.7 Work Schedules

During a declared pandemic, the following options will be available to employees directly affected by school schedule changes (beginning in August 2021). Options

listed below will be subject to review and approval of the employee's supervisor/manager and department head after consideration of operational needs of the work group.

.71 Schedule Options

Approved schedule changes under this policy may be revoked by the department at any time based on performance or emergency operations.

.711 An employee may request a different schedule to coincide with the school schedule of their child. An employee may supplement the additional hours with accrued leave or apply for expanded federal or state benefits for which they are eligible that are available.

.712 An employee may request a different work schedule on a temporary basis, in conjunction with the school calendar.

.7121 Departments may approve scheduling options based on their business operations.

.7122 At no time will a revised schedule provide for a guarantee of overtime, and schedules must comply with all FLSA guidelines. Collective Bargaining Agreement requirements for seniority shift bid may be waived upon agreement with the Union.

.7123 An employee approved to work outside of the core business hours under this policy will not be eligible for any shift pay benefits provided in City PPPM or applicable CBA.

.71231 Any employee covered by a collective bargaining agreement must sign a waiver of their shift pay benefits.

.713 Flexible telecommuting schedules may be requested when the employee's job duties are able to support work outside of normal business hours.

.7131 All telecommuting requests must be approved based on the remote work policy in PPPM 826.

.72 Miscellaneous Provisions

.721 This section (.7 Work Schedules) applies to non-sworn employees.

.8 Worker's Compensation

Workers' Compensation laws will govern any benefits resulting to an employee determined to have contracted an infectious disease within the course and scope of employment.

.9 Driving/Equipment Operations

.91 Emergency Exclusions

The prohibition against the use of personal or City-issued cellular telephones (including hands-free cellular phones) or other mobile electronic data devices as found in PPPM 966.1 is modified as follows. However, in any case, the modifications are not applicable in construction/school zones.

.911 Drivers/Operators may use cellular phones to report a collision or other immediately dangerous life or health situation to emergency responders. If a driver/operator must use such devices to make a call or report an emergency, the driver/ operator should first make all efforts to stop in a protected area, secure the vehicle and then make the call.

.912 Employees may use electronic mobile data devices while driving/operating during public safety emergency response situations or while conducting City business to abate illegal activity. Use of hands free devices is encouraged when possible.

.913 During a pandemic or other declared civil emergency, drivers/operators may use a cellular phone while speaking to other City employees regarding work-related issues. Use of hands free devices is encouraged when possible.

.10 Temporary Telecommuting Policy

During periods when an infectious disease is prevalent, the City may permit certain employees to telecommute on a temporary basis if the employee is at higher risk for severe illness according to CDC guidelines. The Telecommuting Policy in Personnel Policies and Procedures (PPPM) Section 826 applies in such circumstances except as modified by this policy, with the primary distinction being that this Temporary Telecommuting Policy is designed to allow remote work for some positions that are not as well-suited for telecommuting but is being allowed for short periods as a courtesy to the employee for the employee's health.

.101 Eligibility

Employees who are not approved for regular telecommuting under PPPM Section 826 may apply for temporary telecommuting.

- .1011 Employees must submit a request to be allowed to temporarily telecommute to their supervisor and obtain approval from their department head of a plan for the employee to remotely perform substantially all their essential job duties. They must identify in advance, and on an ongoing basis, any job duties or responsibilities that cannot be performed as efficiently or effectively by remote work. The Department may choose to temporarily modify some of the job duties to allow the employee to temporarily telecommute.
- .1012 Employees must complete the forms required under PPPM Section 826 and provide to their supervisor. Employees must also complete the Temporary Telecommuting Vulnerability Request form that sufficiently sets forth the reason(s) they are at higher risk for severe illness and email it to citymedical@cityoftulsa.org.
- .1013 The City Physician will review the request and may meet with the Employee or request additional information before deciding whether to approve the request.

.102 Requirements

- .1021 PPPM Section 826 applies and must be followed in its entirety under this policy for temporary telecommuting with the following exceptions:
 - .10211 Approvals for Temporary Telecommuting are for a period of up to three (3) months and may be renewed only once for up to an additional three (3) months, for a maximum period of temporary telecommuting of six (6) months.
 - .10212 Employees must be able to perform substantially all their essential duties while temporarily telecommuting. If the Department allows modification of certain duties during the temporary telecommute period, any such modification ends when the temporary telecommute ends and the Employee will be required to perform all job duties again.
- .1022 The Employee is required to devote their full time and attention to their job duties while at work when telecommuting and must maintain acceptable levels of work quality and production.
- .1023 Employees must accurately log their work time and promptly notify their supervisor if anything disrupts their work, such as illness or technical problems. In no event is temporary telecommuting allowed to enable the employee to provide child or dependent care.
 - .10231 The City can modify the Employee's plan for temporary telecommuting or rescind it at any time and for any reason

.11 Failure to Comply

Consistent compliance with the infection control measures specified in this Infectious Disease Policy by employees at every City facility is vital to the success of the measures. Non-compliance places the health of citizens and other employees in jeopardy. Consequently, supervisors are required to ensure strict enforcement of these policies.

- .111 Employees who fail or refuse to comply with this policy will be scheduled for a disciplinary hearing to determine the appropriate disciplinary action to be taken.

SECTION 1000

1001 Infectious Disease Policy

.25 Isolation and Quarantine

- .251 Vaccinated employees (or those exempt under federal law) are eligible to use up to ~~eighty (80)~~ forty (40) hours of Hazardous Condition Leave(HCL) for quarantine on a calendar year basis. This ~~80~~ 40 hours of HCL, in conjunction with any applicable expanded Federal or State benefits, is provided above and beyond hours required by law for use during a pandemic.
- .2511 If an employee has previously used ~~80~~ 40 hours of HCL under the Infectious Disease Policy and the City Physician determines, in his sole opinion, that the exposure was most likely job-related, the Personnel Director may approve additional HCL under this policy.
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