

## Risk Management and the Coronavirus: Practical Steps for a Slow, Measured Open

As we now know, the coronavirus is a mild to severe respiratory illness that has turned the world upside down. The on-going challenge is the absence of proven treatment for those who have become infected and a long incubation period before symptoms arise. As shelter-in-place orders expire and we return to a new normal, it will be necessary to put controls in place to protect our employees and the public from unnecessary exposure to COVID-19. Good practices for a slow, measured reopening can be found in the President's Guide to Open Up America Again. The guidelines recommend shelter-in-place remains the standard until documented evidence of a 14-day reduction of recordable cases is noted in each of three phases and that an established downward trajectory of new confirmed cases is noted before group gatherings and organized youth athletics are reestablished. Other resources are available from OSHA and the Centers for Disease Control and Prevention (CDC). Public Entity Partners has links to many resources on our [website](#) that are available for specific detail.

As our members decide to reopen their cities and their operation, it should be noted that changes will be necessary. One critical change will be policy and engineering designs that enforce social distancing. The greatest potential for exposure is 10 minutes of contact within 6 feet of an infected person. Simple changes can minimize this exposure. Evaluate contact points and consider methods that can be put into place to limit the person-to-person contact. These engineering aids can be any or all of the following to minimize public exposures while conducting business or activities:

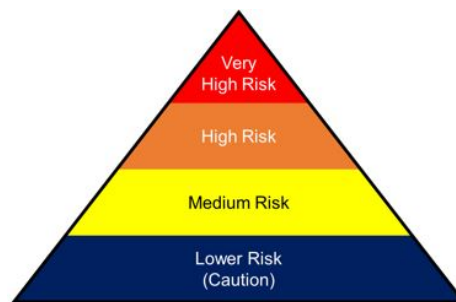
- Post phone numbers and email addresses and encourage contactless communication where possible.
- Use drive through windows for payment of utilities, fees, and submission of paperwork.
- Consider teleconferencing options for public meetings subject to Governor Lee's Executive Order No. 16, Executive Order No 34 and Guidance from Comptroller's office.
- Consider teleconferencing options for meetings, review of plans or contracts, or similar business.
- Establish safe numbers for public presence and regulate the number of people allowed inside.
- Use signage and markings on the floor to indicate the proper safe distance between people.
- Allow foot traffic to only travel in one direction through the building.
- Install plexiglass barriers at locations that provide open contact between public and employee or public to public.

- If possible, install automatic door openers, or if not feasible, sanitary wipes at the entry point for use in grasping the handle.
- Possibly limit the number of entry points to allow easier sanitary containment.
- Increase sanitation schedule and follow an established policy for wiping down and cleaning public areas.
- Sanitize public pens, keyboards and other equipment used by the public after every use.
- Install touchless trash receptacles.

In addition to engineered alterations for safety, employers must go further to protect our employees. Additionally, OSHA guidelines are helpful. These have been summarized below.

Protective measures and controls should be in place for every employee, but the level of threat will guide the types of protective equipment needed for each employee.

[OSHA COVID-19](#) guidelines recommend each employer evaluate the potential of work-related exposure to your employees and model your policies and practices on these exposures.



Members should also evaluate which employees are most vulnerable to contracting this illness. While most employees will likely have a low risk of exposure to COVID-19 in the workplace, some employees will undoubtedly have a higher risk of exposure due to difficulties with utilizing protective measures and engineering controls. Suggestions for protective measures associated with various levels of exposure risks are provided below for informational purposes.

#### Low Risk of Work Exposure

Employees that can feasibly and productively telework should do so. Employees who are able to telework will be classified as a low risk exposure and it is not necessary to invest in other controls other than cautioning them to take reasonable measures to protect themselves.

A written telecommuting policy is recommended to define the expectations for productivity and to establish work-related rules.

### Medium Risk of Work Exposure

Employees within this category include office workers, sanitation workers, water and wastewater treatment employees, public works employees, utility, transit workers and grounds workers. If telework is available or feasible, it is recommended as the best protection but in many cases these workers cannot “shelter” but must be out in public.

For all employees, these modifications should be considered:

- Where productive and feasible allow employees to telework.
- Stagger work schedules to minimize the contact between employees.
- Use floor signage to maintain proper safe distances between the public, employees, and co-workers.
- Keep shift employees on the same shift throughout; do not rotate.
- Close gathering places like conference rooms and kitchens unless adequate size allows for proper social distancing.
- Install protective barriers or redesign office layout if employees are working within 6 feet of each other.
- Sanitary wipes available for all.
- Touchless trash receptacles if shared.
- Meetings through Zoom or similar platform.
- Sanitize the interiors of shared vehicles after every shift. Acceptable cleaning agents can be found on the EPAs [website](#).
- Sanitize pens and publicly-used equipment (i.e. keyboards, pens, counter spaces, etc.) after every use.

For employees in a moderate to high risk environment, personal protective equipment (PPE) will need to be available. For employees that have been teleworking, it is recommended that available cleaning supplies and PPE are verified before employees are brought back to the normal work environment.

PPE and sanitation measures include:

- Ability to test symptomatic individuals and get timely results,
- Touchless thermometers to establish baselines for high and moderate risk employees,
- Adequate masks available,
- Single Use Nitrile Gloves,
- Sanitary wipes,
- Soap,
- Sanitizing schedule,
- Respirators and possibly face shields for high risk employees, and
- Disposable Gowns or Liquid Resistant Coveralls.

Recognize that issuance of PPE to employees is not enough to protect them. Issuance of masks and respirators must include training on how to properly don, use, and doff the respirator or mask and how to store it. The same is true for glove use and proper sanitary practices. OSHA provides training and guidance on their [website](#). It is recommended all employees are trained and training documentation is maintained.

### High Risk for Work Exposure

This classification includes those employees who have a potential work-related exposure such as Emergency Medical Responders, Fire and Police Departments, and paratransit drivers. Even their work can be limited to an as-necessary basis. Policy and practice should be installed to identify and isolate employees that have been exposed and have contracted COVID-19. For this group, these considerations may be implemented:

- Dispatch or staff receiving requests for service should ask if the requesting party has a fever, cough, has been exposed to COVID-19, or has COVID-19. HIPAA rules allow transmittal of this information to public safety members if it may have a direct impact on his or her health. For more information, review the [HIPAA clarification from Office of Civil Rights](#).
- Service calls should be evaluated and limited to essential tasks. Enforcement activities should not be proactive as every contact has exposure potential but, responses should be maintained as necessary to protect the public.
- Daily temperature checks at the start of shift with temperatures logged. A low-grade fever is considered between 98.7 and 100.3. Any employee that is found with a low-grade fever should be sent home for isolation and if the fever continues, the employee should be sent to the doctor for further evaluation.
- Protective gear should be available and worn. Police officers should wear latex gloves on patrol and change after each interaction with the public. EMS should be fully suited for each call and transit drivers should wear masks and gloves.
- Medical responses for non-life-threatening calls should entail one EMS worker in full protective gear entering and evaluating the situation prior to entrance by others. Masks, gloves, and fluid resistant barrier clothing is recommended.
- Equipment and duty belts should have strict cleaning and sanitizing procedures with EPA approved chemicals. Sanitizing should be done at the end of each shift.
- Shared patrol vehicles, ambulances, and fire trucks should have the interior disinfected at the start and end of each shift.

### Leave Policies

As facilities reopen, employees will have more frequent potential exposures and absenteeism may be more common. We recommend that each member familiarize themselves with the new employee protections offered through the Families First Coronavirus Response Act (“FFCRA”) as well as existing leave policies provided by the entity. (For additional information about Families

First Coronavirus Response Act, visit the [PE Partners COVID-19 Resource page](#).) Specifically, the FFCRA includes the Emergency Paid Sick Leave Act which grants an additional 80 hours of paid sick leave to employees **that does not count against accrued leave**. If an employee requests emergency sick leave due to a reason based on COVID-19, you should review the list of conditions under which employees are entitled to this emergency sick leave. Expanded benefits under the Family and Medical Leave Act (FMLA) are also provided during this pandemic. We encourage employers to review and familiarize themselves with the conditions and benefits under the expanded FMLA as well. Importantly, employers can elect to exclude emergency responders from these benefits, but you should consider the costs vs. benefits of excluding categories of employees before making such a decision.

### Conducting Public Meetings

Governor Lee's Executive Order 16 suspends certain provisions of the Tennessee Open Meetings Act until May 18, 2020. This was extended by Executive Order 34 until June 30, 2020. This allows necessary public meetings to take place electronically with provisions to ensure public access by posting all meetings in a public forum. The order also allows more flexibility on public record requests but is very specific on conditions that should be considered and met. Governor Lee's Executive Order 16, Executive Order 34 and additional guidance from the Comptroller's Office is available on our [website](#).

### Reopening Public Facilities

Finally, each member will have to decide when and under what conditions to open recreational facilities and other public venues. The President's Opening Up America Again guidelines state regions that have a downward trajectory of confirmed COVID-19 cases for 28 days may be able to reopen under certain conditions. It states in public, we should maximize physical distance from others and groups of more than 50 people are not recommended. The guidelines state youth activities may be reinstated but with conditions to limit the number in a venue. For example, in Phase II youth baseball may take place but spectators may be limited. Phase III of the guidelines (downward trajectory of confirmed cases for 42 days) allow for opening larger venues, including sport venues, and resuming visits to senior facilities.

It is recommended that as these facilities reopen, the entity implement written policies and procedures that define the number of patrons allowed in specific areas, recommend continued social distancing through policy and signage, monitor the health of those entering public facilities, and have an established sanitation schedule along with soap and sanitizer available to the public.

This new normal will not look the same but we must take the lead in assuring we have implemented the best practices to protect our employees and our public. We have a large amount of information on our [website](#) and if we can assist you in anyway, please contact our Casualty Loss Control Team.



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As this historic event unfolds, employers should follow any additional requirements/regulations made by federal, state, and/or local officials which establish further restrictions or guidelines to promote the safety of both employees and the general public.

While the pandemic and subsequent reopening of public facilities will provide an increased risk exposure, much of the risk can be reduced through proper supervision, documentation, and controls.

PE Partners does not represent that these recommendations identify and address all of the unsafe or hazardous conditions associated with the pandemic or the subsequent reopening of facilities, programs, or activities. Additionally, PE Partners does not represent that implementing these recommendations is the best possible solution, and/or that no injury or financial loss will occur if these recommendations are followed. These recommendations are offered for informational purposes only in an effort to reduce the potential likelihood of accidents, injuries, and/or financial loss.