

Title: Resolution number:	Approval of the District's Updated COVID-19 Preparedness Plan 22-014		
Prepared by:	Name: Deb Johnson Phone: 952.641.4500 djohnson@minnehahacreek.org		
Reviewed by:	Name/Title: Louis Smith, Attorney		
Recommended action:	Approval of updated plan		
Past Board action:	 Res #: 20-054 Title: Adoption of COIVD-19 Preparedness Plan Res #: 20-033 Title: Authorizing Certain Work Outside the Homes as Determined by the District Administrator Pursuant to Executive Order 20-02 Res #: 20-021 Title: Determination of District Activities or Projects as Critical Sector Work 		

Summary:

On March 25, 2020, in response to the COVID-19 pandemic, Governor Tim Walz issued Emergency Executive Order 20-020 – directing all Minnesotans to stay at home. Following that order, and subsequent ones, the MCWD Board first took actions to determine certain District activities as critical sector work. The Board then delegated the determination of additional work outside the home as determined by the Administrator in consultation with the Board President and legal counsel.

As part of that work, in May 2020 District staff prepared a COVID-19 Plan following guidelines from the Minnesota Department of Health (MDH), Centers for Disease Control (CDC) and the Department of Employment and Economic Development (DEED). This Plan was distributed to the Board President, legal counsel, and District staff.

Pursuant to Executive Order 20-074, requiring Critical Business to adopt a COVID-19 Preparedness Plan, at the July 9, 2020 Meeting, the Board of Managers adopted the District COVID-19 Preparedness Plan and directed the Administrator to regularly advise the Board on implementation and adjustments of the Plan.

The District office was open to the public and staff began working a hybrid schedule in June 2021. There were no changes made to the plan at that time.

Most recently, at the January 13, 2022 board meeting the Administrator received approval from the Board to temporarily close the District office and have staff return to fully remote work due the increased number of COVID-19 cases both locally and nationally.

Since mid-February COVID cases have dramatically decreased prompting the reopening of the District office. With the continued reduction in COVID cases, along with the availability of vaccines and testing, the District's preparedness plan has been updated to reflect new guidance and protocols from the Minnesota Department of Health and the Centers for Disease Control.

Supporting documents (list attachments):

MCWD COVID-19 Preparedness Plan – updated March 2022



RESOLUTION

Resolution number: 22-014

Title: Approval of the District's Updated COVID-19 Preparedness Plan

- WHEREAS, on April 9, 2020, the Board of Managers adopted resolution 20-033 authorizing certain work outside the home as determined by the Administrator, in consultation with the Board President and District counsel, pursuant to Governor Walz's Emergency Executive Order 20-020;
- WHEREAS, on June 5, 2020, Governor Walz issued Emergency Executive Order 20-074, which requires that all Critical Businesses develop and implement a COVID-19 preparedness plan by June 29;
- WHEREAS, on July 9, 2020 the Board of Manager approved the District's COVID-19 Plan which followed guidelines from the Centers for Disease Control (CDC), the Occupational Safety and Health Administration (OSHA), the Minnesota Department of Health (MDH), and the Department of Employment and Economic Development (DEED), and Governor Walz's Emergency Executive Orders and addresses – hygiene and respiratory etiquette, controls for social distancing, cleaning and disinfecting, prompt identification and isolation of sick persons, and staff communications and responsibilities;
- WHEREAS, in consideration of readily available vaccines and tests, along with the steadily declining positivity rate for infections, staff has prepared an update to the existing plan to address new guidelines for quarantining, testing, masking and vaccines; and
- WHEREAS, given the dynamic nature of the COVID-19 virus pandemic, and the February 25, 2022 guidance issued by the Centers for Disease Control and Prevention promoting layered prevention strategies and guidance based on COVID-19 community level of risk, the Board of Managers finds it is reasonable to authorize the President and the Administrator to adjust office mask use, social distancing, and related requirements to suit the community level of risk in Hennepin County.

NOW, THEREFORE, BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby confirms its review and adoption of the MCWD Revised COVID-19 Preparedness Plan and directs the Administrator to regularly advise the Board on its implementation and adjustment as a living document.

Resolution Number 22- 014 was moved by Manager ______, seconded by Manager _____. Motion to adopt the resolution ____ ayes, ____ abstentions. 3/10/2022.

Secretary

Date: _____



COVID-19 Preparedness Plan for Minnehaha Creek Watershed District

May 19, 2020 Rev: March 4, 2022

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Introduction

The Minnehaha Creek Watershed District (MCWD or District) is committed to providing a safe and healthy workplace for the staff team, its Board Members, Citizen Advisory Committee, and visitors. To help ensure a safe and healthy workplace, we developed a COVID-19 Preparedness Plan in response to the pandemic. Our goal throughout the pandemic has been to help mitigate the potential for transmission of COVID-19 whether at the office, working from home, or out in the community. Only through this cooperative effort can we establish and maintain the safety and health of our staff. This Plan is a living document that has now been updated and will continue to be updated as additional guidance is provided by public health officials at the federal and state level.

As the engine that directly implements the District's mission, MCWD's staff is the organization's most important asset. As with all of our work, to succeed we all need to work together. That means everyone on the team is responsible for implementing and complying with all aspects of this COVID-19 Preparedness Plan, in order to keep each other and the broader community safe. Each individual's engagement is critical to our collective success, and so if you have a concern, a suggestion or feedback to the on-going maintenance of this program, we want to know.

Our COVID-19 Preparedness Plan follows Centers for Disease Control and Prevention (CDC) and Minnesota Department of Health (MDH) guidelines, and federal OSHA standards related to COVID-19 and addresses:

- Masks, respiratory and hygiene etiquette
- Office cleaning
- Social distancing
- Use of District vehicles
- Close contract and quarantine protocols
- Vaccinations
- Testing
- New hires
- Reasonable accommodations
- Confidentiality and privacy
- On-going communications

Hygiene Etiquette, Office Space and Social Distancing

Given the dynamic nature of the COVID-19 virus pandemic, and the February 25, 2022 guidance issued by the CDC promoting layered prevention strategies and mask guidance based on COVID-19 community level of risk, the Board of Managers authorizes the President and Administrator to adjust office mask use, social distancing, and related requirements to suit the community level of risk in Hennepin County.

Masks

When the President and Administrator have determined that masks are required, all staff will be required to wear well fitted, high quality masks such as N95 or KN95 in all public, common space and open areas of the office, regardless of the person's vaccination status. Masks must:

- Completely cover the nose and mouth and fit snugly over the nose, mouth and chin with no large gaps on the outside of the face
- be made with two or more layers of a breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source)
- K95 or KN95 are highly recommended

The following are exceptions to the District's requirements for face coverings for employees:

- When an employee is alone in a room with floor to ceiling walls and a closed door
- When alone within your designated workstation
- For a limited time, while an employee is eating or drinking

Handwashing

At the start of the pandemic the District implemented prevention measures that included handwashing signage reminding staff to frequently wash their hands for at least 20 seconds with soap and water throughout the day.

Staff should continue to wash their hands routinely, including prior to any food preparation and after using the bathroom. Hand sanitizers are located throughout the office and are available for vehicles as well.

Respiratory Etiquette: Cover your cough or sneeze

Staff (and visitors) are reminded to cover their mouth and nose with their sleeve or tissue when coughing or sneezing and to avoid touching their face, in particular their mouth, nose and eyes, with their hands. Dispose of tissues in trash bins and wash or sanitize hands immediately afterward. Reminders of proper respiratory etiquette are posted throughout the office.

Office Cleaning and HVAC

Janitorial services continue a three-time per week schedule, and cleaning supplies are available throughout the office should staff choose to disinfect their desk or shared surfaces more frequently. The District's HVAC vendor has conducted an analysis of the building's HVAC systems including filter usage and replacements, fresh air intake and air recirculation. The District, as necessary has increased, improved or maintained the ventilation provided throughout the building in accordance with recommended protocols associated with COVID-19.

Social Distancing

In-person meetings are allowed with masks required for the duration of the meeting pursuant to the mask policy in effect as determined by the President and the Administrator.

The District's tall-wall workstations provide staff with appropriate separation, however if you are uncomfortable sitting at your workstation, or your workstation does not provide complete separation, you may use an empty office or conference room. Use the Outlook calendar to book and confirm the space as occupied.

Several of the in-office restrictions put in place at the beginning of the pandemic have been eliminated or modified. The below remain in place:

- The kitchen/lunchroom is available only for obtaining or heating your lunch. Eating in the lunchroom is not permitted. Try to limit the number of staff in the kitchen at one time and remain social distanced to the extent possible.
- When using the deck for a meeting or lunch, try to limit the number of staff at one time or social distance as appropriate.
- Field work performed with two or more people must be conducted in a manner consistent with social distancing guidelines. Face masks are required when field work cannot be conducted alone.

Use of District Vehicles

If your job duties require use of a District vehicle, please adhere to the following guidelines: One employee per vehicle (i.e. no ride sharing)

- Keep disinfectant wipes or cleaning spray and paper towel (provided by the District) in each of the vehicles
- If driver switching is necessary, sanitize vehicles steering wheel, handles, buttons, etc. upon entering and existing the vehicle
- A full sanitizing wipe down is required at the end of every day
- To the extent possible staff should determine vehicle usage to help mitigate vehicle switching
- Personal vehicles can be used for work related tasks if a District vehicle is unavailable or if the employee feels more comfortable for health safety reasons using their own vehicle
 - Remember, employees are responsible for tracking mileage for reimbursement.
 - The District insurance policy does not cover accidents incurred in a personal vehicle regardless of whether it was being used for District business

If You Have Had Close Contact with a Person with COVID-19

(Per MDH site 3/4/2022)

Exposure or close contact means spending a total of 15 minutes or more in a 24-hour period within 6 feet or less of people with COVID-19.

You can spread COVID-19 to others starting a couple days before you have any symptoms or even if you never have any symptoms. It is important to separate yourself from others after an exposure so you do not spread the virus without knowing it.

If you start to feel sick or develop symptoms get tested immediately and stay home and away from others. This includes people who are vaccinated or have tested positive for COVID-19 in the past three months.

Best Practice Recommendations:

- Quarantine stay home and away from others when you have been exposed to the virus.
- Isolation stay home and away from others when you test positive, feel sick, or have symptoms of the virus.
- Wear a well-fitting mask a mask that fits snugly over your nose, mouth, and chin, without gaps at the edges.
- Testing includes those performed at a provider's office, through a community testing program, over-the-counter at-home rapid or PCR tests

Who DOES NOT Need to Quarantine

If you have had close contact with someone with COVID-19, you do not need to quarantine if:

- You have completed ALL recommended vaccine doses, including a booster; or
- You had COVID-19 in the past three months.

After exposure to the virus, you should still

- Wear a well-fitting mask around others for 10 days from the date of your last close contact with someone with COVID-19;
- Watch for symptoms for 10 days; and
- If you start to feel sick, stay home and away from others (isolate) and test immediately

If you are up-to-date on vaccinations

• Get tested at least five days after close contact

If you had COVID-19 in the past three months

• You do not need to get tested after close contact if you do not have symptoms

Who DOES Need to Quarantine

If you have had close contact with someone with COVID-19, you need to quarantine if:

- You are not vaccinated; or
- You are not up to date on COVID-19 vaccinations

To determine how long you need to stay home follow the category below that best

describes you:

If you can wear a well-fitting mask

- Wear a well-fitting mask for 10 days when around others, even at home. The 10 days start the day after you got symptoms. If you do not have symptoms, the 10 days start the day after you got tested.
- If you have symptoms stay home until all three of the following are true:
 - It has been **five days** since you first felt sick. Day zero is the day your symptoms started. Day one is the first full day after your symptoms started.
 - You have had no fever (your temperature is 100.4 degrees or lower) for at least 24 hours, without using medicine that lowers fevers.
 - You feel better. Your cough, shortness of breath, or other symptoms are better.
- You can resume most activities on day six. If you do not feel better at the end of five days, continue to stay home until all the above are true.
- If you do not have symptoms:
 - Stay home and away from others for **five days after your test date**. Day zero is the day you got tested.
 - If you develop symptoms during this time, you must start over. Day zero is the day your symptoms start. Day one is the first full day after your symptoms started. Refer to the above section above on what to do if you have symptoms.
- After your isolation ends, continue to do the following for another five days:
 - Continue to wear a well-fitting mask, even at home.
 - Do not be around others who are at risk for getting very sick from the virus.
 - Do not go to places where you will need to take off your mask to take part in an activity (e.g., gyms, restaurants) and avoid eating near others at home and work.
 - Avoid travel. If you must travel after your period to stay home ends, wear a well-fitting mask.

If you are **unable** to wear a well-fitting mask

- Stay home and away from others for 10 days.
- Test on day five.
 - o If you test positive, start counting again from day zero and isolate
 - If you test negative, continue to quarantine for the full 10 days.
- If you start to feel sick, stay home and away from others and test immediately

If someone in your home has COVID-19

- If you live with someone with COVID-19 and are **not up-to-date on vaccines**, stay home during the ill person's isolation period and then begin your quarantine period on the day that the ill person's isolation period ends. Count the last day of their isolation as day zero. Day one of your quarantine starts the day after their isolation period ends. Follow quarantine guidelines above for how long to stay home and away from others.
- If you are up-to-date on vaccines, including boosters, you do not need to stay home or quarantine, but should follow other guidance for wearing masks, watching for symptoms, and testing.

Vaccination Plan for District Staff

Staff are encouraged to self-monitor for signs and symptoms of COVID-19. First and foremost, if you are sick or experiencing symptoms, stay home. If you exhibit symptoms, have a known or possible exposure, or test positive after having been in the office or in the field, notify your manager immediately. This information will be used to inform staff who may have been to the office, entered District vehicles, or worked within your proximity that they may have been exposed to COVID-19.

If you are at the office and begin to experience symptoms, please leave the office immediately.

The District Administrator and/or Program Managers may ask staff to leave the office if they believe staff is unwell and/or not following required protocol.

The District's sick leave policy promotes staff staying at home when sick, or when you must care for sick family members. The District also maintains short and long term disability programs available to staff should the need arise. FMLA (the Family Medical Leave Act) can also be used if necessary.

The District believes vaccination against COVID-19 and its variants is a vital tool to help reduce the presence and severity of the illness whether at work, at home or in the community in general. The District strongly encourages staff to obtain vaccinations as recommended by the Minnesota Department of Health (MDH) and/or the Centers for Disease Control (CDC).

Effective March 15, 2022 all employees will be required to:

- Provide proof to the Human Resources staff that they are fully vaccinated with a COVID-19 vaccine; or
- Provide proof of negative test results within the past 72 hours before entering the office.
 - Proof of regular and on-going testing will be required for unvaccinated staff. Negative test results will be required weekly. Unvaccinated staff must wear a face covering at all times when at the District office or using a District vehicle.

Requirements and Procedures

Employees must submit proof of vaccinations against COVID-19 no later than March 15, 2022 or comply with the testing requirements for the District.

Employees will be considered fully vaccinated two weeks after receiving the requisite number of doses of a COVID-19 vaccine (plus booster). An employee will be considered partially vaccinated if they have received only one dose of a two-dose vaccine, two doses of a two-dose vaccine but no booster, or one dose of a one-dose vaccine but no booster. If the CDC and/or MDH determine that additional booster doses are required, an employee's current vaccination status may change from fully vaccinated to partially vaccinated until such time as the updated booster is received.

Proof of vaccination status can be submitted via email or hard copy to Human Resources. Acceptable proof of vaccination status include:

- The record of immunization from a healthcare provider or pharmacy
- A copy of the COVID-19 Vaccination Record Card
- A copy of medical records documenting the vaccination
- A copy of immunization records from a public health, state, or tribal immunization information system

 A copy of any other official documentation that contains the type of vaccine administered, date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) administering the vaccine(s)

Proof of vaccination should include the employee's name, the type of vaccine administered, the date(s) of administration, and the name of the healthcare professional(s) or clinic site(s) that administered the vaccine. In some cases, state immunization records may not include one or more of these data fields, such as clinic site; in those circumstances the District will still accept the state immunization record as acceptable proof of vaccination.

If an employee is unable to produce one of these acceptable forms of proof of vaccination, despite attempts to do so, the employee can provide a signed and dated statement attesting to their vaccination status (fully vaccinated or partially vaccinated); attesting that they have lost and are otherwise unable to produce one of the other forms of acceptable proof. Document should include the following language:

"I declare (or certify, verify, or state) that this statement about my vaccination status is true and accurate. I understand that knowingly providing false information regarding my vaccination status on this form may subject me to criminal penalties and discipline up to and including termination."

An employee who attests to their vaccination status in this way should, to the best of their recollection, include the type of vaccine administered, the date(s), and the name of the healthcare professional(s) or clinic site(s) administering the vaccine.

Testing and Procedures for Non-Vaccinated or Not Fully Vaccinated Staff

If an employee is not fully vaccinated, or chooses not to be vaccinated, the employee must comply with this policy for testing and face coverings. Fully vaccinated means having received two doses of a two-dose vaccine plus booster or one dose of a one-dose vaccine plus booster.

Testing

Unvaccinated or not fully vaccinated employees working from the District office:

- must be tested for COVID-19 at least once every seven days; and
- must provide documentation of the most recent negative COVID-19 test results to Human Resources.

Positive Test Results

Employees who have received a positive COVID-19 test or have been diagnosed with COVID-19 by a licensed healthcare provider, are not required to undergo COVID-19 testing for 90 days following the date of their positive test or diagnosis. Employees who test positive must follow quarantine or isolation guidelines as outlined in this document.

New Hires

All new employees will be required to comply with the vaccination or testing and masking requirements outlined in this policy as a condition of employment. Potential candidates for employment will be notified of the requirements of this policy prior to the start of employment.

Reasonable Accommodations

Employees may be legally entitled to a reasonable accommodation if they cannot wear a face covering as required by this policy because of a disability, or if the provisions in this policy for testing for COVID-19 or wearing a face covering conflict with a sincerely held religious belief, practice, or observance. Requests for exceptions and reasonable accommodations must be initiated by the employee by submitting an exemption request on forms provided by the District to Human Resources. All such requests will be handled in accordance with applicable laws and regulations.

Confidentiality and Privacy

All medical information collected from individuals, including vaccination information, test results, and any other information obtained as a result of testing, will be treated in accordance with applicable laws and policies on confidentiality and privacy.

On-going communications

This is a living document. Guidance and protocols will be updated as necessary and as the COVID-19 situation and public health guidance changes over time.

Program Managers are required to ensure the requirements of this plan are appropriately communicated and enforced within their respective teams.

If you have questions, concerns or suggestions related to this Plan, and/or the District's overarching approach to COVID-19, you are encouraged to speak with your Program Manager or District Administrator.

Minnehaha Creek Watershed District COVID-19 Vaccine Medical Accommodation Request

COVID-19 is a highly communicable, infectious, and serious disease that can lead to hospitalization and sometimes even death. Anyone can get COVID-19, including people who are otherwise healthy.

The purpose of this form is to assist the MCWD in determining whether a reasonable accommodation is required for an employee with a medical condition. You will be notified if additional information is required or there is any issue that prevents you from receiving an accommodation. If you are requesting an exception from the COVID-19 vaccination/testing requirement for medical reasons (including pregnancy-related reasons) you must fill out this form and submit it to Human Resources.

Basis for accommodation:

I am requesting an accommodation of an exception from the COVID-19 vaccination and/or testing requirement on the basis of a diagnosed physical or mental condition that limits my ability to receive the COVID-19 vaccination or to participate in testing, as certified by my medical provider below. My signature below verifies the information I provided is complete and accurate, and I understand any intentional misrepresentation contained in this request may result in disciplinary action. I further acknowledge that incomplete or inadequate forms will be returned to me to obtain additional information from the provider.

Individual's name:	
Phone number:	
Job Title:	
Individual's Signature:	Date:

Please note that if your accommodation request is approved, you may be required by the MCWD to take additional steps to protect you and others from contracting and spreading COVID-19. In cases where an employee cannot be vaccinated because of a disability, the MCWD must ensure that an unvaccinated employee would not pose a direct threat due to a "significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation." <u>29 C.F.R. 1630.2(r)</u>. Workplaces are not required to provide this exception accommodation if doing so would pose a direct threat to the excepted individual or others in the workplace or would create an undue hardship.

To determine if an employee who is unable to be vaccinated due to a disability poses a direct threat, the employer must perform an individualized assessment and engage in an interactive process with the employee to determine whether any reasonable accommodations are available that will mitigate the threat. Keep in mind, through this interactive discussion the League is not required to provide the preferred accommodation requested by the employee. If, after going through the interactive process to determine whether a reasonable accommodation exists, the employer determines it cannot eliminate the "direct threat" from having the unvaccinated employee in the workplace, the employer may terminate the employment relationship.

Minnehaha Creek Watershed District COVID-19 Vaccine Religious Accommodation Request

The purpose of this form is to assist the MCWD in determining whether a reasonable accommodation is required for an employee with a sincerely held religious belief. You will be notified if additional information is required or there is any issue that prevents you from receiving an accommodation. If you are requesting exception from the COVID-19 vaccination or testing requirement for religious reasons you must fill out this form and submit it to Human Resources.

Basis for accommodation:

I am requesting an accommodation of an exception from the COVID-19 vaccination or testing requirements on the basis of a sincerely held religious belief.

Individual's name:	
Phone number:	
Job Title:	

Please note if your exception request is approved, you may be required by the MCWD to take additional steps to protect you and others from contracting and spreading COVID-19. In cases where an employee cannot be vaccinated based on a sincerely held religious belief, the MCWD must ensure an unvaccinated employee would not pose a direct threat due to a "significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation." <u>29 C.F.R. 1630.2(r)</u>. Workplaces are not required to provide this exception/accommodation if doing so would pose a direct threat to the excepted individual or others in the workplace or would create an undue hardship.

To determine if an employee who is unable to be vaccinated due to a sincerely held religious belief poses a direct threat, the MCWD will perform an individualized assessment and engage in an interactive process with the employee to determine whether any reasonable accommodations are available that will mitigate the threat. Under Title VII, the MCWD will consider all possible reasonable accommodations that would not impose more than a <u>de minimis</u> burden on the employer if an employee refuses to get vaccinated based on a sincerely held religious belief.

Please check the boxes below as appropriate and complete related questions:

Receiving the COVID-19 vaccination or engaging in COVID-19 testing conflicts with my religious observances, practices, or beliefs as described below (A-D).

Please identify the requirement, policy or practice that conflicts with your sincerely held religious observance, practice or belief (hereinafter "religious beliefs). (Per EEOC Guidance, an employee should not assume the employer knows or understands an employee's religious belief, so please be detailed in your response)

- (A) Please describe the nature of your sincerely held religious beliefs or religious practice or observances that conflict with the MCWD requirement, policy or practice identified above
- (B) What is the accommodation or modification you are requesting?
- (C) List any alternative accommodations that also would eliminate the conflict between the MCWD requirements, policy or practice and your sincerely held religious beliefs.

If requested, can you provide documentation or other authority to support the need for an accommodation of your religious practice(s) or belief(s)? For example, you may be asked to provide written materials describing the religious belief or practice or a statement from a religious official or other third-party who can speak to the belief or practice.

No



Yes

If there is more than one reasonable accommodation that would resolve the conflict between the vaccination requirement and the sincerely held religious belief without causing an undue hardship under Title VII, the employer may choose which accommodation to offer. If more than one accommodation would be effective in eliminating the religious conflict, the MCWD will consider the employee's preference but is not obligated to provide the reasonable accommodation preferred by the employee. When an employee's objection to a COVID-19 vaccination requirement is not religious in nature, or is not sincerely held, Title VII does not require the employer to provide an exception to the vaccination requirement as a religious accommodation.

My signature below verifies the information I provided is complete and accurate, and I understand any intentional misrepresentation contained in this request may result in disciplinary action.

Signature:		Date:
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