
MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

PANDEMIC PLAN

2021

Introduction

The Montgomery County Industrial Development Agency (the “Agency”) has throughout its history recognized the need to adapt to various events. During any public health emergency, including but not limited to an outbreak of communicable disease, the Agency staff and the members of the board of the Agency (the “Board”) shall adhere closely to federal and state guidance, particularly guidance provided by the Centers for Disease Control and Prevention (“CDC”) and by the New York State Department of Health (“NYSDOH”).

Throughout the 2020-2021 global COVID-19 pandemic, the Agency’s staff and Board were stronger than ever, even when presented with the ever changing mandates, guidance, rules and regulations. The actions of the Agency’s staff and Board are a testament to the fact that the Agency will succeed, pushing forward through every challenge.

This plan has been developed based on the same belief and understanding of the need for adapting to an unexpected event. This plan shall represent a base for current and future Agency staff and Board to develop and change as necessary.

Reference

This plan has been developed in accordance with the amended New York State Labor Law section 27-c and New York State Education Law paragraphs k and l of subdivision 2 of section 2801-a (as amended by section 1 of part B of chapter 56 of the laws of 2016), as applicable. These laws were amended by the passing of legislation S8617B/A10832 signed by the Governor of New York State on September 11, 2020. The amendments require public employers to develop a plan for operations in the event of a declared public health emergency involving a communicable disease. It includes the identification of essential positions, facilitation of remote work for non-essential positions, provision of personal protective equipment (“PPE”), and protocols for supporting contact tracing. It was developed to best ensure the safety of employees and aid in the continuity of operations.

No content of this plan is intended to impede, infringe, diminish, or impair the rights of the Agency or the valued employees under any law, rule, and/or regulation.

Planning Expectations

- *Communication.* Internal and external communication will be critical to success.
- *Flexibility.* Recognize there may not be a one size fits all approach, and flexibility is key.
- *Repetitive.* The planning process is not a one-time process. Rather, it is an ongoing process that will be continued as the situation evolves and additional information is learned.
- *Priorities.* There will likely be a constant shift in resource priorities, based on new information.
- *Public Health Guidance.* Public health guidance will be provided by the local public health official.
- *Workflows.* Reevaluate all workflows to identify new ways of working, new online services, use of new technology to automate processes.

Essential vs. Non-essential

The Agency has a small workforce of three individuals. When confronting events that disrupt normal operations, the Agency is committed to ensuring that essential functions will continue even under the most challenging circumstances. While this plan is activated, other activities may be suspended to enable the Agency to concentrate on providing the critical functions and building the internal capabilities necessary to increase and eventually restore operations. Other strategic practices that may also be considered in the event of a communicable disease outbreak include job sharing, staggered shifts, variable schedules and the possibility of assigning alternative work duties.

Based on the provisions of NYS legislation S8617B/A10832, an essential employee is defined as needing to be physically present at a work site to perform his or her job and performing work that is necessary for continued operations during a communicable disease outbreak. For the basis of planning for a future pandemic, the positions/roles have been categorized into certain priority levels (“Priority Levels”). Priority Levels are further defined and explained below. It should be noted that priority classifications are subject to change based on need and circumstance. Ultimately, it is the responsibility of all stakeholders to have open lines of direct communication to ensure the health and safety of all parties involved.

P1 – Essential on Site

To be considered “Essential on Site” the employee must be physically present at a work site to perform the main functions of the position. Remote capabilities are minimal or completely unavailable due to the nature of the work. The duties associated with the position must be performed for continued operations during a communicable disease outbreak. This definition does not take into account technical capabilities. For example, if a person does not have a computer to use at home, they are not automatically considered essential.

P2 – Remote-Capable

Positions in this priority level have been deemed remote-capable positions. Allowing certain staff to work remotely is one effective method to decrease density in the workplace. To be considered remote-capable, the main functions of a position can be performed from an alternate location, generally this would consist of a work-from-home scenario. While most work may be done remotely, it may be necessary for positions in this category to report on-site as directed and determined by the Agency Board.

A baseline analysis of workforce designation is outlined in Appendix A hereto. The positions listed in Appendix A are solely those which were active positions/roles within the Agency as of 01/31/2021.

Workforce Scheduling

Implementing staggered shifts, or alternative work hours, may be possible for personnel performing duties which are necessary to be performed on-site but perhaps less sensitive to being accomplished only within core business hours. When possible, members of the Board, in conjunction with the Chief Executive Officer of the Agency (the “CEO”), will identify opportunities for staff to work outside core business hours as a strategy of limiting exposure.

Information Technology

The Agency contracts with Montgomery County for space within the County's Old County Courthouse and relies on the information technology of the County – specifically the Montgomery County's Information Technology (IT) Department per Montgomery County's Pandemic Plan (the "County Pandemic Plan"). The County Pandemic Plan provides that "*Montgomery County's Information Technology (IT) Department is responsible for providing the appropriate information technology, support, and protocols to ensure effective and efficient information sharing while minimizing cyber risk consistent with the communicable disease preparedness, response, and recovery needs. The IT Department will establish tailored business emergency communications and information protocols that address differing requirements across all pandemic phases. In the event of an outbreak of communicable disease, the IT Department shall be responsible for:*

- *Identifying and assessing current and available communication technologies within the County, in the community, and from federal/state agencies.*
- *Enhancing, procuring, leasing, or sharing necessary communications technologies.*
- *Ensuring sufficient redundancies in technologies are available and planned.*
- *Verifying telecommuters have the correct hardware/software and can conduct business using teleconferences, conference calls, or other means.*

To enable approved staff to work remotely, Information Technology (IT) staff will review needs and work to quickly equip staff for remote work, which may include:

- *Internet capable laptop*
- *Necessary peripherals*
- *Access to VPN and/or secure network drives*
- *Access to software and databases necessary to perform duties*
- *Telecommunications solution, such as a cellular device or telephone"*

Personal Protective Equipment

The use of PPE to reduce the spread of infectious disease is important to supporting health and safety. For purposes of this plan, PPE includes, but is not limited to all equipment worn to minimize exposure to hazards, including gloves, masks, face shields, foot and eye protection, protective hearing devices, respirators, hard hats, and disposable gowns and aprons. Per the County Pandemic Plan, PPE is to be readily available and adequate stock levels shall be maintained by the County, including the Public Health Department, Public Works, Sheriff's Office, Social Services and Emergency Management Office.

Workplace Exposures and Positive Cases

General protocols should be regularly followed as per the guidelines and protocols as established in the Montgomery County Employee Guidance and the Montgomery County Exposure Control Plan. As an extension of such guidelines and to reduce the possibility of exposure, precautions will be taken to reduce office density and require those working near others to wear appropriate PPE at all times to limit the potential of transmission. This may include directives to:

- Limit in-person interactions as much as possible
- Disinfect work areas according to current CDC and public health protocol
- Require mask wearing or other necessary PPE
- Require daily health screening questions and attestations from employees, visitors and contractors

Potentially exposed employees will be directed by the Board and/or CEO to remain at home and following the current protocols as outlined by the Montgomery County Employee Guidance, local health department or as recommended by the CDC. If possible, exposed employees may be permitted to work remotely during this period of time if they are not ill.

Employees who exhibit symptoms in the workplace will be immediately separated from other employees, customers, and visitors and sent home with a recommendation to contact their primary medical provider. Employees who exhibit symptoms outside of work should not report to work. Employees shall notify the Board and/or the CEO and stay home, with a recommendation to contact their physician. Employees shall not return to work until they have met the criteria to discontinue home isolation per CDC and public health guidance and have consulted with a healthcare provider.

If a positive case or potential positive case is identified as having been present at the workplace:

- Areas occupied for prolonged periods of time by the subject will be closed off and will be cleaned and disinfected in accordance with CDC and public health guidance.
- Any common areas entered, surfaces touched, or equipment used shall be cleaned and disinfected immediately.
- Identification of potential exposures will be conducted by the Board and/or CEO and reported to the Montgomery County Public Health Department as well as the Montgomery County Personnel Department.
- In cases of potential exposure, staff shall cooperate and work closely with public health officials to conduct contact tracing to minimize any further spread.

Confidentiality shall be maintained as required by the Federal and State laws, including but not limited to the Americans with Disabilities Act (the “ADA”).

All CDC and public health recommendations, requirements and subsequent actions will be taken in close coordination with local public health officials.

Specific protocols will be further developed for workplace exposures and positive cases in the workplace that adhere to recommendations of the Public Health Director of the Montgomery County Public Health Department and the CDC. Those protocols will be dependent on the nature of the communicable disease.

Cleaning and Disinfecting

CDC and public health guidelines will be followed for cleaning and disinfecting surfaces/areas. These may include:

- High traffic and high touch areas will be disinfected frequently.
- Staff tasked with cleaning and disinfecting areas will be issued and required to wear PPE appropriate to the task.
- Surfaces will be disinfected with products that meet EPA criteria for use against the virus in question and which are appropriate for that surface.
- Staff will follow instructions of cleaning products to ensure safe and effective use of the products.

Employee

In the event of a public health emergency, the Board and the CEO must work to balance the needs of employees and their families to protect health and safety while maintaining continuity of essential Agency operations. The Board and CEO may implement additional measures such as remote work options and flexible work arrangements whenever possible.

The Board will work with the CEO to analyze and interpret New York State and Federal Executive Orders to comply with any additional leave requirements issued during a public health emergency. If new leave requirements are implemented, notice will be sent to all Agency employees.

Documentation of Work Hours and Locations

In a public health emergency, it may be necessary to document work hours and locations of each employee to support contact tracing efforts. Identification of locations shall include on-site work and off-site visits. This information may be used by the Agency to support contact tracing efforts and may be shared with local public health officials. Methods to track hours and locations may include:

- Paper sign-in sheets
- Utilizing an electronic timekeeping system
- Daily check-ins with someone designated on staff, which may be combined with daily health screening questions that may be incorporated for employees who have access to the electronic timekeeping system.

Confidentiality shall be maintained as required by the Federal and State laws, including but not limited to the Americans with the ADA.

APPENDIX A – Workforce Designation

The following is a baseline designation of active positions/roles in the Agency as of 01/31/2021.

Workforce Designation		
1: Essential on-site	2: Remote Capable	
<p>Must be physically present at a work site to perform the main functions of the position.</p> <p>Remote capabilities are minimal or completely unavailable due to the nature of the work.</p> <p>The duties associated with the position must be performed for continued operations during a communicable disease outbreak.</p>	<p>Most job functions are able to be performed from an alternate location, generally a work-from-home scenario.</p> <p>It may be necessary for positions in this category to report on-site as directed and determined by their Department Heads/Supervisors.</p>	

Position	Count	Group	Designation

ECONOMIC OPPORTUNITY & DEVELOPMENT

CHIEF EXECUTIVE OFFICER	1	NON BARGAINING	1
CHIEF FINANCIAL OFFICER	1	NON BARGAINING	2
ECONOMIC DEVELOPMENT SPECIALIST	1	NON BARGAINING	2