

# OPERATING ENGINEERS TRUST FUNDS

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## COVID-19 Prevention Plan

(Effective July 29, 2021)

We take the health and safety of our employees very seriously. With the spread of the coronavirus or COVID-19, we all must remain vigilant in mitigating the outbreak.

In late 2020, the COVID-19 Emergency Temporary Standards (“emergency regulations”) were approved and authorized for enforcement by the California Division of Occupational Safety and Health (“Cal/OSHA”). The emergency regulations required that OEFI create and implement a comprehensive, written COVID-19 Prevention Plan. In response, OEFI created and implemented such a plan in order to comply with the emergency regulations and other orders and guidance by local and state entities, and to reduce the risk of COVID-19 exposure and infection in the workplace.

Those emergency regulations were revised and approved effective June 17, 2021 (“revised emergency regulations”). OEFI has created this revised COVID-19 Prevention Plan (the “Plan”) to comply with the revised emergency regulations<sup>1</sup> and to reduce the risk of COVID-19 exposure and infection in the workplace. This Plan, like the prior version(s) of this Plan, is also an Addendum to OEFI’s Injury and Illness Prevention Program. This Plan replaces all prior versions of the COVID-19 Prevention Plan as of the date noted above. The provisions of the Plan apply to both the Pasadena and Las Vegas offices of the OEFI, unless otherwise indicated.

We have designated a COVID-19 Compliance Officer to act as a liaison to the local public health departments in the event of an outbreak at OEFI, and to monitor available guidance regarding the virus from the U.S. Center for Disease Control and Prevention (“CDC”), Cal/OSHA, Nevada OSHA, and guidance from state and local health departments. The COVID-19 Compliance Officer is Michael De Chellis, who can be reached at (626) 356-1079, or by email at [mdechellis@oefi.org](mailto:mdechellis@oefi.org). In addition, we have designated Kelli Magdaleno as the COVID-19 Coordinator.

This Plan is based on currently available information, primarily from the CDC, Cal/OSHA, Nevada OSHA, the California Department of Public Health (“CDPH”), and the local public health departments, and is subject to change based on further information provided by these entities and others. OEFI may amend this Plan based on operational needs, or as new guidance becomes available.

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<sup>1</sup> For the Las Vegas office, this Plan was also drafted to comply with the requirements of Nevada OSHA, as well as other orders and guidance from the State of Nevada, Clark County, the City of Las Vegas, and the Southern Nevada Health District.

## 1. Definitions of Certain Terms Used in this Plan

**“Close contact”** means being within six feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the “high-risk exposure period” defined by this section. This definition applies regardless of the use of face coverings.

EXCEPTION: Employees have not had a close contact if they wore a respirator required by the employer and used in compliance with CCR Title 8 section 5144, whenever they were within six feet of the COVID-19 case during the high-risk exposure period.

**“COVID-19”** means coronavirus disease, an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

**“COVID-19 case”** means a person who: (1) Has a positive “COVID-19 test” as defined in this section; or (2) Has a positive COVID-19 diagnosis from a licensed health care provider; or (3) Is subject to a COVID-19-related order to isolate issued by a local or state health official; or (4) Has died due to COVID-19, in the determination of a local health department or per inclusion in the COVID-19 statistics of a county.

**“COVID-19 hazard”** means potentially infectious material that may contain SARS-CoV-2, the virus that causes COVID-19. **Potentially infectious materials** include airborne droplets, small particle aerosols, and airborne droplet nuclei, which most commonly result from a person or persons exhaling, talking or vocalizing, coughing, sneezing, or procedures performed on persons which may aerosolize saliva or respiratory tract fluids. This also includes objects or surfaces that may be contaminated with SARS-CoV-2.

**“COVID-19 symptoms”** means fever of 100.4 degrees Fahrenheit or higher, chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea, unless a licensed health care professional determines the person’s symptoms were caused by a known condition other than COVID-19.

**“COVID-19 test”** means a viral test for SARS-CoV-2 that is: (A) Approved by the United States Food and Drug Administration (FDA) or has an Emergency Use Authorization from the FDA to diagnose current infection with the SARS-CoV-2 virus; and (B) Administered in accordance with the FDA approval or the FDA Emergency Use Authorization as applicable.

**“Exposed group”** means all employees at a work location, working area, or a common area at work, where an employee COVID-19 case was present at any time during the high-risk exposure period. A common area at work includes bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. The following exceptions apply:

(A) For the purpose of determining the exposed group, a place where persons momentarily pass through while everyone is wearing face coverings, without congregating, is not a work location, working area, or a common area at work.

(B) If the COVID-19 case was part of a distinct group of employees who are not present at the workplace at the same time as other employees, for instance a work crew or shift that does not overlap with another work crew or shift, only employees within that distinct group are part of the exposed group.

(C) If the COVID-19 case visited a work location, working area, or a common area at work for less than 15 minutes during the high-risk exposure period, and the COVID-19 case was wearing a face covering during the entire visit, other people at the work location, working area, or common area are not part of the exposed group.

NOTE: An exposed group may include the employees of more than one employer. See Labor Code sections 6303 and 6304.1.

**“Face covering”** means a surgical mask, a medical procedure mask, a respirator worn voluntarily, or a tightly woven fabric or non-woven material of at least two layers. A face covering has no visible holes or openings and must cover the nose and mouth. A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.

**“Fully vaccinated”** means the employer has documented that the person received, at least 14 days prior, either the second dose in a two-dose COVID-19 vaccine series (i.e. Pfizer or Moderna) or a single-dose COVID-19 vaccine (i.e. Johnson & Johnson). Vaccines must be FDA approved; have an emergency use authorization from the FDA; or, for persons fully vaccinated outside the United States, be listed for emergency use by the World Health Organization (WHO).

**“High-risk exposure period”** means the following time period: (1) For COVID-19 cases who develop COVID-19 symptoms: from two days before they first develop symptoms until all of the following is true: it has been 10 days since symptoms first appeared, 24 hours have passed with no fever, without the use of fever-reducing medications, and symptoms have improved; or (2) For COVID-19 cases who never develop COVID-19 symptoms: from two days before until 10 days after the specimen for their first positive test for COVID-19 was collected.

**“Respirator”** means a respiratory protection device approved by the National Institute for Occupational Safety and Health (NIOSH) to protect the wearer from particulate matter, such as an N95 filtering face piece respirator.

**“Worksite”** for the limited purposes of COVID-19 prevention regulations only, means the building, store, facility, agricultural field, or other location where a COVID-19 case was present during the high-risk exposure period. It does not apply to buildings, floors, or other locations of the employer that a COVID-19 case did not enter. NOTE: The term worksite is used for the purpose of notice requirements discussed in the *Investigating and Responding to COVID-19 Cases* section below.

## 2. Responsibilities of OEFI

All OEFI management level employees and supervisors, as well as all other OEFI employees, must be familiar with this Plan and be ready to answer questions from employees and visitors. All employees of OEFI must always set a good example by following this Plan. This involves practicing good personal hygiene and workplace safety practices to prevent the spread of the virus. All OEFI employees must encourage this same behavior from all visitors.

### 3. Responsibilities of OEFI Employees

In order to minimize the spread of COVID-19 at OEFI, we all must play our part. As set forth below, OEFI has instituted various best practices at OEFI. All employees must follow these practices, and abide by all provisions of this Plan. In addition, all employees are expected to report to Kelli Magdaleno, Human Resources Director, if they experience signs or symptoms of COVID-19, as described below. In addition, Las Vegas employees should also report to the Office Manager. If you have a specific question about this Plan or COVID-19, please ask the COVID-19 Compliance Officer or the Human Resources Director.

OEFI recommends the following practices for all employees, regardless of exposure risk:

- Frequently wash your hands with soap and water for at least 20 seconds. When soap and running water are unavailable, use an alcohol-based hand sanitizer with at least 60% ethanol (alcohol) or 70% isopropanol.
- Avoid touching your eyes, nose, or mouth with your hands.
- Follow appropriate respiratory etiquette:
  - Cover your mouth and nose with a tissue when you cough or sneeze
  - Immediately throw used tissues in the trash
  - If you don't have a tissue, cough or sneeze into your elbow, not your hands
  - Bend your arm, and make sure you sneeze into, not over, your elbow
- Immediately wash your hands after blowing your nose, coughing or sneezing.
- Avoid close contact with people who are sick.

In addition, employees must familiarize themselves with the common and not so common symptoms of COVID-19 including, but not limited to: cough, fever, chills, shortness of breath, difficulty breathing, muscle or body aches, headache, recent loss of taste or smell, sore throat, congestion, runny nose, nausea, vomiting, or diarrhea. NOTE: The above symptoms are not considered to be COVID-19 symptoms if a licensed health care provider determines a person's symptoms were caused by a known condition other than COVID-19.

If you develop a fever or symptoms of respiratory illness, such as cough or shortness of breath, or if you have been diagnosed with COVID-19, DO NOT COME TO OEFI, advise the Human Resources Director, and call your healthcare provider right away. If you develop such symptoms when you are at OEFI, you should advise the Human Resources Director and then go home. Likewise, if you are not fully vaccinated and you believe you have been exposed to COVID-19 from another employee or otherwise, DO NOT COME TO OEFI, advise the Human Resources Director (who will determine whether you will be excluded from the workplace), and call your healthcare provider right away. (For Las Vegas employees, all provisions of this paragraph apply, except that they should advise their Office Manager and the Human Resources Director.)

#### 4. System for Communicating

OEFI's goal is to ensure that we have effective, two-way communication with our employees regarding COVID-19 prevention, in a form they can readily understand, and that includes the following information:

- We encourage employees to report to their supervisor and the COVID-19 Compliance Officer or the Human Resources Director any COVID-19 symptoms they are experiencing, without fear of reprisal.
- We encourage employees to report possible close contacts, and any potential COVID-19 hazards they see at the workplace, again without fear of reprisal.
- We explain how OEFI will reasonably accommodate employees with medical or other conditions that put them at an increased risk of severe COVID-19 illness that request accommodations. If any employee believes they are at an increased risk of developing severe COVID-19 illness, they may contact the COVID-19 Compliance Officer or the Human Resources Director so that the OEFI can consider possible and appropriate accommodations.
- We inform employees about potential COVID-19 hazards in the workplace, how the OEFI addresses those hazards, as well as COVID-19 policies and procedures. (This includes informing not just our employees, but other employers and individuals within or in contact with our workplace.)
- We provide information as to how employees can get tested for COVID-19, voluntarily through health plans or local testing centers (not paid for by OEFI).
- We provide information as to how certain employees can get tested for COVID-19 at no cost under certain circumstances as described more fully herein.

#### 5. Identification and Evaluation of COVID-19 Hazards

OEFI effectively identifies and evaluates potential COVID-19 hazards in the workplace. We accomplish this by doing the following:

- Conducting workplace-specific evaluations using the **Appendix A: Identification of COVID-19 Hazards** form or a substantially similar form, evaluating all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards. Evaluations will be performed every week or as otherwise determined to be needed by the COVID-19 Coordinator.
- Requiring each employee to evaluate their own symptoms before reporting to work. Requiring employees with COVID-19 symptoms to stay home. Requiring employees under an isolation or quarantine order to stay home. Unvaccinated employees who have had close contact with a COVID-19 case are required to stay home. Employees who are fully vaccinated are not required to quarantine after exposure to a COVID-19 case if asymptomatic, and may come to work if asymptomatic. For more details re: workplace exclusion, see *Exclusion of COVID-19 Cases and Employees Who Had a Close Contact* section below.

- If there is a COVID-19 case at the workplace, the COVID-19 case will be required to immediately leave the workplace to prevent or reduce the risk of transmission of COVID-19 in the workplace.
- Evaluating potential exposure of employees to COVID-19 considering all persons in the workplace, including visitors. This includes areas that are more likely to result in a congregation of persons or high traffic areas, such as common spaces or shared utility rooms. Remember, ALL persons, regardless of symptoms or negative test results, shall be considered as potentially infectious.
- Reviewing applicable orders and general and industry-specific guidance from the States of California and Nevada, Cal/OSHA, Nevada OSHA, and the local health departments related to COVID-19 hazards and prevention. These orders and guidance are both information of general application, including Interim Guidance for Ventilation, Filtration, and Air Quality in Indoor Environments by the CDPH, and information specific to OEFI’s industry, location, and operations.
- Evaluating existing COVID-19 prevention controls in the workplace environment and assess the need for different or additional controls. (See “*OEFI Preventative Measures*” section below.)
- Conducting periodic inspections using the **Appendix B: COVID-19 Inspections form** or a substantially similar form as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19, and to ensure compliance with our COVID-19 policies and procedures. The COVID-19 Coordinator will be responsible for either conducting the inspections, or for designating a properly trained representative to conduct the inspections. Inspections shall be performed once every week or as deemed necessary by the COVID-19 Coordinator.

Employees and their authorized employees’ representatives are encouraged to participate in the identification and evaluation of COVID-19 hazards. Any employee and/or their authorized representative may participate by contacting our COVID-19 Coordinator.

## 6. Correction of COVID-19 Hazards

OEFI is committed to correcting any unsafe or unhealthy work conditions, practices or procedures that may contribute to COVID-19 hazards. This includes:

- Implementing controls and/or policies and procedures in response to the workplace exposure evaluation pursuant to the **Appendix A: Identification of COVID-19 Hazards** form or a substantially similar form.
- Implementing controls such as physical distancing, face coverings, and other applicable engineering or administrative controls in appropriate circumstances.

Hazards will be documented on the **Appendix B: COVID-19 Inspections** form or a substantially similar form, and corrected in a timely manner based on the severity of the hazards, as follows:

- Where engineering controls are missing and/or in need of repair, correction shall be prioritized and accomplished, if at all possible, within 24-48 hours. The individual assigned to the corrective action will be noted on the inspection form and held responsible for timely correction.
- For instances where administrative controls have been observed as lacking or insufficient (such as lack of soap or sanitizer), supplies will be reestablished immediately, but in no case by end of the work day.
- When social distancing is not being observed when required, or face coverings are not being worn when required, the employees in violation will immediately be notified and corrected on the spot.

The inspection forms will be provided to the COVID-19 Coordinator who will be responsible for ensuring the hazards are timely corrected per the above. All inspection forms, including documentation of any hazard corrections, will be maintained for at least one (1) year.

## **7. Control of COVID-19 Hazards**

### **A. Face Coverings:**

All OEFI employees are required to wear face coverings when indoors or in vehicles, subject only to the exceptions noted below. This requirement applies to employees who are fully vaccinated and those who are not.

Upon request, OEFI will provide clean, undamaged face coverings to employees, regardless of vaccination status, to be worn indoors on in vehicles.

OEFI will provide face coverings and ensure they are worn by employees when required by orders from the CDPH or Nevada health authorities or Nevada OSHA.

OEFI will ensure that required face coverings are clean and undamaged, and that they are worn over the nose and mouth. NOTE: A face shield is not a replacement for a face covering, but may be worn together for additional protection.

OEFI will not prevent or discourage the wearing of face coverings when not required, unless the wearing would create a safety hazard such as interfering with the operation of equipment.

When employees are required to wear face coverings, the following exceptions apply:

- When an employee is alone in a closed office or room or vehicle.
- While eating or drinking at the workplace, provided employees are at least six feet apart and outside air supply to the area, if indoors, has been maximized to the extent feasible.
- Employees wearing respirators required by the employer and used appropriately.
- Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person.

- Specific tasks which cannot be feasibly performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed. Such workers who cannot feasibly wear a face covering while performing their work must be tested for COVID-19 at least twice per week, unless the OEFI is provided proof of the employee’s full vaccination against COVID-19 or proof of recovery from laboratory-confirmed COVID-19 within the past 90 days.
- Persons who are specifically exempted from wearing face coverings pursuant to other CDPH guidance.

Employees exempted from wearing face covering due to a medical condition, mental health condition, or disability, shall wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if their condition or disability permits it.

For Pasadena employees, any employee not wearing a face covering pursuant to the exceptions noted above and not wearing a non-restrictive alternative as described above, shall be at least six feet apart from all other persons unless the unmasked employee is either fully vaccinated or tested at least weekly for COVID-19 during paid time and at no cost to the employee. For Las Vegas employees, unvaccinated employees should maintain at least 6 feet of distance from others at all times, including on breaks.

OEFI requires all non-employees and visitors to wear face coverings while indoors, regardless of their vaccination status. OEFI will make face coverings available to such non-employees and visitors upon request. OEFI will post clearly visible and easy-to-read signage at all entry points for indoor and outdoor settings to communicate the masking requirements to all non-employees and visitors.

**B. Engineering Controls:**

OEFI will maximize the quantity of outside air provided to the extent feasible, except where the United States Environmental Protection Agency (“EPA”) Air Quality Index is greater than 100 for any pollutant or if opening windows or maximizing outdoor air by other means would cause a hazard to employees, for instance, excessive heat or cold.

**C. Cleaning and Disinfecting:**

OEFI will implement cleaning and disinfecting procedures which require:

- Identifying and regularly cleaning frequently touched surfaces and objects, such as doorknobs, elevator button, equipment, tools, handrails, handles, controls, phones, headsets, bathroom surfaces, and steering wheels. OEFI shall inform employees and authorized employee representatives of cleaning and disinfecting protocols, including the planned frequency and scope of cleaning and disinfection.
- Cleaning of areas, material and equipment used by a COVID-19 case during the high-risk exposure period, and disinfection if the area, material, or equipment is indoors and will be used by another employee within 24 hours of the COVID-19 case.
- Cleaning and disinfection will be done in a manner that does not create a hazard to employees.

#### **D. Hand Washing Facilities:**

To protect employees from COVID-19 hazards, OEFI shall evaluate its handwashing facilities, determine the need for additional facilities, encourage and allow time for employee handwashing, and provide employees with an effective hand sanitizer. OEFI encourages all employees to wash their hands for at least 20 seconds each time. OEFI prohibits the provision or use of hand sanitizers with methyl alcohol.

#### **E. Personal Protective Equipment (“PPE”) Used to Control Employee Exposure to COVID-19:**

OEFI will evaluate the need for PPE to prevent exposure to COVID-19 hazards, such as gloves, goggles, and face shields, and provide such PPE as needed.

Upon request, OEFI will provide respirators for voluntary use to all employees who are not fully vaccinated and who are working indoors or in vehicles with more than one person. Whenever OEFI makes such a respirator for voluntary use available, OEFI shall encourage its use and shall ensure that each such employee is provided with a respirator of the correct size. OEFI will provide and ensure the use of respirators as provided herein when deemed necessary by Cal/OSHA through the Issuance of Order to Take Special Action.

#### **F. COVID-19 Testing:**

OEFI will make COVID-19 testing available at no cost to employees with COVID-19 symptoms who are not fully vaccinated, during the employees’ paid time.

OEFI will make COVID-19 testing available at no cost, during paid time, to all employees who had a close contact in the workplace, with the following exceptions: (A) Employees who were fully vaccinated before the close contact and do not have symptoms; and (B) COVID-19 cases who have returned to work after being previously excluded because they were a COVID-19 case and have remained free of COVID-19 symptoms for 90 days after the initial onset of COVID-19 symptoms or, for COVID-19 cases who never developed symptoms, for 90 days after the first positive test.

### **8. Training and Instruction**

OEFI provides training and instruction to employees on the following topics:

- Our COVID-19 policies and procedures to protect employees from COVID-19 hazards, and how to participate in the identification and evaluation of COVID-19 hazards.
- Information regarding COVID-19-related benefits to which the employees may be entitled under applicable federal, state, or local laws. This includes any benefits available under legally mandated sick and vaccination leave, if applicable, workers’ compensation law, local governmental requirements, OEFI’s own leave policies, leave guaranteed by contract (if any), and leave under this Plan.

- The fact that:
  - COVID-19 is an infectious disease that can be spread through the air when an infectious person talks, vocalizes, sneezes, coughs, or exhales;
  - Although less common, COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth; and
  - An infectious person may have no symptoms.
- The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing, face coverings, increased ventilation indoors, and respiratory protection decrease the spread of COVID-19, but are most effective when used in combination.
- OEFI’s policies for providing respirators, and the right of employees who are not fully vaccinated to request a respirator for voluntary use without fear of retaliation and at no cost to the employee. Whenever respirators are provided for voluntary use, OEFI will train the employee on how to properly wear the respirator provided; and how to perform a seal check according to the manufacturer’s instructions each time a respirator is worn, and the fact that facial hair interacts with a seal.
- The importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled.
- Proper use of face coverings and the fact that face coverings are not respiratory protective equipment. COVID-19 is an airborne disease. N95 and more protective respirators protect the users from airborne disease while face coverings primarily protect people around the user.
- COVID-19 symptoms, and the importance of obtaining a COVID-19 test and not coming to work if the employee has COVID-19 symptoms.
- Information on OEFI’s COVID-19 policies; how to access COVID-19 testing and vaccination; and the fact that vaccination is effective at preventing COVID-19, protecting against both transmission and serious illness or death.
- The conditions under which face coverings must be worn at the workplace and that face coverings are additionally recommended outdoors for people who are not fully vaccinated if six feet of distance between people cannot be maintained. Employees can request face coverings from OEFI at no cost to the employee and can wear them at work, regardless of vaccination status, without fear of retaliation.

The **Appendix C: COVID-19 Training Roster** or a substantially similar form will be used to document this training for employees.

## 9. OEFI Preventative Measures

OEFI has implemented preventative measures to protect the health of its employees including, but not limited to, the following:

- For fully vaccinated employees to take advantage of the relaxed rules contained herein based on their fully vaccinated status, the OEFI is required to document their status. All employees will be asked to fill out a COVID-19 self-attestation form to confirm whether or not they have been fully vaccinated. If an employee declines to fill out the form, they will be treated for all purposes as an unvaccinated person.
- Signage will be posted at all entrances advising all persons not to enter if they are under an isolation or quarantine order, or if they are experiencing COVID-19 symptoms.
- Signage will be posted at all entrances advising all persons that they must wear face coverings if they enter the premises, unless they are entitled to an exemption.
- Any employee or visitor showing symptoms of COVID-19 will be asked to leave the premises and return home.
- OEFI strongly recommends that all employees become fully vaccinated against COVID-19 as soon as possible.
- OEFI strongly recommends that all employees be immunized each autumn against influenza.
- Employees are encouraged to bring food from home (to eat at the appropriate times and locations) and to not share their food or beverages with others. Employees are prohibited from eating anywhere inside the workplace other than in designated break areas. For the Pasadena office, the breakrooms on the ground floor and P1 area have been closed indefinitely. Employees can utilize the large breakroom on the 4<sup>th</sup> floor and its adjoined balcony. The 4<sup>th</sup> floor break room occupancy is limited to 6 individuals, as is the outside balcony. For the Las Vegas office, the kitchen/break area is open, but only one person can use the kitchen/break area at a time. Within that kitchen/break area, unvaccinated employees must maintain 6 foot social distancing.
- For the Pasadena office, the Lactation Room on the 4<sup>th</sup> floor can only be used by lactating individuals. Checking-in to use the room and checking-out is required so that the room may be disinfected between uses. A designated Administrative employee oversees logging use of the room, assignments of the room key to employees, and cleaning/disinfecting after each use.

## **10. Exclusion of COVID-19 Cases and Employees Who Had a Close Contact**

In order to limit COVID-19 transmission in the workplace, the OEFI will:

- Exclude COVID-19 cases from the OEFI until the return-to-work requirements (see next section) are met.
- Ensure that employees who had a close contact are excluded from the OEFI until the return-to-work requirements (see next section) are met, with the following exceptions:
  - Employees who were fully vaccinated before the close contact and who do not develop COVID-19 symptoms; and
  - COVID-19 cases who returned to work previously after having been excluded because they were a COVID-19 case and have remained free from COVID-19

symptoms for 90 days after the initial onset of COVID-19 symptoms, or, for COVID-19 cases who never developed COVID-19 symptoms, for 90 days after the first positive test.

For employees excluded from the OEFI per the above, OEFI shall continue and maintain an employee's earnings, wages, seniority, and all other employee rights and benefits, including the employee's right to their former job status, as if the employee had not been removed from their work duties at the OEFI. The OEFI may use employer-provided employee sick leave for this purpose to the extent permitted by laws. Wages due under this section are subject to existing wage payment obligations and must be paid at the employee's regular rate of pay no later than the regular pay day for the pay period(s) in which the employee is excluded. Unpaid wages owed in this regard are subject to enforcement through procedures available in existing law. If OEFI determines that one of the exceptions below applies, it shall inform the employee of the denial and the applicable exception.

EXCEPTION 1: The above requirement does not apply where the employee received disability payments or was covered by workers' compensation and received temporary disability.

EXCEPTION 2: The above requirement does not apply where the OEFI demonstrates that the close contact is not work related.

At the time of exclusion from the OEFI, the employee will be provided with information on available benefits.

For employees who are excluded from the OEFI per the above, but who are able to work despite their COVID-19 status, the OEFI will consider whether remote work opportunities are available.

## **11. Return-to-Work Criteria**

COVID-19 cases with COVID-19 symptoms will not be allowed to return to work at the OEFI until **all** the following have occurred:

- At least 24 hours have passed since a fever of 100.4 degrees Fahrenheit or higher has resolved without the use of fever-reducing medications;
- COVID-19 symptoms have improved; and
- At least 10 days have passed since COVID-19 symptoms first appeared.

COVID-19 cases who tested positive but never developed COVID-19 symptoms will not be allowed to return to work at the OEFI until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.

Once a COVID-19 case has met the applicable requirements above, a negative COVID-19 test shall not be required for an employee to return to work.

Note that employees diagnosed with COVID-19 by a physician or through laboratory testing may not return to work without consulting the Pasadena Health Department via the Return to Work Portal (<https://healthforms.cityofpasadena.net/v/WorkClearanceForm>).

Employees who had a close contact may return to work as follows:

- Unvaccinated employees who had a close contact but never developed COVID-19 symptoms may return to work when 10 days have passed since the last close contact. (Fully vaccinated employees without symptoms are not required to quarantine after close contact with a COVID-19 case.)
- Employees who had a close contact and developed any COVID-19 symptoms or who tests positive for COVID-19 will be considered COVID-19 cases, and will not return to work until they meet the return-to-work criteria for COVID-19 cases set forth above.

Any employee, regardless of vaccination status, who had a close contact and develops COVID-19 symptoms, must isolate and be clinically evaluated for COVID-19, including COVID-19 testing. If such an employee tests positive for COVID-19, they will be treated as a COVID-19 case.

If an order to isolate, quarantine, or exclude an employee is issued by a local or state health official, the employee will not return to work at the OEFI until the period of isolation or quarantine is completed or the order is lifted. If no period was specified, then the applicable time periods above apply.

## **12. Investigating and Responding to COVID-19 Cases**

OEFI has an effective procedure to investigate COVID-19 cases in the workplace. This includes procedures for seeking information from employees regarding COVID-19 cases and close contacts, COVID-19 test results, onset of COVID-19 symptoms, and identifying and recording COVID-19 cases.

Upon learning of a COVID-19 case in the workplace, OEFI will take measures to prevent and reduce the risk of transmission of COVID-19. COVID-19 cases will be sent home to self-isolate pursuant to CDC and/or local health officer guidelines, and instructed to contact their medical provider for further instructions. (See also section entitled “Exclusion of COVID-19 cases.”) OEFI will use **Appendix D: Letter to Employee COVID-19 Case**, or a similar letter, to provide information and direction to employee COVID-19 cases.

When OEFI becomes aware of a COVID-19 case, OEFI will investigate the case by using the **Appendix E: Investigating COVID-19 Cases** form, or substantially similar form. OEFI will determine the day and time the COVID-19 case was last present and, to the extent possible, the date of the positive COVID-19 test(s) and diagnosis, and the date the COVID-19 case first had one or more COVID-19 symptoms, if any were experienced.

OEFI will also conduct an evaluation to determine who may have had a close contact. This requires an evaluation, tracing the activities of the COVID-19 case and all locations at the workplace which may have been visited by the COVID-19 case during the high-risk exposure period. OEFI will use **Appendix F: Close Contact Assessment Form** or a substantially similar form, in this regard.

Within one business day of the time OEFI knew or should have known of a COVID-19 case, OEFI will:

- Give written notice that people at the worksite may have been exposed to COVID-19. That notice will be provided to: all employees at the worksite during the high-risk exposure period; and independent contractors and other employers at the worksite during the high-risk exposure period.
- Provide the notice required by Labor Code section 6409.6(a)(2) and (c) to the authorized representative of any employee at the worksite during the high-risk exposure period.

OEFI will use **Appendix G: Letter to Close Contact**, or a similar letter, in that regard.

In addition, as appropriate, OEFI may use **Appendix H: General Notification Letter**, or a similar letter, to give notice within one business day to other employees who OEFI believes did not have a close contact.

OEFI will also investigate whether any workplace conditions could have contributed to the risk of COVID-19 exposure and what could be done to reduce exposure to COVID-19 hazards. Any hazards and corrections will be noted on **Appendix A [Identification of COVID-19 Hazards]** and **Appendix B [COVID-19 Inspections]** or substantially similar forms.

\*NOTE: All personal identifying information of COVID-19 cases or persons with COVID-19 symptoms, and any employee medical record required pursuant to this Plan, shall be kept confidential unless disclosure is required or permitted by law.

If there are three or more employee COVID-19 cases within an exposed group that visited the workplace during their high-risk exposure period at any time during a 14-day period, OEFI will follow Cal/OSHA's emergency regulations with regard to that situation, including its regulations re: COVID-19 testing; exclusion of COVID-19 cases; investigation of workplace COVID-19 illness; investigation, review and hazard correction; and notifications to the local health department. Similarly, if there are 20 or more employee COVID-19 cases in an exposed group that visited the workplace during their high-risk exposure period within a 30-day period, OEFI will follow Cal/OSHA's emergency regulations with regard to that situation.

### **13. Reporting, Recordkeeping, and Access**

The OEFI will:

- If OEFI learns that an employee has COVID-19 (confirmed by a lab test or physician diagnosis), who was at the Pasadena office while sick, or up to 48 hours before showing symptoms or receiving a positive test (if asymptomatic), OEFI will immediately report that information to the Pasadena Public Health Department by calling (626) 744-6089 or emailing to nursing@cityofpasadena.net, and will provide all information requested by the Health Department. OEFI will provide whatever other notifications are required in outbreak or major outbreak situations. OEFI will report all information to the local health department as required by California Labor Code section 6409.6 or relevant Nevada laws and/or regulations.

- Maintain records of the steps taken to implement our written COVID-19 Prevention Program (i.e. this Plan) in accordance with CCR Title 8 section 3203(b) and/or relevant Nevada laws and/or regulations.
- Ensure this written COVID-19 Plan is available at the workplace to employees, authorized employee representatives, and to representatives of Cal/OSHA or Nevada OSHA immediately upon request.
- Use the **Appendix E: Investigating COVID-19 Cases** form or a substantially similar form to keep a record of and track all COVID-19 cases with the employee's name, contact information, occupation, location where the employee worked, the date of the last day at the workplace, and the date of a positive COVID-19 test.

#### 14. OSHA Reporting

OEFI shall report immediately to Cal/OSHA any COVID-19-related serious illnesses or death, as defined under CCR Title 8 section 330(h), of an employee occurring in the Pasadena office or in connection with any employment at the Pasadena office.

More specifically, Cal/OSHA requires employers to report to Cal/OSHA any serious illness, serious injury, or death of an employee that occurred at work, or in connection with work, within eight (8) hours of when the employer knew or should have known of the illness. This would include a COVID-19 illness, if it meets the definition of a serious illness. A serious illness includes, among other things, any illness occurring in a place of employment, or in connection with employment that requires in-patient hospitalization other than for medical observance or diagnostic testing.

Therefore, if any OEFI employee becomes ill while at work for OEFI, and is admitted as an in-patient at a hospital for treatment, OEFI will report the illness to Cal/OSHA. This is true regardless of the length of the hospitalization. OEFI will also report the serious illness to Cal/OSHA if the employee became sick at work and was later admitted as an in-patient for treatment as a result. OEFI will also report the serious illness to Cal/OSHA if OEFI has reason to believe the serious illness may be work related, regardless of whether the onset of symptoms occurred at work. OEFI will also report the serious illness to Cal/OSHA whether or not COVID-19 has actually been diagnosed. Finally, OEFI will report the serious illness to Cal/OSHA if it results in in-patient hospitalization for treatment and if there is substantial reason to believe that the employee was exposed in their work environment.

Similarly, OEFI shall make the appropriate reports to Nevada OSHA as required regarding COVID-19 serious illnesses or death of employees from the Las Vegas office.

**15. General Questions and Modification to this Plan**

Given the fast-developing nature of the COVID-19 outbreak, OEFI may modify this Plan as required to comply with all relevant orders and guidance. If you have any questions concerning this Plan, please contact Michael De Chellis, Operating Engineers Funds, Inc., COVID-19 Compliance Officer, at (626) 356-1079, or by email at [mdechellis@oefi.org](mailto:mdechellis@oefi.org).

Date: July 29, 2021

Operating Engineers Funds, Inc.

By:   
\_\_\_\_\_  
Michael De Chellis, Assistant Fund Manager, COO, and  
COVID-19 Compliance Officer

**Appendix A: Identification of COVID-19 Hazards**

All persons, regardless of symptoms or negative COVID-19 test results, will be considered potentially infectious. Particular attention will be paid to areas where people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not. For example: meetings, entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.

Evaluation of potential workplace exposure will be to all persons at the workplace or who may enter the workplace, including coworkers, employees of other entities, members of the public, customers or clients, and independent contractors. We will consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing fixed work locations.

**Person conducting the evaluation:** \_\_\_\_\_

**Location of evaluation (Pasadena or Las Vegas):** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Name(s) of employee and authorized employee representative that participated (if any):**

<b>Interaction, area, activity, work task, process, equipment and material that potentially exposes employees to COVID-19 hazards</b>	<b>Places and times</b>	<b>Potential for COVID-19 exposures and employees affected, including members of the public and employees of other employers</b>	<b>Existing and/or additional COVID-19 prevention controls, including barriers, partitions and ventilation</b>

## Appendix B: COVID-19 Inspections

Date: \_\_\_\_\_

Name of person conducting the inspection: \_\_\_\_\_

Work location evaluated: \_\_\_\_\_

Exposure Controls	Status	Person Assigned to Correct	Date Corrected
<b>Engineering</b>			
Barriers/partitions			
Ventilation (amount of fresh air and filtration maximized)			
Additional room air filtration			
<b>[add any additional controls your workplace is using]</b>			
<b>[add any additional controls your workplace is using]</b>			
<b>Administrative</b>			
Physical distancing			
Surface cleaning and disinfection (frequently enough and adequate supplies)			
Hand washing facilities (adequate numbers and supplies)			
Disinfecting and hand sanitizing solutions being used according to manufacturer instructions			
<b>[add any additional controls your workplace is using]</b>			
<b>PPE</b> (not shared, available and being worn)			
Face coverings (cleaned sufficiently often)			
Gloves			
Face shields/goggles			
Respiratory protection			
<b>[add any additional controls your workplace is using]</b>			



**Appendix D: COVID-19 Letter to Employee COVID-19 Cases. (This letter should be modified if the COVID-19 is not work related or if the employee receives workers' compensation or disability benefits, or if the employee is from the Las Vegas office.)**

## OPERATING ENGINEERS TRUST FUNDS

I.U.O.E. LOCAL 12 HEALTH & WELFARE / PENSION / VACATION / DCP

PASADENA: 100 CORSON STREET, SUITE 100, PASADENA, CALIFORNIA 91103

LAS VEGAS: 3826 MEADOWS LANE, LAS VEGAS, NEVADA 89107

PHONE: (866) 400-5200 TTY: (626) 356-3582 www.oefi.org

P.O. BOX 7063, PASADENA, CALIFORNIA 91109



[DATE]

Dear [COVID-19 case]:

You recently advised us that you tested positive for [or were diagnosed with] COVID-19 on \_\_\_\_\_. You are hereby instructed to follow the Pasadena Public Health's Emergency Isolation Order (<https://www.cityofpasadena.net/public-health/wp-content/uploads/sites/32/Pasadena-Health-Officer-Blanket-Isolation-Order.pdf?v=1624833603887>), and the Home Isolation Instructions for People with COVID-19 (<http://publichealth.lacounty.gov/acd/ncorona2019/covidisolation>).

You will be unable to return to work at OEFI until your period of self-isolation is over, as set forth in the Instructions and Isolation Order referenced above, and you meet the return-to-work criteria in OEFI's COVID-19 Prevention Plan. Attached is a form you can use to request COVID-19 related paid leave. Please fill the form out and return it to Kelli Magdaleno as soon as possible. However, if you feel you are able to work remotely from your home during your self-isolation period, contact Kelli Magdaleno and we will determine whether such remote work is available to you. You must email nursing @cityofpasadena.net, call 626-744-6089, or fill out the form at <https://healthforms.cityofpasadena.net/v/WorkClearanceForm> to receive return-to-work guidance by the Pasadena Public Health Department before you can return to work.

**[Delete highlighted text below only if the employer can demonstrate that the COVID-19 is not work related or if the employee received disability payments or was covered by workers' compensation and received temporary disability.]** For employees excluded from work due to self-isolation, and for whom remote work is unavailable, OEFI shall continue and maintain your earnings, wages, seniority, and all other employee rights and benefits, including your right to your former job status, as if you had not been removed from their job. OEFI may use employer-provided employee sick leave for this purpose to the extent permitted by law. Wages due under this section are subject to existing wage payment obligations and must be paid at your regular rate of pay no later than the regular pay day for the pay period(s) in which you are excluded. Unpaid wages owed in this regard are subject to enforcement through procedures available in existing law.

If OEFI determines that an exception applies, it shall inform you of the denial and the applicable exception. You may be entitled to various COVID-19-related benefits under applicable federal, state, or local laws. This includes any benefits available under legally mandated sick and vaccination leave, if applicable, workers' compensation law, local governmental requirements, OEFI's own leave policies, leave guaranteed by contract (if any), and leave under OEFI's COVID-19 Prevention Plan. Please contact Kelli Magdaleno for information in this regard. You may also be entitled to disability benefits through California's Employment Development Department, which can be reached at [edd.ca.gov/](http://edd.ca.gov/).

Generally, a "close contact" is any of the following people who were exposed to you while you were infectious:

- a. Any person who was within 6 feet of you for a cumulative total of 15 minutes or more over a 24-hour period.
- b. Any person who had unprotected contact with your body fluids and/or secretions. For example, you coughed or sneezed on them, or you shared utensils or a cup with them.

You are considered to be infectious (you can spread COVID-19 to others) from 2 days before your symptoms first appeared until your home isolation ends. If you tested positive for COVID-19 but never had any symptoms, you are considered to be infectious from 2 days before your test was taken until 10 days after your test.

If we have not done so already, we will be contacting you as part of our analysis to determine the identities of your close contacts. Please notify me if you begin to suffer any symptoms of COVID-19, such as cough, fever, chills, shortness of breath, difficulty breathing, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion, runny nose, nausea, vomiting, or diarrhea. Information regarding your symptoms is relevant to both the analysis of close contacts and the timing of your return to work.

We suggest you contact your health care provider for further guidance, especially if you develop symptoms of respiratory illness (fever and cough or shortness of breath).

Please note that all information, including the name(s) of confirmed cases of COVID-19 or close contacts of confirmed COVID-19 cases, shared regarding any public health investigation will be kept confidential to the extent reasonably practicable to protect patient and employee privacy.

Ensuring that you and our office is safe is of greatest importance to us. For additional questions about COVID-19 in Pasadena, please visit Pasadena's COVID-19 webpage at <http://www.cityofpasadena.net/covid-19/>.

The OEFI will not discriminate or retaliate against you for disclosing a COVID-19 positive test or diagnosis, or an order to quarantine or isolate.

If you have any questions or concerns, please contact me directly by telephone at (626) 356-1079, or by email at [mdechellis@oefi.org](mailto:mdechellis@oefi.org).

Sincerely,

Michael De Chellis  
Operating Engineers Funds, Inc.  
COVID-19 Compliance Officer

[cc: Applicable Local Unions]

**Appendix E: Investigating COVID-19 Cases**

All personal identifying information of COVID-19 cases or symptoms will be kept confidential to the extent required by applicable law.

**Date:** \_\_\_\_\_

**Name of person conducting the investigation:** \_\_\_\_\_

<b>Employee (or non-employee*) name:</b>		<b>Occupation (if non-employee, why they were in the workplace):</b>	
<b>Location where employee worked (or non-employee was present in the workplace):</b>		<b>Date investigation was initiated:</b>	
<b>Was COVID-19 test offered?</b>		<b>Name(s) of staff involved in the investigation:</b>	
<b>Date and time the COVID-19 case was last present in the workplace:</b>		<b>Date of the positive or negative test and/or diagnosis:</b>	
<b>Date the case first had one or more COVID-19 symptoms:</b>		<b>Information received regarding COVID-19 test results and onset of symptoms (attach documentation):</b>	

<b>Results of the evaluation of the COVID-19 case and all locations at the workplace that may have been visited by the COVID-19 case during the high-risk exposure period, and who may have been exposed (attach additional information):</b>	
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

<b>Notice given (within one business day, in a way that does not reveal any personal identifying information of the COVID-19 case) of the potential COVID-19 exposure to:</b>		
<b>All employees who may have had COVID-19 exposure and their authorized representatives.</b>	<b>Date:</b>	
	<b>Names of employees that were notified:</b>	
<b>Independent contractors and other employers present at the workplace during the high-risk exposure period.</b>	<b>Date:</b>	
	<b>Names of individuals that were notified:</b>	

**Notice given (within one business day, in a way that does not reveal any personal identifying information of the COVID-19 case) of the potential COVID-19 exposure to:**

<p><b>What were the workplace conditions that could have contributed to the risk of COVID-19 exposure?</b></p>		<p><b>What could be done to reduce exposure to COVID-19?</b></p>	
<p><b>Was local health department notified?</b></p>		<p><b>Date:</b></p>	

\*Should an employer be made aware of a non-employee infection source COVID-19 status.

## *Appendix F: Close Contact Assessment Form*

After a COVID-19 case is confirmed in the workplace, it is important that an exposure assessment be performed as soon as possible to identify who may be a close contact.

This assessment requires an evaluation of the activities of the COVID-19 case and all locations at the workplace that may have been visited by the COVID-19 case during the high-risk exposure period.

This form and the below list of questions is provided to help get you started and guide you in conducting the close contact assessment. You should modify the list as appropriate for your workplace.

**“Close contact”** means being within six feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the “high-risk exposure period” defined by this section. This definition applies regardless of the use of face coverings.

EXCEPTION: Employees have not had a close contact if they wore a respirator required by the employer and used in compliance with CCR Title 8 section 5144, whenever they were within six feet of the COVID-19 case during the high-risk exposure period.

**“High-risk exposure period”** means the following time period: (1) For COVID-19 cases who develop COVID-19 symptoms: from two days before they first develop symptoms until all of the following is true: it has been 10 days since symptoms first appeared, 24 hours have passed with no fever, without the use of fever-reducing medications, and symptoms have improved; or (2) For COVID-19 cases who never develop COVID-19 symptoms: from two days before until 10 days after the specimen for their first positive test for COVID-19 was collected.

### **PRELIMINARY INFORMATION**

Person conducting assessment: \_\_\_\_\_

Interview Date: \_\_\_\_\_

Time of interview: \_\_\_\_\_

Worksite Location: \_\_\_\_\_

Employee Name: \_\_\_\_\_

Employee Position: \_\_\_\_\_

Employee Supervisor: \_\_\_\_\_

Best contact number to reach employee: \_\_\_\_\_

Does employee have COVID-19 symptoms? \_\_\_\_\_

Date that employee notified OEFI: \_\_\_\_\_

Date of COVID-19 test: \_\_\_\_\_

Date of COVID-19 test results: \_\_\_\_\_

**SAMPLE QUESTIONS FOR COVID-19 CASE / CONDUCTING EXPOSURE  
ASSESSMENT**

*\*The below are questions assuming symptoms are present. Modify for asymptomatic cases, as needed.*

- 1.) Have you been tested for COVID-19, and if so, what was the result [and/or have you been diagnosed with COVID-19]?
  - Date of the test/diagnosis?
  - Do you have any symptoms of COVID-19?
  - When did you first have symptoms for COVID-19?
- 2.) What days have you worked or attended school or other activities at the OEFI, during the period starting 2 days prior to your coronavirus symptoms first starting, through today?
- 3.) Who else was within 6 feet of you at the OEFI, during the period starting 2 days prior to your coronavirus symptoms first starting, through today?
- 4.) Were any of the people identified above within 6 feet of you for longer than 15 minutes at a time?
- 5.) If the answer is no, have you had close physical contact or actual physical contact with any employees at the OEFI during the period starting 2 days prior to your coronavirus symptoms first starting, through today?
  - If so, who?
- 6.) Do you remember coughing or sneezing on or near anyone at the OEFI, during the period starting 2 days prior to your coronavirus symptoms first starting, through today?
- 7.) Did you share or exchange any items (tools, water bottles, pens, etc.) with anyone at the OEFI during the time period identified above?
- 8.) Did you carpool to work or school with anyone during the time period identified above?
- 9.) Where did you eat your lunch during the time period identified above?
- 10.) Where did you take your rest breaks during the same period?
- 11.) Did you ever eat lunch at the same table or within 6 feet of someone else during the same time period?

Did you share any food or utensils with this person?

- 12.) Have you participated in any meetings or gathered in a location with multiple people at the OEFI, during the time period identified above?
- Where did the meeting take place?
  - Who attended those meetings?
  - How long was the meeting?
- 13) How and where do you think you contracted COVID-19? From a social event? Friend or family member? At the workplace?

**[Insert other questions that may assist in your exposure assessment]**

## Appendix G

**COVID-19 Notification Letter to Close Contact: To be sent within one business day to all employees (and the employers of subcontracted employees) with close contact to the COVID-19 case, with copies to relevant union(s). (This letter should be modified if the close contact is not work related (re: no cost testing and maintenance of earnings and benefits, or if the close contact or employee relates to the Las Vegas office).**

# OPERATING ENGINEERS TRUST FUNDS

I.U.O.E. LOCAL 12 HEALTH & WELFARE / PENSION / VACATION / DCP

PASADENA: 100 CORSON STREET, SUITE 100, PASADENA, CALIFORNIA 91103

LAS VEGAS: 3826 MEADOWS LANE, LAS VEGAS, NEVADA 89107

PHONE: (866) 400-5200 TTY: (626) 356-3582 www.oefi.org

P.O. BOX 7063, PASADENA, CALIFORNIA 91109



[DATE]

Dear,

Dear [close contact of COVID-19 case],

We would like to inform you that we have recently received information about a confirmed case of COVID-19 in at least one employee at the offices of the Operating Engineers Funds, Inc. (“OEFI”) in Pasadena. That employee was instructed to self-isolate, and will not be allowed to return to work at the OEFI until their self-isolation period ends and OEFI’s return to work criteria has been met. The last date the COVID-19 case worked at our offices was \_\_\_\_\_. Please note that pursuant to applicable law, we will not disclose the identity of the COVID-19 case in order to protect his or her privacy.

Based on our investigation, we believe you were a “close contact” of the COVID-19 case. Generally, a “close contact” is any of the following people who were exposed to a COVID-19 case while that person was infectious:

- a. Any person who was within 6 feet of the COVID-19 case for a cumulative total of 15 minutes or more over a 24-hour period; or
- b. Any person who had unprotected contact with a COVID-19 case’s body fluids and/or secretions. For example, a COVID-19 case coughed or sneezed on you, or you shared utensils or a cup with them.

A COVID-19 case is considered to be infectious from 2 days before the COVID-19 case’s symptoms first appeared until their home isolation ends. If a COVID-19 case tested positive for COVID-19 but never had any symptoms, the COVID-19 case is considered to be infectious from 2 days before his or her test was taken until 10 days after the test was taken.

Unless one of the following exceptions set forth below applies, you are excluded from the workplace: (1) If you were fully vaccinated before the close contact and you do not develop COVID-19 symptoms; or (2) If you have returned to work after you previously tested positive for COVID-19 or were diagnosed with COVID-19, and have remained free of COVID-19 symptoms for 90 days after the initial onset of COVID-19 symptoms, or for COVID-19 cases who never developed COVID-19 symptoms, for 90 days after the first positive test.

Therefore, unless one the foregoing exceptions applies, please do not return to work at OEFI and immediately begin to self-quarantine for at least 10 days from \_\_\_\_\_, to prevent spreading the illness to new persons. See, Pasadena Public Health Emergency Quarantine Order (<https://www.cityofpasadena.net/public-health/wp-content/uploads/sites/32/Pasadena-Health-Officer-Blanket-Quarantine-Order.pdf?v=1624833972991> ), and the Home Quarantine Instructions for Close Contacts to COVID-19 (<http://publichealth.lacounty.gov/acd/ncorona2019/covidquarantine/> ).

Employee “close contacts” (not subject to either exception) who remain symptom-free will be excluded from OEFI for 10 days after the last known COVID-19 exposure to a COVID-19 case (or for any different period of time required by applicable law or regulation), even if they receive a negative test result during their quarantine period. If an order to isolate or quarantine an employee is issued by a local or state health official, the employee will not return to work at OEFI until the period of isolation or quarantine is completed or the order is lifted. In order to return to work, you must meet the return-to-work criteria the OEFI’s COVID-19 Prevention Plan.

For employees who are excluded from the OEFI per the above, but who are able to work despite their COVID-19 status, the OEFI will consider whether remote work opportunities are available.

Attached is a form you can use to request COVID-19 related paid leave. If you would like to request COVID-19 related paid leave, please fill out and return the form as soon as possible to Kelli Magdaleno at [kmagdaleno@oefi.org](mailto:kmagdaleno@oefi.org).

[Delete highlighted text below only if the employer can demonstrate that the close contact is not work related] For employees excluded from work at the OEFI per the above, and for whom remote work is unavailable, the OEFI shall continue and maintain your earnings, wages, seniority, and all other employee rights and benefits, including your right to your former job status, as if you had not been removed from your work duties at the OEFI. The OEFI may use employer-provided employee sick leave for this purpose to the extent permitted by law. Wages due under this section are subject to existing wage payment obligations and must be paid at your regular rate of pay no later than the regular pay day for the pay period(s) in which you are excluded. Unpaid wages owed in this regard are subject to enforcement through procedures available in existing law. If OEFI determines that an exception applies, it shall inform you of the denial and the applicable exception. You may be entitled to various COVID-19-related benefits under applicable federal, state, or local laws. This includes any benefits available under legally mandated sick and vaccination leave, if applicable, workers’ compensation law, local governmental requirements, the OEFI’s own leave policies, leave guaranteed by contract (if any), and leave under the OEFI’s COVID-19 Prevention Plan. Please contact Ms. Magdaleno at [kmagdaleno@oefi.org](mailto:kmagdaleno@oefi.org) or (626) 356-3532 for information in this regard. You may also be entitled to disability benefits or Paid Family Leave through California’s Employment Development Department, which can be reached at [edd.ca.gov/](http://edd.ca.gov/).

All exposed persons should get tested for COVID-19, whether you have symptoms or not. Testing resources can be found through your physician and <https://www.cityofpasadena.net/public-health/covid-19-testing-info/>. Individuals who need assistance finding a medical provider can call the Los Angeles County Information line 2-1-1, which is available 24/7. Check first with your own health care provider, who will likely provide you with such testing free of charge. The OEFI will make COVID-19 testing available at no cost, during paid time, to all employees who had a close contact in the workplace with the following exceptions: (1) employees who were fully vaccinated before the close contact and do not have any symptoms; or (2) COVID-19 cases who returned to work after being previously excluded because they were a COVID-19 case and have remained free of COVID-19 symptoms for 90 days after the initial onset of COVID-19 symptoms or, for COVID-19 cases who never developed symptoms, 90 days after the first positive test. The OEFI will also make COVID-19 testing available at no cost to employees with COVID-19 symptoms who are not fully vaccinated during the employees' paid time. Please notify me or Ms. Magdaleno promptly of your test results.

Please notify us if you begin to suffer any symptoms of COVID-19 (such as cough, fever, chills, shortness of breath, difficulty breathing, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion, runny nose, nausea, vomiting, or diarrhea). If you develop such symptoms or you test positive for COVID-19, you should begin self-isolation, notify us, and contact your health care provider. (See, Pasadena Public Health Emergency Isolation Order (<https://www.cityofpasadena.net/public-health/wp-content/uploads/sites/32/Pasadena-Health-Officer-Blanket-Isolation-Order.pdf?v=1612987591003>), and the Home Isolation Instructions for People with COVID-19 (<http://publichealth.lacounty.gov/acd/ncorona2019/covidisolation>)).

Please note that all information, including the name(s) of confirmed cases of COVID-19 or close contacts of confirmed COVID-19 cases, shared regarding any public health investigation will be kept as confidential as reasonably practicable to protect patient and employee privacy.

OEFI will not discriminate or retaliate against you for disclosing a COVID-19 positive test or diagnosis, or an order to quarantine or isolate.

Cleaning and disinfecting of the exposed locations per the CDC's guidance has been completed or will be completed no later than \_\_\_\_\_.

If you have any questions or concerns, please contact me directly by telephone at (626) 356-1079, or by email at [mdechellis@oefi.org](mailto:mdechellis@oefi.org).

Sincerely,

Michael De Chellis  
Operating Engineers Funds, Inc.  
COVID-19 Compliance Officer

[cc: Applicable Local Unions]

## Appendix H

**COVID-19 General Notification Letter: To be sent within one business day to non-close contacts who were on the premises at the same worksite as the COVID-19 case during the infectious period, with copies to relevant union(s). This letter should be modified if it relates to the Las Vegas office.**

# OPERATING ENGINEERS TRUST FUNDS

I.U.O.E. LOCAL 12 HEALTH & WELFARE / PENSION / VACATION / DCP

PASADENA: 100 CORSON STREET, SUITE 100, PASADENA, CALIFORNIA 91103

LAS VEGAS: 3826 MEADOWS LANE, LAS VEGAS, NEVADA 89107

PHONE: (866) 400-5200 TTY: (626) 356-3582 www.oefi.org

P.O. BOX 7063, PASADENA, CALIFORNIA 91109



[DATE]

Dear,

Dear [employee],

We would like to inform you that we have recently received information about a confirmed case of COVID-19 in at least one employee at the offices of the Operating Engineers Funds, Inc. (“OEFI”) in Pasadena. That employee (the “COVID-19 case”) was instructed to self-isolate, and will not be allowed to return to work at the OEFI until their self-isolation period ends and OEFI’s return-to-work criteria has been met. The last date the COVID-19 case worked at our offices was \_\_\_\_\_. Please note that pursuant to applicable law, we will not disclose the identity of the employee with COVID-19 in order to protect his or her privacy.

We will promptly conduct an investigation and separately provide written notification to any employee that we believe would likely qualify as a “close contact” of the COVID-19 case. Generally, a “close contact” is any of the following people who were exposed to a COVID-19 case while that person was infectious:

- a. Any person who was within 6 feet of the COVID-19 case for a cumulative total of 15 minutes or more over a 24-hour period; or
- b. Any person who had unprotected contact with a COVID-19 case’s body fluids and/or secretions. For example, a COVID-19 case coughed or sneezed on you, or you shared utensils or a cup with them.

A COVID-19 case is considered to be infectious from 2 days before the COVID-19 case symptoms first appeared until their home isolation ends. If a COVID-19 case tested positive for COVID-19 but never had any symptoms, the COVID-19 case is considered to be infectious from 2 days before his or her test was taken until 10 days after the test was taken. Any confirmed

close contact will be advised to self-quarantine for 10 days from their last exposure to the COVID-19 case to prevent illness spreading to others.

Based on the information we have at this time, we do not believe that you were a close contact of the COVID-19 case.

Cleaning and disinfecting of the exposed locations per the CDC's guidance has been completed or will be completed no later than \_\_\_\_\_.

As the COVID-19 situation in our country and our community is developing quickly, we urge you to take necessary precautions to limit coronavirus spread in our community.

### **How You Can Help**

You should report to work pursuant to your regular schedule. Please continue to take the precautions that we have implemented very seriously. **Stay home when you are sick.** Anyone with symptoms consistent with COVID-19 should remain at home in isolation for the required self-isolation time period.

- Wash your hands often with soap and water for at least 20 seconds. Sing the Happy Birthday song to help know when it has been 20 seconds. If soap and water are not available, use alcohol-based hand sanitizers that contain at least 60% alcohol.
- Cover your coughs and sneezes with a tissue, and then dispose of the tissue and clean your hands immediately. If you do not have a tissue, use your sleeve, not your hands, to cover your coughs and sneezes.
- Limit close contact with people who are sick, and avoid sharing food, drinks, or utensils.
- Clean and disinfect frequently touched objects and surfaces using a regular household cleaning spray or wipes.
- All staff must wear a mask or face covering while at work if you are unvaccinated.

You may be entitled to various COVID-19-related benefits under applicable federal, state, or local laws. This includes any benefits available under legally mandated sick and vaccination leave, if applicable, workers' compensation law, local governmental requirements, the OEFI's own leave policies, leave guaranteed by contract (if any), and leave under OEFI's COVID-19 Prevention Plan. Please contact Ms. Magdaleno at [kmagdaleno@oefi.org](mailto:kmagdaleno@oefi.org) or (626) 356-3532 for information in this regard. You may also be entitled to disability benefits or Paid Family Leave through California's Employment Development Department, which can be reached at [edd.ca.gov/](http://edd.ca.gov/).

You may decide to get tested for COVID-19, whether you have symptoms or not. Testing resources can be found through your physician and <https://www.cityofpasadena.net/public-health/covid-19-testing-info/>. Individuals who need assistance finding a medical provider can call the Los Angeles County Information line 2-1-1, which is available 24/7. Check first with your own health care provider, who will likely provide you with such testing free of charge. OEFI will make COVID-19 testing available at no cost to employees with COVID-19 symptoms who are not

fully vaccinated during the employees' paid time. Please notify me or Ms. Magdaleno promptly of your test results.

Please notify us if you begin to suffer any symptoms of COVID-19 (such as cough, fever, chills, shortness of breath, difficulty breathing, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion, runny nose, nausea, vomiting, or diarrhea). If you develop such symptoms or you test positive for COVID-19, you should begin self-isolation, notify us, and contact your health care provider. (See, Pasadena Public Health Emergency Isolation Order (<https://www.cityofpasadena.net/public-health/wp-content/uploads/sites/32/Pasadena-Health-Officer-Blanket-Isolation-Order.pdf?v=1612987591003>), and the Home Isolation Instructions for People with COVID-19 (<http://publichealth.lacounty.gov/acd/ncorona2019/covidisolation>)).

OEFI will not discriminate or retaliate against you for disclosing a COVID-19 positive test or diagnosis, or an order to quarantine or isolate.

If you have any questions or concerns, please contact me directly by telephone at (626) 356-1079, or by email at [mdechellis@oefi.org](mailto:mdechellis@oefi.org).

Sincerely,

Michael De Chellis  
Operating Engineers Funds, Inc.  
COVID-19 Compliance Officer

[cc: Applicable Local Unions]