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COVID-19 Prevention Plan

(Effective November 30, 2022)

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, and were later revised several times (“revised emergency regulations”). OEFI has created this revised COVID-19 Prevention Plan (the “Plan”) to comply with the revised emergency regulations¹ 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. In addition, we have designated Kelli Larson 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.

¹ 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**” depends on the size of the OEFI’s indoor space. Because OEFI’s indoor space is less than 400,000 cubic feet, a close contact is someone who shares the same indoor space with a COVID-19 case for a cumulative total of 15 minutes or more over a 24-hour period during the COVID-19 case’s infectious period. However, spaces that are separated by floor-to-ceiling walls (e.g. offices, suites, rooms, waiting areas, bathrooms, or break or eating areas) are considered distinct indoor airspaces under this definition.

“**COVID-19**” (Coronavirus Disease 2019) means the disease caused by SARS-CoV-2 (severe acute respiratory syndrome coronavirus 2).

“**COVID-19 case**” means a person who: (1) Has a positive “COVID-19 test”; 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.

“**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 test for SARS-CoV-2 that is: (1) Cleared, approved, or authorized, including an Emergency Use Authorization (EUA) by the United States Food and Drug Administration (FDA) to diagnose current infection with the SARS-CoV-2 virus (e.g. a viral test); (2) Administered in accordance with the authorized instruction; and (3) To meet the return to work criteria as set forth below, a COVID-19 test may be both self-administered and self-read only if another means of independent verification of the results can be provided (e.g. a time-stamped photograph of the results)..

“**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 infectious 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 infectious 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 that completely covers the nose and mouth and is secured to the head with ties, ear loops, or elastic bands that go behind the head. If gaiters are worn, they shall have two layers of fabric or be folded to make two layers. A face covering is a solid piece of material without slits, visible holes or punctures, and must fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face.. A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.

This definition includes clear face coverings or cloth face covering with a clear plastic panel that otherwise meet this definition and which may be used to facilitate communication with people who are deaf or are hard-of-hearing or others who need to use a speaker’s mouth or facial expressions to understand speed or sign language respectively.

“Infectious period” means the following time period, unless otherwise defined by CDPH regulations or order, in which case the CDPH definition shall apply:: (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.

“Returned case” means a COVID-19 case who returned to work after being excluded because they were a COVID-19 case, and did not develop any COVID-19 symptoms after returning. A person shall be considered a returned case for 90 days after the initial onset of COVID-19 symptoms, or if the person never developed COVID-19 symptoms, for 90 days after the first positive test. If a period other than 90 days is required by a CDPH regulation or order, that period shall apply.

“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 infectious period. It does not apply to buildings, floors, or other locations of the

employer that a COVID-19 case did not enter, locations where the worker worked by themselves without exposure to other employees, or to a worker’s personal residence or alternative work location chosen by the worker when working remotely.. 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 as recommended by Cal/OSHA, the CDC, the California Department of Public Health (“CDPH”), the Pasadena Public Health Department, and other agencies to protect against COVID-19. All employees must follow these practices, and abide by all provisions of this Plan. In addition, all employees are expected to report to Kelli Larson, 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, the following:

- 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, or other COVID-19 symptoms, 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.

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:

- Encouraging 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.
- Encouraging employees to report possible close contacts, and any potential COVID-19 hazards they see at the workplace, again without fear of reprisal.
- Explaining 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.
- Informing 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.)

- Providing information as to how employees can get tested for COVID-19, voluntarily through health plans or local testing centers (not paid for by OEFI).
 - Employees should first contact their Primary Care Physician and request a COVID-19 test;
 - If requested, employees will be offered assistance in locating a testing site;
- Providing 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. For more details re: workplace exclusion, see *Exclusion of COVID-19 Cases* and *Return to Work* sections 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.
- For indoor locations, the OEFI shall evaluate how to maximize ventilation with outdoor air to the highest level of filtration compatible with the existing ventilation system; and whether the use of portable or mounted High Efficiency Particulate (“HEPA”) filtration units, or other air cleaning systems, would reduce the risk of COVID-19 transmission.
- 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 when 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:

Wearing a well-fitted highly protective face covering is strongly recommended (but not required), especially when indoors.

OEFI will post clearly visible and easy-to-read signage at entry points for indoor and outdoor settings to communicate any masking requirements to all employees and visitors.

Upon request, OEFI will provide clean, undamaged face coverings to employees at no cost, regardless of vaccination status, for voluntary use while working on the premises. Upon request, the Company will provide its employees who work indoors and in close contact with others with a well-fitting medical grade mask, surgical mask, or higher level respirator, such as a N95 filtering respirator or KN95 face covering.

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 or local health authority.

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.

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

- When an employee is alone in a room or vehicle.
- While eating or drinking at the workplace.
- When 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, 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. If their condition or disability does not permit a non-restrictive alternative, the employee shall be tested at least weekly for COVID-19. This testing will be during paid time and at no cost to the employee.
- While performing 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. Any such employee not wearing a face covering pursuant to this exception shall be tested at least weekly for COVID-19. This testing will be during paid time and at no cost to the employee.

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 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, except for returned cases.

OEFI will offer testing free of charge and during work hours to any employees who need a test to keep working or to return to work sooner (after Day 5) when in isolation.

During a COVID-19 outbreak or major outbreak, the OEFI will make COVID-19 testing available at no cost during paid time to employees who are part of an exposed group once per week in outbreaks and twice per week in major outbreaks, regardless of vaccination status or whether they are asymptomatic, except for employees who were not present at the workplace during the relevant 14-day period.

OEFI will make COVID-19 testing available at no cost during paid time to employees if required to do so by a local health authority.

Anyone with COVID-19 symptoms, regardless of vaccination status, should get tested for COVID-19 and immediately isolate from others.

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, including but not limited to, any leave available under the 2022 COVID-19 Supplemental Paid Sick Leave law, 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 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 provide effective training and instruction to employees regarding 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. 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.

10. OEFI Preventative Measures

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

- All employees are advised not to come to work if they have COVID-19 symptoms, and that they should get a COVID-19 test and consult with their healthcare provider.
- 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.
- 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, and timely receive all booster shots when eligible.
- 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 4th floor and its adjoined balcony. The 4th 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 4th 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.

11. Exclusion of COVID-19 Cases

A. COVID-19 Cases:

In order to limit COVID-19 transmission in the workplace, the OEFI will ensure that COVID-19 cases are excluded from the workplace to self-isolate until the return-to-work requirements (see next section) are met.

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 law. 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.

B. Close Contacts:

The OEFI shall review current applicable guidance for persons who had close contacts, including any guidance regarding quarantine or other measures to reduce transmission. The OEFI has developed, implemented, and maintained effective policies to prevent the prevention of COVID-19 by persons who had close contacts. Currently, consistent with CDPH, CDC, and local health

department guidance, **asymptomatic close contact employees are not required to quarantine and are not excluded from work at OEFI**, but they are required to:

- Wear a highly protective face covering, when around others indoors and when in close contact with (within 6 feet of) others outdoors, for a total of 10 days after the last contact with a person infected with COVID-19. The mask should be a well-fitting medical mask, a well-fitting respirator, or a well-fitting high filtration reusable mask with a nose-wire; and
- Test as soon as possible (within 3-5 days after the close contact's last exposure) to determine their infection status. **If the close contact tests positive, they will be considered a COVID-19 case and will be excluded from work and will not be allowed to return to OEFI until the return-to-work criteria set forth below has been met; and**
- Monitor themselves for symptoms for 10 days following their exposure. If symptoms develop, they must test and stay home away from others. **If the close contact tests positive, they will be considered a COVID-19 case and they will be excluded from work and will not be allowed to return to OEFI until the return-to-work criteria set forth below has been met.**

12. Return-to-Work Criteria

A. COVID-19 Cases:

Includes employees diagnosed with COVID-19, or those who tested positive for COVID-19 even with a self-administered COVID-19 test, or those whose healthcare provider thinks they might have COVID-19.

- (1) Employee COVID-19 cases from the Pasadena office who **have/had COVID-19 symptoms** will not return to work and must isolate until **all** the following have occurred:
 - At least 5 days have passed since the COVID-19 symptoms first appeared (i.e. on day 6); and
 - The COVID-19 symptoms are not present or are significantly improved and resolving; and
 - The COVID-19 case is fever-free without the use of fever reducing medications for at least 24 hours; and
 - The COVID-19 case has a negative COVID-19 viral test result from a specimen collected on Day 5 or later. (Day 0 is the first day of symptoms. Day 1 is the first full day after symptoms developed).

OR

- At least 10 days have passed since the COVID-19 symptoms first appeared (i.e. on Day 11); and

- The COVID-19 symptoms are not present or are significantly improved and resolving; and
 - The COVID-19 case is fever-free without the use of fever reducing medications for at least 24 hours.
- (2) Employee COVID-19 cases from the Pasadena office who **never developed COVID-19 symptoms**, will not return to work and must isolate until all of the following have occurred:
- At least 5 days have passed since the positive COVID-19 viral test result was taken (i.e on Day 6); and
 - The COVID-19 case has remained free of symptoms; and
 - The COVID-19 case has a negative COVID-19 viral test result from a specimen collected on Day 5 or later. (Day 0 is the first day the positive test specimen was collected. Day 1 is the first day after the positive test was collected.)
- OR**
- 10 days have passed since the positive COVID-19 viral test result was taken (i.e. on Day 11).

However, if the COVID-19 case from the Pasadena office develops symptoms while isolated, the COVID-19 case must follow the return to work criteria and isolate as described in subparagraph (1) above.

- (3) To clarify, if an employee referenced in subparagraph (1) or (2) above is unable to test or chooses not to test, and symptoms are not present or are significantly improved and resolving, the employee can return to work on Day 11.
- (4) To clarify, if fever remains present, the COVID-19 case may not return to work and must isolate until the fever resolves without the use of fever resolving medications.
- (5) If an employee meets the criteria to end isolation before day 11, it is required that they wear a highly protective face covering around others, especially in indoor settings, for a total of 10 days after the positive COVID-19 viral test or the first full day after symptoms developed.
- (6) Subsections (1) through (5) above apply regardless of vaccination status, previous COVID-19 infection, previous exclusion from work, or other precautions were taken in response to an employee's close contact or membership in an exposed group.

Note: if an employee with symptoms of possible COVID-19 does not get tested and does not get cleared by a healthcare provider, they will be assumed to be a COVID-19 case and will be required to follow the return to work criteria and isolation instructions set forth in subsection (1) above.

- (7) For employees from the Nevada office, per current CDC guidance, COVID-19 cases with symptoms can end isolation after day 5 if the employee’s symptoms are improving and they are fever-free without the use of fever-reducing medication. If the employee had moderate illness (experienced shortness of breath or had difficulty breathing) or severe illness (hospitalized), or has a weakened immune system, the employee must isolate through day 10. For severe illness, employee should consult doctor before ending isolation, and ending isolation without a negative viral test may not be an option. If the COVID-19 case is asymptomatic and remains asymptomatic, the employee can end isolation after day 5 (and no negative test is required).

B. Close Contacts:

As indicated in the preceding section, asymptomatic close contacts are not required to quarantine and are not required to be excluded from work at the OEFI per the current CDPH, CDC, and local health department guidance.

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 until the period of isolation or quarantine is completed, or the order is lifted. If no period was specified, then the applicable time periods set forth above will apply.

13. 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 infectious 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 close contacts of the COVID-19 case who are: employees on the premises at the same worksite as the COVID-19 case during the infectious period and independent contractors and other employers on the premises at the same worksite during the infectious period.
- Provide the notice required by Labor Code section 6409.6(a)(2) and (c) to the authorized representative of the COVID-19 case and any employee who was on the premises at the same worksite as the COVID-19 case during the high-risk exposure period.

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

On or after January 1, 2023, the notification to employees may instead be through the prominent display of a notice which will be displayed in all places where notices to employees concerning workplace rules or regulations are customarily posted. The notice will be posted within one business day from when the Company is notified of the potential COVID-19 exposure and will remain posted for not less than 15 calendar days. The notice will provide the dates on which the COVID-19 case was on the worksite premises within the infectious period; the location of the exposure including the department, floor, building or other area (but this does not need to be so specific as to allow individual workers to be notified; contact information for employees to receive notification regarding COVID-19 related benefits to which the employee may be entitled under applicable federal, state, or local laws, as well as antiretaliation and antidiscrimination protections of the employee; and contact information for employees to receipt the cleaning and disinfection plan the employer is implementing. OEFI will keep a log of all dates the required notice was posted at each worksite. **See Appendix I: Posted Exposure Notice.**

In addition, 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 non-close contacts who are: 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 the COVID-19 case and any employee who was on the premises at the same worksite as the COVID-19 case during the high-risk exposure period.

OEFI will use **Appendix H: General Notification Letter**, or a similar letter, in that regard. Alternatively, on or after January 1, 2023, the notification to employees may instead be through the Posted Exposure Notice (See **Appendix I**).

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; face coverings/respirator requirements; exclusion of COVID-19 cases; required notices to employees; investigation of workplace COVID-19 illness; investigation, review and hazard correction; consideration of implementation of physical distancing; 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, including its regulations concerning the issues referenced above, and any other control measures deemed necessary by Cal/OSHA.

14. Reporting, Recordkeeping, and Access

The OEFI will:

- OEFI will notify the Pasadena Public Health Department of all clusters of 3 or more cases of COVID-19 in an office or other pre-defined or identifiable group (i.e., team, role, meetings, etc.) who were on-site at any point within the 14 days prior to illness onset dates, for so long as such notifications are required. Cases include employees and visitors with confirmed COVID-19. OEFI will submit this information to the Pasadena Public Health Department using the COVID-19 Case and Contact Line List for Businesses and Initial Case Report. Secure (encrypted) online email via c19worksites@cityofpasadena.net, which is the preferred method for notifying the Pasadena Public Health Department of COVID-19 exposures. All clusters with information for the cases will be reported no later than one business day of being notified of the third, or last, case in the cluster. If needed, additional time may be requested. 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.

15. 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.

16. 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.

Date: November 30, 2022

OPERATING ENGINEERS FUNDS, INC.

By: Michael De Chellis
Michael De Chellis, Fund Manager,
and COVID Compliance Officer