

Tectonic Engineering

Airborne Infectious Disease Exposure Prevention Plan

in accordance with the

NY HERO Act

Version 1.0 (August 2021)

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I. PURPOSE

The purpose of this Airborne Infectious Disease Exposure Prevention Plan (“Plan”) is to protect employees against exposure and disease during an airborne infectious disease outbreak. This Plan goes into effect when an airborne infectious disease is designated by the New York State Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to public health. This Plan is subject to any additional or greater requirements arising from a declaration of a state of emergency due to an airborne infectious disease, as well as any applicable federal standards.

II. GENERAL PROVISIONS

This Plan shall apply to:

- All **Tectonic Engineering** worksite locations in New York State
- Only an airborne infectious agent or disease designated by the Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to the public health.

This Plan does not supersede any requirements set forth by state and / or federal agencies related to preventing the spread of an airborne infectious agent or disease. A copy of the New York State Department of Labor’s NY HERO Act Airborne Infectious Disease Exposure Prevention Standard upon which this Plan is based is included in **Appendix A**.

III. RESPONSIBILITIES

This Plan applies to all employees of **Tectonic Engineering** and all its work locations in New York State.

Supervisory Personnel must:

- Oversee the implementation and activation of this Plan during a designated airborne infectious disease outbreak;
- Provide the leadership and resources needed for effective implementation;
- Assign responsibilities to employees;
- Hold employees accountable for their roles and responsibilities outlined in this Plan;
- Set a good example by following the required rules and practices set forth in this Plan upon activation; and

- Review any formal reports of violations of this Plan made by employees in accordance with Section 218-b of the Labor Law and the Retaliation Protections section (Section VIII) of this Plan.

Employees must:

- Familiarize themselves with the contents of this Plan;
- Use all required safety devices and personal protective equipment (PPE) when required;
- Follow all guidelines set forth in this Plan upon activation; and
- Report any violations of this Plan to management without fear of reprisal or retribution (as per Section 218-b of the Labor Law and the Retaliation Protection section (Section VII) of this Plan.

This Plan requires commitment to ensure compliance with all Plan elements aimed at preventing the spread of infectious disease. The following individual has been designated as **Tectonic Engineering's** Program Coordinator:

Nicole A. Decker (Human Resource Manager)
(845) 534-5959
ndecke@tectonicengineering.com

This contact information shall be updated in the event replacement Coordinator(s) are assigned.

IV. EXPOSURE CONTROLS DURING AN OUTBREAK

A. Minimum Controls During an Outbreak

During an airborne infectious disease outbreak, the following minimum controls shall be used in all areas of the work location:

1. General Awareness

Individuals may not be aware that they have the infectious disease and can spread it to others. Employees should remember to:

- Limit what they touch;
- Maintain physical distancing;
- Wash hands properly and often;
- Wear face coverings, gloves, and other PPE as appropriate;

- Exercise coughing / sneezing etiquette (ex. cough or sneeze into one's sleeve); and
- Stop social etiquette behaviors such as hugging and hand shaking.

2. “Stay at Home Policy”

If an employee develops symptoms of the infectious disease, the employee should not be in the workplace. The employee should inform the Program Coordinator and follow New York State Department of Health (NYSDOH) and Centers for Disease Control and Prevention (CDC) guidance regarding obtaining medical care and isolating.

3. Health Screening

Employees will be screened for symptoms of the infectious disease at the beginning of their shift. Employees are to self-monitor throughout their shift and report any new or emerging signs or symptoms of the infectious disease to the designated contact. An employee showing signs or symptoms of the infectious disease should be removed from the workplace and should contact a healthcare professional for instructions. The health screening elements shall follow guidance from NYSDOH and CDC guidance, if available.

4. Face Coverings

To protect coworkers, employees shall wear face coverings throughout the workday to the greatest extent possible. Face coverings and physical distancing should be used together whenever possible. The face covering must cover the nose and mouth and fit snugly, but comfortably, against the face. The face covering itself must not create a hazard (e.g., have features could get caught in machinery or cause severe fogging of eyewear). The face coverings must be kept clean and sanitary and changed when soiled, contaminated, or damaged. Relevant workplace posters including proper procedures for removing face coverings are included in **Appendix B**.

5. Physical Distancing

Physical distancing shall be followed as much as feasible. Avoid unnecessary gatherings and maintain a distance of at least six feet (or as recommended by the NYSDOH / CDC for the infectious agent) from each other. Use a face covering when physical distance cannot be maintained.

In situations where prolonged close contact with other individuals is likely, use the following control methods (if applicable):

- Restrict or limit visitor / customer entry;
- Take deliveries through curbside pickup;

- Allow only one person at a time inside small, enclosed spaces with poor ventilation;
- Reconfigure workspaces to achieve safe distances between workers;
- Place physical barriers;
- Create new work shifts or stagger work hours;
- Place signage and floor markers around the workplace;
- Restrict travel;
- Consider telecommuting;
- Conduct meetings remotely;
- Prevent gatherings; and
- Adjust break times and lunch periods.

6. Hand Hygiene

To prevent the spread of infection, employees should wash hands with soap and water for at least 20 seconds or use a hand sanitizer with at least 60% alcohol to clean hands BEFORE and AFTER:

- Touching their eyes, nose, or mouth;
- Touching their mask;
- Entering and leaving a public place; and
- Touching an item or surface that may be frequently touched by other people, such as:
 - Door handles
 - Light switches
 - Handrails
 - Tables
 - Printer controls

- Etc.

Because hand sanitizers are less effective on soiled hands, wash hands rather than using hand sanitizer when your hands are soiled.

7. Cleaning and Disinfection

Please refer to Section V of this Plan (Housekeeping During a Designated Outbreak) for more information.

8. “Respiratory Etiquette”

Because infectious diseases can be spread by droplets expelled from the mouth and nose, employees should exercise appropriate respiratory etiquette by covering their nose and mouth when sneezing, coughing, or yawning.

9. Special Accommodations for Individuals with Added Risk Factors

Some employees, due to age, underlying health condition(s), or other factors, may be at increased risk of severe illness if infected. Please inform your Supervisor or HR Department if you fall within this group and need an accommodation.

B. Advanced Controls During an Outbreak

For activities where the Minimum Controls alone will not provide sufficient protection for employees, additional controls from the following hierarchy may be necessary:

1. Elimination

Tectonic Engineering will make every effort to consider the temporary suspension or elimination of risky activities where adequate controls could not provide sufficient protection for employees.

2. Engineering Controls

Our locations consider appropriate controls to contain and / or remove the infectious agent, prevent the agent from being spread, or isolate workers from the infectious agent. Examples of our engineering controls include:

a. Mechanical Ventilation

i. General Ventilation including but not limited to:

- Dedicated ventilation systems for working areas;

- Increasing the percentage of fresh air introduced into air handling systems;
 - Avoiding air recirculation;
 - Using higher-efficiency air filters in the air handling system;
 - Air purifiers; and
 - Fans (if used in the workplace, they are arranged so that air does not blow directly from one worker to another).
- ii. Natural Ventilation (opening outside windows and doors)
- iii. Installing cleanable barriers such as partitions and / or clear plastic sneeze / cough guards, if applicable
- iv. Changing the workplace layout to avoid areas where employees typically congregate

3. Administrative Controls

Administrative controls are defined as policies and work rules used to prevent exposure. Examples of our administrative controls include:

- Increasing the space between workers;
- Employee training, including cross-training of employees to ensure critical operations can continue during work absence;
- Identifying and prioritizing job functions that are essential for continuous operations;
- Limiting the use of shared workstations, supplies, and tools;
- Disinfecting procedures for specific operations (see Section V for more detailed info);
- Posting signs to remind employees of respiratory etiquette, face coverings, and hand washing;
- Provide additional short breaks for handwashing and cleaning;
- Not shaking out soiled work garments (when applicable);
- Rearrange traffic flow to allow for one-way walking paths (when applicable);

- Providing clearly designated entrances and exits; and
- Establishing employee teams working on the same shift.

4. PPE

PPE are devices such as eye protection, face shields, respirators, and hand protection that protect the wearer from infection. PPE is the last line of defense against a contaminant because it creates a direct barrier between the wearer and the hazard.

PPE will be provided, used, and maintained in a sanitary and reliable condition at no cost to the employee. The PPE provided to an employee will be based on a hazard assessment for the workplace once this Plan is activated. Common examples of PPE that could reasonably be expected to be required include but are not limited to:

- Face coverings / respiratory protection*;
- Face shields;
- Shoe covers;
- Safety glasses / goggles; and
- Gloves.

* The use of respiratory protection (such as an N95 filtering facepiece respirator) requires compliance with the OSHA Respiratory Protection Standard (29 CFR 1910.134) or temporary respiratory protection requirements OSHA allows for during the infectious disease outbreak. Please be advised that respirators with exhalation valves will release exhaled droplets from the respirators. Respirators are designed to protect the wearer. Surgical masks and face coverings, which are not classified as respirators, are designed to protect others, not the wearer.

C. Exposure Control Readiness, Maintenance, And Storage

The controls we have listed above will be obtained, properly stored, and maintained so that they are ready for immediate use in the event of an infectious disease outbreak and any applicable expiration dates will be properly considered.

D. Routes Of Entry

There are 4 routes of entry for a potential contaminant to enter the body: inhalation, ingestion, absorption, and injection / puncture. When planning for an airborne infectious disease outbreak, inhalation and ingestion are the 2 routes of entry that are most commonly associated with exposure and therefore important to recognize and understand.

1. Inhalation

Inhalation involves breathing in a contaminant and having it enter the body through the airways (nose and mouth). The best ways to protect against this type of entry include:

- Proper ventilation;
- Limiting the number of workers in a specific environment; and
- Wearing respiratory protection.

2. Ingestion

Ingestion involves consuming a contaminant through the digestive system. Common ways in which ingestion can bring a contaminant into the body include hand-to-mouth functions (eating, smoking, applying cosmetics, etc.) and exposure can be greatly increased by performing one of those actions without washing or sanitizing one's hands.

The best way to protect against this type of entry is to not perform such actions without first thoroughly washing or sanitizing your hands.

V. HOUSEKEEPING DURING A DESIGNATED OUTBREAK**A. Disinfection Methods and Schedules**

- Objects that are touched repeatedly must be cleaned frequently with an appropriate disinfectant. These areas include but are not limited to:
 - Door handles
 - Light switches
 - Control buttons
 - Dials
 - Levers
 - Water faucet handles
 - Computers
 - Printer Controls
 - Phones

- Tools
- Handrails
- Etc.
- Surfaces that are handled less often, or by fewer individuals, may require less frequent disinfection. The disinfection methods and schedules selected are based on specific workplace conditions.
- The New York State Department of Environmental Conservation (NYSDEC) and the Environmental Protection Agency (EPA) have compiled lists of approved disinfectants that are effective against many infectious agents. More information can be found at the following links:
 - dec.ny.gov
 - epa.gov/pesticide-registration/selected-epa-registered-disinfectants
- Disinfectants will be selected based on NYSDOH and CDC guidance and manufacturer guidance for methods, dilution, use, and contact time will be followed.

B. Adjustments to Normal Housekeeping Procedures

- Normal housekeeping duties and schedules should continue to be followed during an infectious disease outbreak, to the extent practicable and appropriate consistent with NYSDOH and / or CDC guidance in effect at the time. However, routine procedures may need to be adjusted and additional cleaning and disinfecting may be required.
- Housekeeping staff may be at increased risk because they may be cleaning many potentially contaminated surfaces. Some housekeeping activities, like dry sweeping, vacuuming, and dusting, can resuspend into the air particles that are contaminated with the infectious agent. For that reason, we will monitor alternative methods and / or increased levels of protection that may be needed when this Plan is activated.
- Cleaning Logs, a template of which is included in **Appendix C** of this document, may be used to ensure that cleaning and disinfecting are completed at regular intervals to help prevent against the spread of disease.

C. If an employee develops symptoms of the infectious disease at work, their work area will be isolated in accordance with guidance issued by NYSDOH or the CDC before cleaning and disinfecting of the area begins. This delay will allow contaminated droplets to settle out of the air and the space to be ventilated.

- D. As feasible, liners should be used in trash containers. Empty the containers often enough to prevent overfilling. Do not forcefully squeeze the air out of the trash bags before tying them closed. Trash containers may contain soiled tissue or face coverings.

VI. INFECTION RESPONSE DURING A DESIGNATED OUTBREAK

If an actual or suspected infectious disease case occurs at work, take the following actions:

- Instruct the sick individual to wear a face covering and leave the worksite and follow NYSDOH / CDC guidance.
- Follow local and state authority guidance to inform impacted individuals.

VII. TRAINING AND INFORMATION DURING A DESIGNATED OUTBREAK

- A. The Program Coordinator will verbally inform employees of **Tectonic Engineering** of the existence and location of this Plan, the circumstances that can cause it to be activated, the Infectious Disease Standard, employer policies, and employee rights under the HERO Act.
- B. **When this Plan is activated, all personnel will receive training which will cover all elements of this Plan and the following topics:**
- a. The infectious agent and the disease(s) it can cause;
 - b. The signs and symptoms of the disease;
 - c. How the disease can be spread;
 - d. An explanation of this Exposure Prevention Plan;
 - e. The activities and locations at our worksite that may involve exposure to the infectious agent;
 - f. The use and limitations of exposure controls; and
 - g. A review of the Standard, including employee rights provided under Labor Law Section 218-B.
- C. The training shall be:

- a. Provided at no cost to employees and take place during working hours. If training during normal work hours is not possible, employees will be compensated for training time;
 - b. Appropriate in content and vocabulary to employees' educational levels, literacy, and preferred language(s); and
 - c. Verbally provided in person or through telephonic, electronic, or other means.
- Instruct the sick individual to wear a face covering and leave the worksite and follow NYSDOH / CDC guidance.
- Follow local and state authority guidance to inform impacted individuals.

VIII. RETALIATION PROTECTIONS AND REPORTING ANY VIOLATIONS

- **Tectonic Engineering** (employer) or his or her agent, or person acting as or on behalf of a hiring entity, or the officer or agent of any entity, business, corporation, partnership, or limited liability company, shall discriminate, threaten, retaliate against, or take adverse action against any employee for exercising their rights under this plan, including reporting conduct the employee reasonably believes in good faith violates the plan or airborne infectious disease concerns to their employer, government agencies or officials or for refusing to work where an employee reasonably believes in good faith that such work exposes him or her, other workers, or the public to an unreasonable risk of exposure, provided the employee, another employee, or representative has notified the employer verbally or in writing, including electronic communication, of the inconsistent working conditions and the employer's failure to cure or if the employer knew or should have known of the consistent working conditions.
- Notification of a violation by an employee may be made verbally or in writing, and without limitation to format including electronic communications. To the extent that communications between the employer and employee regarding a potential risk of exposure are in writing, they shall be maintained by the employer for two years after the conclusion of the designation of a high-risk disease from the Commissioner of Health, or two years after the conclusion of the Governor's emergency declaration of a high-risk disease.

A. Procedure for Reporting Violations

- An Employee Report of Violation Form is included in **Appendix D** of this document.
- The form must be submitted by the employee to their immediate Supervisor and the Program Coordinator listed on the Form.

- It is ultimately the Program Coordinator's responsibility to investigate the reported complaint / violation and involve any other relevant management personnel in the investigation.
- Upon completion of the investigation, the Program Coordinator must meet with the employee who filed the initial complaint / violation form to inform them of the corrective action(s) that were implemented as a result of their complaint.
- The Program Coordinator must document the corrective actions that were implemented in writing and attach them to the initial Report of Violation Form and keep those records for at least 2 years after the conclusion of the designated airborne infectious disease outbreak.

IX. PLAN EVALUATIONS DURING A DESIGNATED OUTBREAK

Tectonic Engineering will review and revise this Plan periodically, upon activation of the Plan, and as often as needed to keep up to date with current requirements. Revisions to this Plan will be documented in the table below:

Airborne Infectious Disease Exposure Prevention Plan Revision History			
Date	Participant(s)	Major Change(s)	Approved By

List of Appendices

Appendix A – New York State Department of Labor’s NY HERO
Act Airborne Infectious Disease Exposure
Prevention Standard

Appendix B – Relevant Workplace Posters

Appendix C – Cleaning Log Template

Appendix D – Employee Report of Violation Form

Appendix A

- New York State Department of Labor's NY HERO Act
Airborne Infectious Disease Exposure Prevention
Standard

A. GENERAL PROVISIONS

1. This standard shall apply to:
 - i. Employers with worksites located in New York State; and
 - ii. Only an airborne infectious agent or disease designated by the Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to the public health.
2. This standard does not apply to:
 - i. Employees or independent contractors of the state, any political subdivision of the state, a public authority, or any other governmental agency or instrumentality.
 - ii. Any employee within the coverage of a temporary or permanent standard adopted by the Occupational Safety and Health Administration setting forth applicable standards regarding COVID-19 and/or airborne infectious agents and diseases; and
 - iii. Any seasonal or endemic infectious agent or disease, such as the seasonal flu, that has not been designated by the Commissioner of Health as a highly contagious communicable disease that presents a serious risk of harm to the public health.
3. The provisions of this section shall not be interpreted as relieving any employer from the requirements of any other state or federal guidance or requirements related to preventing the spread of an airborne infectious agent or disease to employees and third parties such as customers, contractors, and members of the public within the workplace.
4. The definitions applicable to Section 218-b of the Labor Law shall be applicable to the terms used in this section.

B. EXPOSURE PREVENTION PLAN

1. Each employer shall establish a written exposure prevention plan designed to eliminate or minimize employee exposure to airborne infectious agents in the event of an outbreak of an airborne infectious disease.
2. Any exposure prevention plan adopted by an employer shall contain exposure controls identified in paragraph (c) of this section.
3. Employers that develop their own, or adopt a different exposure prevention plan, also known as an alternative plan, shall adopt such plan pursuant to an agreement with the collective bargaining representative, if any, or with the meaningful participation of employees where there is no collective bargaining representative, for all aspects of the plan, and such plan shall be tailored and specific to the hazards in the specific industry and worksites of the employer.
4. The exposure prevention plan shall consider and incorporate controls applicable to the worksite as outlined in the appropriate industry specific model templates published by the department of labor in accordance with the provisions of this section and section 218-b of the Labor Law.
5. The exposure prevention plan shall be reviewed and updated whenever necessary to reflect new or modified tasks and procedures which affect occupational exposure and to reflect new or modified employee assignments.
6. Each employer shall make the exposure prevention plan available, upon request, to all employees, employee representatives, collective bargaining representatives, independent contractors, the department of labor, and the department of health.

7. Verbal Review:

- i. The employer shall conduct a verbal review of employer policies, employee rights under this section and section 218-b of the labor law, and the employer's exposure prevention plan set forth herein.
- ii. Such verbal review shall be provided in a manner most suitable for the prevention of an airborne infectious disease, whether in person in a well-ventilated environment with appropriate face masks or personal protective equipment, or via audio or video conference technology.

8. Implementation of the exposure prevention plan during an outbreak of an airborne infectious disease:

- i. When a highly contagious communicable disease is designated by the Commissioner of Health as presenting a serious risk of harm to the public health, each employer shall:
 - a. Immediately review the worksite's exposure prevention plan and update the plan, if necessary, to ensure that it incorporates current information, guidance, and mandatory requirements issued by federal, state, or local governments related to the infectious agent of concern;
 - b. Finalize and promptly activate the worksite exposure prevention plan;
 - c. Provide the verbal review required in paragraph (d) of this section; and
 - d. Provide each employee with a copy of the exposure prevention plan in English or in the language identified as the primary language of such employees, if available, and
 1. Post a copy of the exposure prevention plan in a visible and prominent location at the worksite (except when the worksite is a vehicle); and
 2. Ensure that a copy of the exposure prevention plan is accessible to employees during all work shifts.
 - e. Employers that utilize a template exposure prevention plan prepared by the Department of Labor shall not be responsible for errors in translations relating to such.
- ii. While the designation remains in effect, the employer shall:
 - a. Ensure that the worksite's exposure prevention plan is effectively followed by:
 1. Assigning enforcement responsibilities in accordance with Labor Law Section 218-b(2)(i), and ensuring that adequate enforcement of the worksite's exposure prevention plan takes place;
 2. Monitoring and maintaining exposure controls; and
 3. Regularly checking for updated information and guidance provided by State Department of Health and the Centers for Disease Control and Prevention concerning the airborne infectious disease and updating the exposure prevention plan, when necessary, so that the plan reflects current State Department of Health or Centers for Disease Control and Prevention recommended control measures.
 - b. Designate one or more supervisory employees to enforce compliance with the exposure prevention plan; this standard; and any other federal, state, or local guidance related to preventing the spread of the airborne infectious disease as applicable to employees and third parties such as customers, contractors, and members of the public within the workplace. No individual who is not a supervisory employee shall have responsibility for overseeing compliance with the requirements of the exposure prevention plan.

C. EXPOSURE CONTROLS

1. The employer shall select and obtain appropriate exposure controls based on the types and level of exposure risks employees have during all activities performed at the worksite.
2. The following controls shall be included in the exposure prevention plan adopted by an employer to be used at any worksite where occupational exposure exists:
 - i. Health Screening:
 - a. Health screening for the disease shall be performed at the beginning of the workday, in accordance

with guidance issued by State Department of Health or the Centers for Disease Control and Prevention, as applicable. Employers must limit the exposure of other individuals to employees demonstrating any symptoms of an airborne infectious disease.

- b. Employers shall follow State Department of Health or the Centers for Disease Control and Prevention, as applicable protocols regarding testing, isolation and quarantine before allowing employees to return to the worksite and inform employees of the same.

ii. Face Coverings:

- a. The employer shall select and provide at no cost to employees face coverings deemed appropriate and in accordance with guidance from State Department of Health or the Centers for Disease Control and Prevention, as applicable.
- b. The employer shall require that employees wear appropriate face coverings when physical distancing cannot be maintained and in accordance with applicable guidance from State Department of Health or the Centers for Disease Control and Prevention, as applicable.

iii. Physical Distancing:

- a. Physical distancing shall be used, when possible, to keep employees at least six feet apart from other individuals or as recommended by State Department of Health or the Centers for Disease Control and Prevention, as applicable during a disease outbreak.

iv. Hand Hygiene Facilities:

- a. The employer shall, to the extent practicable and feasible, provide handwashing facilities with an adequate supply of tepid or warm potable water, soap, and single-use towels or air-drying machines.
- b. When provision of handwashing facilities is not practical and feasible, the employer shall provide hand sanitizing facilities and/or supplies.
- c. The hand sanitizers provided by the employer shall be effective against the infectious agent and shall contain at least 60% alcohol or other composition determined to be appropriate by State Department of Health or the Centers for Disease Control and Prevention for the disease outbreak, as applicable.

v. Cleaning and disinfection:

- a. The employer shall determine and implement an appropriate plan for cleaning and disinfection that includes the methods of decontamination based upon the location, facility type, type of surface(s) to be cleaned, type of material present, tasks or procedures being performed in the area, and as otherwise directed by State Department of Health or the Centers for Disease Control and Prevention for the disease outbreak.
- b. Surfaces known or believed to be contaminated with potentially infectious materials shall be cleaned and disinfected immediately or as soon as feasible, unless the area and surfaces can be isolated for a period of time prior to cleaning.
- c. Surfaces contaminated with dust or other loose materials shall be wiped clean prior to disinfection, and the cleaning methods used should minimize dispersal of the dust or loose materials into the air.
- d. Frequently touched surfaces, such as handrails, doorknobs, and elevator buttons, shall be disinfected throughout the workday and/or as recommended by State Department of Health or the Centers for Disease Control and Prevention, as applicable.
- e. Shared tools, equipment, and workspaces shall be cleaned and disinfected prior to sharing and/or as recommended by State Department of Health or the Centers for Disease Control and Prevention, as applicable.
- f. Common areas, such as bathrooms, dining areas, break rooms, locker rooms, vehicles, and sleeping quarters, shall be cleaned and disinfected at least daily or as recommended by State Department of Health or the Centers for Disease Control and Prevention, as applicable.

3. Personal Protective Equipment:

- i. In addition to that required or recommended by State Department of Health or the Centers for Disease Control and Prevention, , as applicable, personal protective equipment that is identified as necessary for the protection of the employee shall fit the employee, and provided, used, and maintained in a sanitary and reliable condition at the expense of the employer.
- ii. The employer shall:
 - a. Provide and require employees use the personal protective equipment and other personal protective equipment deemed necessary or recommended, as applicable, by State Department of Health; and
 - b. Provide appropriate training and information to each employee required to use personal protective equipment.
- iii. Where employee-owned personal protective equipment is used at the worksite, the employer shall be responsible for ensuring that the employee-owned personal protective equipment is adequate and functioning properly.
- iv. All personal protective equipment, including employee-owned personal protective equipment used at the worksite, shall be stored, used, and maintained in a sanitary and reliable condition in order to be used at the worksite.

D. ANTI-RETALIATION

1. No employer, or his or her agent, or person, acting as or on behalf of a hiring entity, or the officer or agent of any entity, business, corporation, partnership, or limited liability company, shall discriminate, threaten, retaliate against, or take adverse action against any employee for:
 - i. Exercising their rights under this section or under the applicable airborne infectious disease exposure prevention plan;
 - ii. Reporting violations of Section 218-b of the Labor Law, or a plan adopted under this section to any state, local, or federal government entity, public officer or elected official;
 - a. For the purposes of this paragraph an employee shall be deemed to have reported a violation if they reasonably believe, in good faith, that a violation has occurred.
 - iii. Reporting an airborne infectious disease exposure concern to, or seeking assistance or intervention with respect to airborne infectious disease exposure concerns, to their employer, state, local, or federal government entity, public officer or elected official; or
 - iv. Refusing to work where such employee reasonably believes, in good faith, that such work exposes him or her, or other workers or the public, to an unreasonable risk of exposure to an airborne infectious disease due to the existence of working conditions that are inconsistent with laws, rules, policies, orders of any governmental entity, including but not limited to, the minimum standards provided by the model airborne infectious disease exposure prevention standard, provided that the employee, another employee, or employee representative notified the employer, of the inconsistent working conditions and the employer failed to cure the conditions or the employer had or should have had reason to know about the inconsistent working conditions and maintained the inconsistent working conditions.
 - a. Notification of a violation by an employee may be made verbally or in writing, and without limitation to format including electronic communications.
 - b. To the extent that records exist between the employer and employee regarding a potential risk of exposure, without limitation to format including electronic communications, they shall be maintained by the employer for two years after the conclusion of the designation of a high risk disease from the Commissioner of Health.

Appendix B

- Relevant Workplace Posters

Protect yourself from viruses and stop the spread of germs.



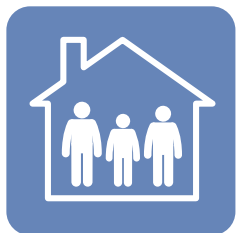
Wash your hands thoroughly with soap and water **for at least 20 seconds**, especially before eating.



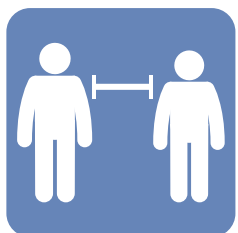
Avoid close contact with people who are sick and stay home if you are sick.



Avoid touching your eyes, nose, and mouth.



Stay home as much as possible. **Everyone** – even young people and those who feel well.



If you must go out, **stay at least 6 feet away** from others.



You must wear a face mask or face covering in public when social distancing (staying 6 feet apart) is not possible, especially on public transport, in stores and on crowded sidewalks.



Cover your cough or sneeze with a tissue, then throw the tissue in the trash.



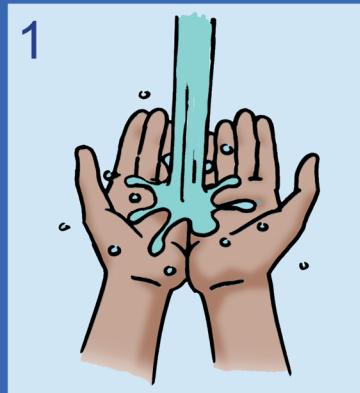
Clean and disinfect frequently touched objects and surfaces.

www.health.ny.gov

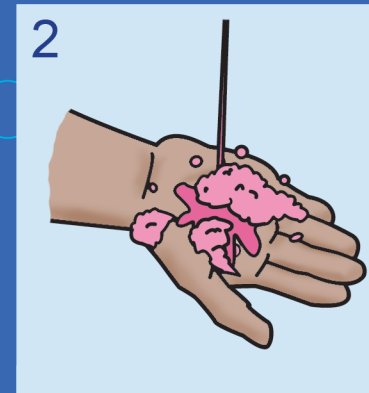


Department
of Health

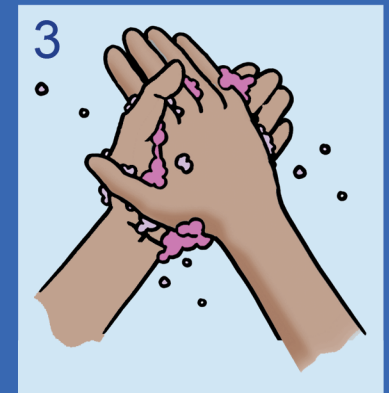
wash your hands



WET



SOAP



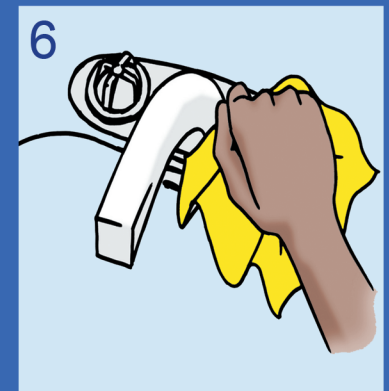
SCRUB



RINSE



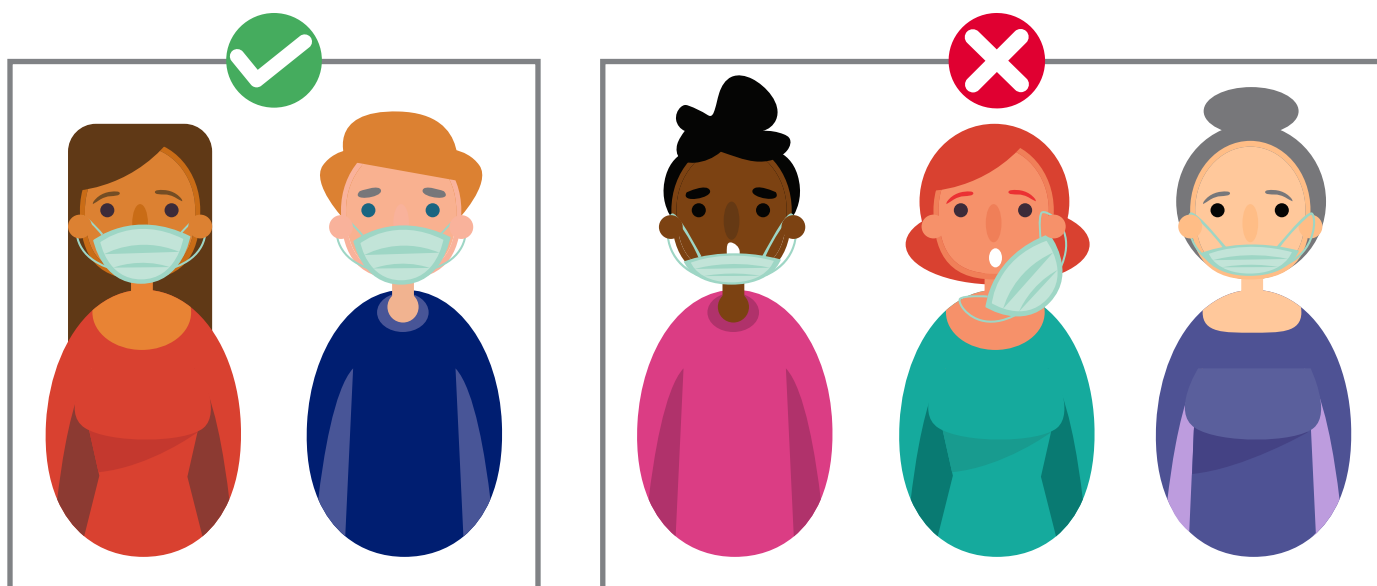
DRY



TURN OFF
WATER



Face Masks and Coverings for Airborne Viruses



- You must wear a face mask or face covering in public when social distancing (staying at least 6 feet apart) is not possible, unless a face covering is not medically tolerated. This includes on public transport, in stores and on crowded sidewalks.
- Children over 2 years of age should wear a face mask in public, too. Children under 2 years of age should **NOT** wear face coverings for safety reasons.
- Cloth face coverings should be made from fabric you can't see through when held up to the light. They must be cleaned before reusing.
- Disposable paper face masks should be used for one outing outside the home. They cannot be properly cleaned.
- The best way to prevent contracting airborne viruses is to continue social distancing (staying at least 6 feet away from others), even when wearing a face covering.

Putting On Face Covering

- **DO** clean your hands with soap and water or if that's not available, alcohol-based hand sanitizer, before putting on your face covering.
- Make sure the face covering covers both your nose and mouth.
- **DON'T** wear your mask hanging under your nose or mouth or around your neck. You won't get the protection you need.
- **DON'T** wear the face covering on top of your head, or take it off and on repeatedly. Once it is in place, leave the covering in place until you are no longer in public.

Taking Off Face Covering

- **DO** clean your hands with soap and water or if that's not available, alcohol-based hand sanitizer, before taking off your face covering.
- Remove your mask only touching the straps.
- Discard the face covering if it is disposable. If you are reusing (cloth), place it in a paper bag or plastic bag for later.
- Wash your hands again.
- When cleaning a cloth face covering, **DO** put in the washer (preferably on the hot water setting).
- Dry in dryer at high heat. When it is clean and dry, place in a clean paper or plastic bag for later use. If you live in a household with many people, you might want to label the bags with names so the face coverings are not mixed up.

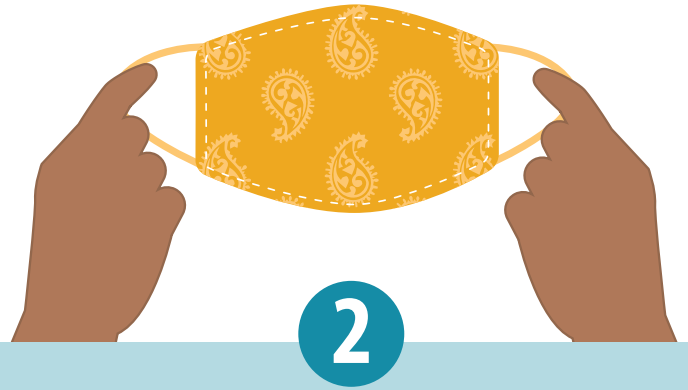


Department
of Health

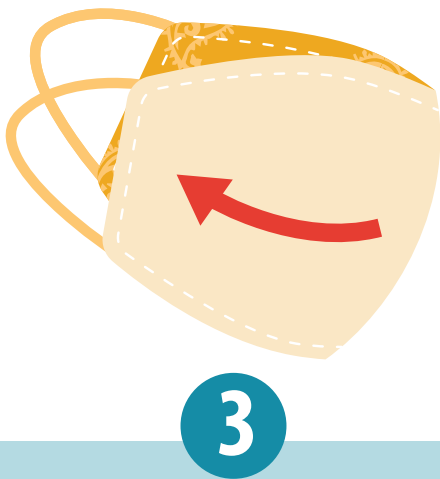
How to Take off a Mask



Carefully, untie the strings behind your head or stretch the ear loops



Handle only by the ear loops or ties



Fold outside corners together



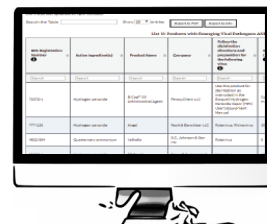
Be careful not to touch your eyes, nose, and mouth when removing and wash hands immediately after removing

6 Steps for Safe & Effective Disinfectant Use



Step 1: Check that your product is EPA-approved

Find the EPA registration number on the product. Then, check to see if it is on EPA's list of approved disinfectants at: [epa.gov/listn](https://www.epa.gov/listn)



Step 2: Read the directions

Follow the product's directions. Check "use sites" and "surface types" to see where you can use the product. Read the "precautionary statements."

Step 3: Pre-clean the surface

Make sure to wash the surface with soap and water if the directions mention pre-cleaning or if the surface is visibly dirty.



Step 4: Follow the contact time

You can find the contact time in the directions. The surface should remain wet the whole time to ensure the product is effective.

Step 5: Wear gloves and wash your hands

For disposable gloves, discard them after each cleaning. For reusable gloves, dedicate a pair to disinfecting the virus. Wash your hands after removing the gloves.



Step 6: Lock it up

Keep lids tightly closed and store out of reach of children.

[epa.gov/pesticide-registration/selected-epa-registered-disinfectants](https://www.epa.gov/pesticide-registration/selected-epa-registered-disinfectants)

Appendix C

- Cleaning Log Template

Cleaning and Disinfection Log

Location / Site: _____

Regular cleaning and disinfection shall be conducted every day, with more frequent cleaning and disinfection of shared objects, frequently touched surfaces, and high transit areas. Refer to CDC and state and local health department guidance for more information on cleaning and disinfection.

Date	Time	Type of Cleaning		Person Responsible for Cleaning	Signature	Notes	Manager Initials
		Regular Daily Cleaning	High Touch Surfaces / High Transit Areas				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				

Appendix D

- Employee Report of Violation Form

Employee Report of Violation Form

The NY HERO Act gives employees the right to report complaints and violations of the Airborne Infectious Disease Exposure Prevention Plan to Management **without fear of retaliation or reprisal**. This form is to be used by employees at any time to report any complaints, violations, or other uncontrolled safety issues to Management related to airborne infectious disease exposure. Management will investigate the reported complaint to determine if mitigations are needed.

Employee's Name: _____

Department: _____

Phone Number and / or Email: _____

Please Describe the Complaint / Violation:

Location:

Please submit this form to your Supervisor and the Airborne Infectious Disease Exposure Prevention Program Coordinator:

Nicole A. Decker (Human Resource Manager)
(845) 534-5959
ndecker@tectonicengineering.com