

# NY HERO ACT

AIRBORNE INFECTIOUS DISEASE EXPOSURE  
PREVENTION PLAN TRAINING



# NY HERO ACT

- The New York Health and Essential Rights Act (NY HERO Act) mandates extensive new workplace health and safety protections.
- The purpose of the NY HERO Act is to protect employees against exposure and disease during a future airborne infectious disease outbreak.
- The airborne infectious disease exposure prevention plans must go 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 the public health.
- On September 6, 2021, Governor Kathy Hochul announced the designation of COVID-19 as an airborne infectious disease under the HERO Act.

# THE INFECTIOUS AGENT AND THE DISEASE(S) IT CAN CAUSE

- The novel coronavirus, or SARS-CoV-2, is a potentially deadly virus that can lead to COVID-19. SARS-CoV-2 stands for Severe Acute Respiratory Syndrome Coronavirus 2.
- There are many variants of SARS-CoV-2, the most prominent in NYS being the Delta Variant.
  - According to the CDC, the Delta variant causes more infections and spreads faster than earlier forms of the virus that causes COVID-19. It might cause more severe illness than previous strains in unvaccinated people.

# SIGNS AND SYMPTOMS

- COVID-19 has a wide range of symptoms ranging from mild symptoms to severe illness. Symptoms may appear 2-14 days after exposure to the virus. Anyone can have mild to severe symptoms, including those listed below:
  - Fever or 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
  - Diarrhea

# HOW COVID-19 CAN BE SPREAD

- COVID-19 is spread in three main ways:
  - Breathing in air when close to an infected person who is exhaling small droplets and particles that contain the virus.
  - Having these small droplets and particles that contain virus land on the eyes, nose, or mouth, especially through splashes and sprays like a cough or sneeze.
  - Touching eyes, nose, or mouth with hands that have the virus on them.
- People who are closer than 6 feet from the infected person are most likely to get infected.
- The virus may be spread by people who are not experiencing symptoms.
- Infections happen in only a small proportion of people who are fully vaccinated, even with the Delta variant. However, preliminary evidence suggests that fully vaccinated people who do become can spread the virus to others.
- Visit the “How COVID-19 Spreads” page to learn how COVID-19 spreads and how to protect yourself.
  - <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-covid-spreads.html>

# AN EXPLANATION THE AIRBORNE EXPOSURE PREVENTION PLAN

- Posted in the Kitchen at STIC's main office
- Available at the front desk at STIC's main office
- Available at STIC's satellite offices
- Posted in STIC's Facebook and sent out electronically via Remind.
- On STIC's Public Server both as a stand alone policy and as part of STIC's Employee Handbook.
- On STIC's website under Compliance Resources
  - <https://stic-cil.org/index.php/resources/>

# THE USE AND LIMITATIONS OF EXPOSURE CONTROLS

- Restricting or limiting customer or visitor entry
  - Visitors by appointment only
  - Doors to the Main Office will remain locked
- Limiting occupancy
  - Most non-supervisory staff will continue to telecommute until at least October 12, 2021
  - Staff in shared offices where at least 6 feet of social distancing cannot be maintained will be relocated
- Social Distancing
  - Must maintain 6 feet of social distancing indoors whenever possible
  - Only one person at a time inside small enclosed spaces, unless accompanied by a family member/caregiver
  - Employees should not enter a stairwell/elevator if there is already another person in there

# THE USE AND LIMITATIONS OF EXPOSURE CONTROLS

- Reconfiguring workspaces
  - Staff in shared offices where at least 6 feet of social distancing cannot be maintained will be relocated
  - Barriers to separate areas in shared offices
- Physical barriers
  - Barrier at Front Desk between reception and lobby area
  - Barriers to separate areas in shared office
- Signage
- Telecommuting
  - Most non-supervisory staff will continue to telecommute until at least October 12, 2021.

# THE USE AND LIMITATIONS OF EXPOSURE CONTROLS

- Remote meetings
  - STIC staff meeting will return to a remote format
  - DSP staff meetings will return to a remote format
  - Supervisors meeting will return to a remote format
  - Groups of less than 10 can meet in person (including trainers, etc.)
  - In-person groups of 6 or more must meet in one of the HKs or Allie Acker
  - Annual training sessions may have up to 20 people per session with adequate social distancing
- Preventing gatherings
  - Kitchen remains closed to gathering
  - Staff should not unnecessarily congregate

# THE USE AND LIMITATIONS OF EXPOSURE CONTROLS

- Restricting travel
  - No restrictions for personal travel have been implemented
  - Staff cannot ride together in the same vehicle
- Creating new work shifts and/or staggering work hours
  - Employees in shared offices may have staggered work schedules
- Delivering services remotely or through curb-side pickup;
  - TRAIID will continue practice of curbside pick-up/drop off practice
  - Telehealth services will continue

# THE USE AND LIMITATIONS OF EXPOSURE CONTROLS

- Screenings
  - Worksite Health Assessment Screening (WHAS) policy updated and reinstated
  - WHAS must be completed and submitted before the start of each work day, but not later than 2:00pm during the week and 10:00am on the weekends and holidays
  - Do not report to in-person work if you answer “yes” to any screening questions
    - Remote or telehealth work may still be performed
  - Follow normal call in procedures if a “yes” answer prevents you from reporting to work

# THE USE AND LIMITATIONS OF EXPOSURE CONTROLS

- PPE
  - Masks must be worn at all times while performing in person work indoors, unless an employee is alone in his/her office
  - Gloves, face shields and gowns are available for situations where their use would be beneficial
- Accessible workplace hand hygiene stations and hand sanitizer
- Regular cleaning and disinfecting of shared equipment and frequently touched surfaces
  - Cleaning and disinfecting vehicles after consumer is transported for services
- STIC's building is compliant with applicable engineering controls such as proper air flow or exhaust ventilation
  - Use of M-13 filters in all Heat Pumps

# ACTIVITIES AND LOCATIONS THAT MAY INVOLVE EXPOSURE AT WORK

- While STIC has implemented extensive safety protocols to mitigate the risk of the spread of COVID-19 in the workplace a small risk always exists
  - Provision of in-person services where it is not possible to maintain 6 feet of social distancing, primarily indoors including a consumer's home
  - Transporting consumers in personal vehicles
  - Aside from direct in person services there is no reason that staff should not be able to maintain 6 feet of social distancing from other employees, community members and visitors
- Do employees have any other areas of risk to share?

# NY LABOR LAW, SECTION 218-B

- Compliance with mandatory or precautionary orders of isolation or quarantine that have been issued to employees
- Compliance with any applicable laws, rules, regulations, standards, or guidance on notification to employees and relevant state and local agencies of potential exposure to airborne infectious disease at the work site
- Designation of one or more supervisory employees to enforce compliance with the airborne infectious disease exposure prevention plan
  - Maria Dibble, Executive Director
  - Jennifer Watson, Assistant Director
  - Casey Flanagan, Human Resources Coordinator

# EMPLOYEE RIGHTS UNDER NY LABOR LAW, SECTION 218-B.

- Employees will not be retaliated against for:
  - exercising their rights under Section 218-b of the Labor Law;
  - reporting violations of Section 218-b of the Labor Law or the applicable airborne infectious disease exposure prevention plan;
  - reporting an airborne infectious disease concern to their employer, a government entity, a public officer, or an elected official; and
  - refusing to work where employees, in good faith, reasonably believe that such work exposes them to an airborne infectious disease as a result of working conditions that fail to meet laws, rules, policies, or orders of any governmental entity, including the minimum standards provided by the model airborne infectious disease exposure prevention standard.

QUESTIONS/COMMENTS