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**INFECTIOUS DISEASE PREPAREDNESS AND RESPONSE PLAN TEMPLATE[[1]](#footnote-1)**

1. **Company Policy**

[COMPANY] is committed to maintaining a workplace that promotes the health and safety of all employees. The World Health Organization has declared a pandemic in connection with the respiratory disease, COVID-19, which is caused by the novel coronavirus (SARS-CoV-2). The virus that causes COVID-19 has been found to be easily transmitted from person to person and, therefore, creates a risk of exposure in the workplace. To address this potential hazard in the workplace, [COMPANY] has developed an Infectious Disease Preparedness and Response Plan (the “Plan”) pursuant to OSHA guidance. The Plan addresses all aspects of potential exposure and summarizes the steps [COMPANY] is taking to reduce potential exposure for its employees [clients][guests][customers][visitors]. All employees are required to review and comply with the Plan. Failure to do so will lead to disciplinary action up to and including termination of employment.

We are confident that by working together to reduce potential exposure to the coronavirus, we will protect our employees and our business from the potentially devastating effects of this pandemic.

Questions about the Plan or the coronavirus should be directed to [NAME].

1. **Analysis of Exposure Risk** 
   1. Very High Risk Positions or Locations
   2. High Exposure Risk Positions or Locations
   3. Medium Exposure Risk Positions or Locations
   4. Low Exposure Risk Positions or Locations
2. **Specific Infection Prevention Controls Applicable Based on Risk Level**

Determine which types of controls are necessary

* 1. Very High Exposure Risk
     1. Engineering (OSHA requires consideration for Very High Risk locations; these are physical changes such as ventilation, Plexiglas barriers, reconfigured workspaces)
     2. Administrative (policies, protocols, training)
     3. PPE required (N95 masks)
     4. Safe work practices (OSHA requires consideration for Very High Risk locations; overlap with Administrative)
  2. High Exposure Risk
     1. Engineering (OSHA requires consideration for High Risk locations; these are physical changes such as ventilation, Plexiglas barriers, reconfigured workspaces)
     2. Administrative (policies, protocols, training)
     3. PPE required (N95 masks)
     4. Safe work practices (OSHA requires consideration for High Risk locations; overlap with Administrative)
  3. Medium Exposure Risk
     1. Engineering (Optional per OSHA for Medium Risk locations but may still be needed; *e.g.*, Plexiglas barriers, reconfigured workspaces)
     2. Administrative (policies, protocols, training)
     3. PPE required (Optional per OSHA for Medium Risk locations but may still be needed)
     4. Safe work practices (Overlap with Administrative)
  4. Low Exposure Risk
     1. Engineering (Optional per OSHA for Low Risk locations but may still be needed; *e.g.*, Plexiglas barriers, reconfigured workspaces)
     2. Administrative (policies, protocols, training)
     3. PPE required (Optional per OSHA for Low Risk locations but may still be needed)
     4. Safe work practices (Overlap with Administrative)

1. **General Infection Prevention Measures Applicable to All Positions and Locations** 
   1. HANDWASHING
      1. Promote frequent and thorough hand washing by providing a place for employees to wash their hands and/or alcohol-based sanitizing products with at least 60% alcohol.
      2. Consider specific times/events as triggers for handwashing, *e.g.*, upon entering or reentering work area, before/after eating, before using shared coffee machine, after handling materials provided by vendors
   2. STAYING HOME WHEN SICK
      1. Require employees to stay home if they are sick
      2. Require employees who test positive for COVID-19 to stay home and report diagnosis to HR
   3. REPORTING - Require employees to report to HR if they receive an order from a state or local public health agency directing them to self-quarantine
   4. RESPIRATORY ETIQUETTE – Educate and encourage respiratory etiquette (i.e., covering coughs and sneezes)
   5. SHARING EQUIPMENT – Discourage use of a co-worker’s phone, desk, office, or work tools
   6. DISTANCING
      1. Avoid close contact (and maintain 6 feet between work stations)
      2. If feasible, designate entry/exit doors to reduce chance encounters
      3. Depending on office configuration, control direction of traffic flow in hallways
      4. Maintain distancing requirements in elevators and stairwells
      5. Install signage to remind and to suggest how to comply (*e.g.*, no more than X person per elevator, mark places to stand when congregating such as in elevator or at coffee station)
      6. Remind employees that failure to observe social distancing outside of work could have consequences in the workplace
   7. FACE COVERINGS – Cloth face coverings are not considered PPE by OSHA because they are of uncertain efficacy in protecting the wearer. However, they are considered effective in protected others from spread by the wearer. Therefore, require all employees to wear face coverings in all locations other than individual workstations, offices, or where doing so is unsafe or impractical. Whether a face shield is an acceptable substitute must be made on a case by case basis with reference to state and federal guidance for the particular industry or application.
   8. No handshaking
   9. EXTEND WORK FROM HOME/SEGMENT WORKFORCE/COHORTING
      1. If feasible, permit WFH for as many of your employees who can effectively do so as possible
      2. If feasible, consider segmentation of workforce to return least vulnerable employees first, most vulnerable last. CONSULT COUNSEL.
      3. If feasible, stagger schedules in the office to limit the number of employees in the workplace
      4. If applicable and feasible, consider “cohorting” workforce to have same people working together every day, to reduce risk of spread
   10. MEETINGS
       1. Configure meeting rooms to facilitate social distancing at all meetings
       2. No in-person meetings of more than X people (depends on ability to maintain 6 feet of distancing).
   11. DISINFECTING – Maintain regular housekeeping practices, including routine cleaning and disinfecting surfaces and equipment, more frequently in shared work areas
2. **Identification and Isolation of Sick People**
   1. SELF-MONITORING - Encourage all employees to self-monitor for signs and symptoms of COVID-19 (relying on CDC list of symptoms as well as advice from state public health officials)
   2. SELF-CERTIFICATION – Require all employees to certify they are free of all symptoms each day (not generally recommended but may be only feasible practice in some locations)
   3. TEMPERATURE SCREENING – Consider temperature screening of employees at the start of the workday and/or provide disposable thermometers to enable employees to assess temperature in the event of sudden onset of symptoms
   4. VISITOR SCREENING
      1. Screen visitors to the workplace
      2. Refuse entry to anyone exhibiting symptoms including but not limited to a fever
      3. Refuse entry to anyone who reports having been in close contact with someone who has been diagnosed with COVID-19 in the last two weeks
   5. SYMPTOMATIC EMPLOYEES OR GUESTS
      1. Require employees with symptoms (fever included) to leave the workplace
      2. Require hotel guests with symptoms (fever included) to self-isolate in their room until they are able to return home; or, if symptoms are severe, facilitate guest’s transport to a medical facility.
      3. Keep health information confidential
   6. IF EMPLOYEE BECOMES INFECTED
      1. Determine timeline of when infected individual was in the workplace
      2. Determine close contacts of infected individual when in workplace
      3. Ask close contacts to self-quarantine for 14 days (not required for employees in essential services – self monitoring with temperature checks is sufficient)
3. **Returning to Work Following a Positive COVID-19 Test**

FOLLOW CDC GUIDANCE regarding discontinuing home isolation:

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| --- | --- |
| **Symptomatic employee with suspected or confirmed COVID-19** | **Non-symptomatic employee with laboratory confirmed COVID-19 test** |
| The employee who has been symptomatic may return to work if:  *Option One: Symptoms-based strategy*   * They have not had a fever for at least 24 hours without the use  of fever-reducing medication * Coughs and other symptoms have improved * At least 10 days have passed since they first experienced symptoms.   OR  *Option Two: Test-based Strategy*   * Their fever has resolved without the use of fever-reducing medications * Their cough and other symptoms have improved, and * They have tested negative for COVID-19 in two laboratory tests, given at least 24 hours apart. | The employee who has never been symptomatic may return to work if:  *Option One: Time-based strategy:*   * 10 days have passed since the date of their first positive COVID-19 test and they have remained asymptomatic during that time.   OR  *Option Two: Test-based Strategy*   * They have tested negative for COVID-19 in two laboratory tests, given at least 24 hours apart. |

1. **Travel Restrictions Applicable to Employees**
   1. LIMIT TRAVEL
      1. Eliminate all non-essential business travel
      2. Require approval for any essential business travel
   2. LIMIT OFF-SITE MEETINGS
      1. Prohibit attendance at conferences
      2. Prohibit attendance at gatherings of more than X people
   3. HONOR STATE TRAVEL RESTRICTIONS
      1. Educate all employees on any state travel restrictions; require compliance
      2. If state imposes quarantine for out of state travel, ensure this requirement is enforced following business and non-business travel – IN MAINE, ANY EMPLOYEE RETURNING FROM A STATE OTHER THAN NH, VT, CT, NY, NY or MA MUST GET A NEGATIVE TEST OR QUARANTINE FOR 14 DAYS
      3. Limit or disallow travel between offices if such travel is inconsistent with state travel order (*i.e.* interstate or in-state overnight travel)
   4. WORK AT CUSTOMER LOCATIONS
      1. If employee is required to go to a customer location in order to do a job, require compliance with a specified protocol:
         1. Don’t go if you have symptoms of COVID-19, including but not limited to a fever
         2. Wear mask at all times while on customer’s premises
         3. Maintain social distancing at all times
         4. Adhere to all safety precautions required by customer
      2. If customer’s protocols make it impossible to wear a mask and maintain 6 foot distancing, then leave the premises and call your manager to trouble shoot next steps
2. **Restrictions on Visitors in the Workplace**
   1. DISCOURAGE non-essential visitors
   2. Change location of visits (*e.g.*, redirect delivery drivers to leave packages where access to office is not necessary)
   3. CREATE BARRIERS
      1. Plexiglas barrier or other barriers between visitor and employees
      2. Mark the safe distance for standing in front of reception desk
   4. RECONFGURE CONFERENCE SPACE
      1. Reduce number of chairs in conference room to enforce distancing
      2. Designate specific conference space for meetings with visitors
      3. Require disinfection after all visitor meetings
   5. SCREEN VISITORS
      1. Ask all visitors to complete short questionnaire about symptoms and potential exposure
      2. Refuse entry to anyone exhibiting symptoms including but not limited to a fever
   6. Consider temperature testing for all visitors
      1. Logistics matter – don’t create a bottleneck that forces a group to gather
      2. Self-administer or have company employee administer
      3. Use a log to record temperature results (only positives or all) along with name and contact phone number
   7. AS OF OCTOBER 13, 2020, FOR PRIVATE SCHOOLS, STATE & LOCAL GOVERNMENTS, RESTAURANTS, LODGING AND LARGE RETAIL ESTABLISHMENTS THROUGHOUT MAINE
      1. Guests and customers must wear face coverings
         1. Post prominent signage regarding requirement
         2. Consider providing face coverings to guests and customers who present without them
         3. Deny entry or service to those who will not comply
      2. FOR NON-RESIDENT GUESTS (except those from NH, VT, CT, NY, NJ and MA) who have not quarantined in Maine for 14 days, lodging establishments must inform out of state guests of the testing or quarantine requirement, obtain certification of a negative COVID PCR test within 72 hours of arrival or certification of compliance by 14 day quarantine, or deny registration.
      3. Maine lodging establishments must also keep a copy of all certificates of compliance for 30 days.
3. **Reporting**
   1. POSITIVE COVID-19 TESTS
      1. Employees who test positive for COVID-19 are required to report the diagnosis to HR within 24 hours
      2. Employees are expected to cooperate with the Company in determining timeline of presence in the office and assessing close contacts
      3. All records regarding the diagnosis and report to HR will be maintained as a confidential medical record
   2. Employees who are notified by the Maine CDC that they have come into close contact with an individual who has tested positive for COVID-19 are required to notify HR within 24 hours.
   3. If you have any questions about the Plan, please contact [NAME]
   4. If you see anything in the workplace that causes you concern or if you believe the Plan should be modified in any way, please contact [NAME]
4. **Enforcement**

[COMPANY] is committed to reducing exposure to the coronavirus in the workplace. The Infectious Disease Preparedness and Response Plan is designed to reduce exposure for all employees and, therefore, all employees are required to comply with the Plan at all times. Failure to do so may result in disciplinary action up to and including immediate termination of employment.

\* \* \* \* \* \*

I acknowledge receipt of [Company Name]’s Infectious Disease Preparedness and Response Plan (the “Plan”). I understand that I am required to review the Plan and consult with [NAME] if there is anything that I do not understand or cannot comply with. I further understand that my failure to comply with the Plan may lead to disciplinary action up to and including termination of employment. Nothing in this Plan alters the at-will nature of my employment.

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Signature Date

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Please print name

1. ***This is prepared by Pierce Atwood LLP as a template only and is not intended to replace legal advice about a particular workplace. Given the complexity of the legal requirements imposed on workplaces during the pandemic, we recommend that you consult with your employment counsel in the preparation of your Plan.*** [↑](#footnote-ref-1)