



# **NOOKSACK INDIAN TRIBE PANDEMIC POLICY**

Pandemic Policy

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## **PURPOSE**

The Nooksack Indian Tribe (NIT) strives to provide a safe and healthy workplace for all employees. This pandemic policy outlines our overall response to a pandemic outbreak and our emergency-preparedness and business continuity plan. It outlines specific steps NIT takes to safeguard our employees' health and well-being during a pandemic while ensuring NIT's ability to maintain essential operations and continue providing essential services to our community. In addition, it provides guidance on how we intend to respond to specific operation and human resource issues in the event of a pandemic.

## **PANDEMIC VIRUSES DEFINED**

These viruses can cause different diseases: avian (or bird) flu, H1N1 (swine flu), pandemic influenza, seasonal flu, and Coronavirus (COVID-19).

A pandemic can occur when mutating viruses become transmissible to humans, who generally lack any natural immunity to fight off the viruses' adverse health effects. Because infected humans are so contagious, they become the primary vehicle for pandemic's spread. The more humans who become contagious, the more widespread the disease becomes and the more rapid the spread is. Generally, pandemics occur in waves, with each new group of infected people in turn infecting others. Each such wave of infection can last for weeks, months or longer.

## **IDENTIFICATION OF ESSENTIAL PERSONNEL**

NIT has identified and designated as essential personnel certain employees whose jobs are vitally important to our continued operation in emergencies. We expect only designated essential personnel to be available for work during a pandemic. We acknowledge, however, that even essential personnel might become ill and unavailable to work or not be able to reach our worksite because of conditions beyond their own or our control. Consequently, NIT has devised and agreed on back-up arrangements under which designated personnel in locations outside their respective areas are trained and equipped to fulfill the duties of unavailable essential employees. In addition, we have equipped our most essential personnel with all the resources, including computers, cellphones, so these essential employees who need to work remotely during emergencies can do so.

## **REMOTE WORK LOCATIONS**

NIT might prohibit or severely curtail individuals' access to and use of community buildings or close or prevent access to our Tribal Offices.

We are prepared to continue key "bare bones" operations from a number of remote work locations, including essential employees' home offices. The General Manager and Department Directors shall determine who is authorized to work remotely.

## **INFECTION-CONTROL MEASURES**

NIT takes a number of steps to minimize to the extent practicable exposure to and spread of infection in the workplace, which is an ideal site for contagion because of workers' close proximity to one another.

As appropriate, NIT recommends measure that employees can take to protect themselves outside the workplace and encourages all workers to discuss their specific needs with a family physician or other appropriate health or wellness professionals.

### **FACEMASKS/SOCIAL DISTANCING/HEALTH SCREENING**

While in the workplace employees and any allowed visitors will be required to wear face coverings and shall maintain a six (6) foot distance between individuals (even if employee/visitor has been vaccinated). In some cases, special protective shields (e.g. plexiglass) may be installed due to the closeness of desks or in areas like a receptionist area.

All employees will be required to answer health screening questions and take their temperature when they arrive to work by the departments designated screening person (even if employee has been vaccinated). Any allowed visitors shall complete the contact tracing paperwork.

If an employee answers yes to any questions on the health screening, they will be sent home and they are required to call the Nooksack Health Clinic the same day and be seen at the Clinic the same day. The employee must have a doctor's note to return to work (even if employee has been vaccinated). The employees time for this day shall be paid as administrative pay; every day after the employee will need to use their sick or annual leave.

### **PERSONAL-PROTECTION EQUIPMENT**

NIT maintains on site adequate supplies of recommended personal-protection equipment, such as face masks, eye protection, rubber gloves, and anti-bacterial hand gels and wipes, which NIT can require workers to use.

### **OFFICE CLOSURES**

In the event it becomes necessary to close our Tribal Offices, NIT will grant all nonessential personnel immediate administrative leave to the extent we are able to fiscally afford to do so. In some cases, employees may be placed on Stand-by or Furloughed status.

### **REASONS TO CLOSE OFFICES**

NIT **MAY** close our Tribal offices for the following reasons:

1. the tribe has positive case(s) of COVID-19; and/or,
2. there is a significant increase of cases in Whatcom County (significant increase defined as a twenty percent (20%) increase in positive cases averaged over a week) and will re-open when there are NO new cases in 7 consecutive days; and/or,
3. the Nooksack Tribal Council, General Manager and the Tribe's Public Health Officer determine that a closure is necessary to keep employees safe.

## **RETURNING TO WORK**

Once it is safe to return to work, work schedules maybe altered, for example work hours may be altering shifts with employees that are in close proximity to one another.

Work hours may be shorted from eight and a half hours (8.5 hrs.) a day to five (5) or six (6) hours per day, this shall be determined by the General Manager.

Employees over 60 years of age or those who have compromised health condition may be asked to not return when all other employees return to work.

## **HOURS OF WORK AND LUNCH BREAKS**

Work hours maybe shorted from eight and a half hours (8.5 hrs.) a day to five (5) or six (6) hours per day, this shall be determined by the General Manager.

In the event the work hours are less than our normal 8:30 am to 5:00 pm, administrative leave should be entered for the times before and after or normal office hours or hours the employee is normally schedule to work. (For example: If new office hours are 10:00 am to 4:00 pm and the employees normal schedule is 8:30 am to 5:00 pm, administrative leave should be entered on the timecard 8:30 am to 10:00 am and 4:00 pm to 5:00 pm. Part time employees should only have administrative leave for the hours they normally would be schedule. For example, if a part time employees normal schedule is 11:00 am to 5:00 pm, administrative leave would be entered 4:00 pm to 5:00 pm.

Employees who work six (6) hours or more will have a one (1) hour lunch break; employees who work less than six (6) hours, but more than three (3), will be allowed a half (1/2) hour lunch break.

## **HAZARD PAY**

In some cases, employees may be paid Hazard Pay. "Hazard pay" means additional pay for performing hazardous duty or work involving physical hardship. Work duty that causes extreme physical discomfort and distress which is not adequately alleviated by protective devices is deemed to impose a physical hardship. At the recommendation of the General Manager, Tribal Council may award hazard pay to employees who are required to work during periods of declared public emergencies or at other appropriate times.

## **SICK OR ANNUAL LEAVE**

Employees who call in sick on a day they are normally scheduled to work they will need to use eight (8) hours of sick leave for the days they are sick and will need a doctor's note to return to work.

Employees who schedule a doctor's appointment or leave work earlier than our normal work schedule hours, shall use their sick or annual leave for those hours they are not working.

## TESTING AND SELF-QUARANTINING

Employees are expected to comport themselves with social responsibility (even if employee has been vaccinated). It is the responsibility of employees to disclose to Supervisors or Directors if they undertake risky social behaviors, including but not limited to behaviors included in this policy (attendance at a funeral, attendance at a public event or large gathering, travel out of Whatcom County to State "hot spots," travel out of State / country). Failure to disclose such behavior is subject to disciplinary action as outlined in section 7.5 of the Personnel Policy, up to and including termination. "Hot spots" are defined as place where the rate of infection is greater than 25 per 100,00. See THIS site (<https://coronavirus.wa.gov/what-you-need-know/roadmap-recovery-metrics#dashboard>) to look up the county that is being visited for the rate of infection on table labeled "Phase and Risk assessment. Individuals that need to quarantine will stay at home without visitors for 14 days or 10 days with a PCR test at 8 days that is negative. Release from Quarantine will be on day 15 for the 14 day quarantine and day 11 for 10 day quarantine. Exceptions will be made for individuals with specialty medical care appointments. But there are essential conditions that will be required:

1. Individuals employed by NIT requiring medical care outside of Whatcom County must have a documented conversation with their medical provider prior to travel for education regarding COVID transmission, prevention and socially responsible behavior
2. Individuals must agree to go directly to and from their medical appointment without non-medical related stops outside of Whatcom County and use masks whenever outside of their vehicle for driver and patient traveling.

## ATTENDING A FUNERAL

Employees who attend or participate in a funeral will need to self-quarantine for at least eight (8) days and be tested for the current pandemic virus (example COVID-19), on the eighth (8th day) after the funeral. The employee will not be able to return to work until they receive a negative result on their test. The actual day of the funeral is to be entered on their timecard as bereavement leave, the additional days of self-quarantine may be granted as Administrative Leave. Employees should follow all safety guidelines (face mask, social distance, sanitization). The exception of this section of the policy is that if the employee has been fully vaccinated; **AND** it has been more than 2 weeks since being fully vaccinated; **AND** it has not been more than 90 days since employee received full dose of the vaccine; **AND** employee remains asymptomatic. (see note below on last page\*)

## SPECIAL LEAVE

Special leave can be used for the purposes stated in the personnel policy and approved by the General Manager (not for COVID\Pandemic Virus or home schooling).

## TRAVELING OUTSIDE OF WHATCOM COUNTY

Employees who travel outside of Whatcom County but did not attend any public events are permitted to return to work unless the area they visited was considered a "Hot Spot" for the pandemic virus.

Employees who traveled to "Hot Spot" area or attended a public event, will need to self-quarantine for at least eight (8) days and be tested for the current pandemic virus (example COVID-19), on the eighth (8<sup>th</sup>) day after the event/return home using their sick or annual leave for the days of absence. The employee will not be able to return to work until they receive a negative result on their test. The exception of this section of the policy is that if the employee has been fully vaccinated AND it has been more than 2 weeks since being fully vaccinated; AND it has not been more than 90 days since employee received full dose of the vaccine; AND employee remains asymptomatic. (see note below on last page \*)

## TRAVELING OUT OF STATE/COUNTRY

Employees who travel outside of Washington State or out of the Country, will need to self-quarantine for at least eight (8) days and be tested for the current pandemic virus (example COVID-19), on the eighth (8<sup>th</sup>) day after they return home using their sick or annual leave for the days of absence. The employee will not be able to return to work until they receive a negative result on their test. The exception of this section of the policy is that if the employee has been fully vaccinated; AND it has been more than 2 weeks since being fully vaccinated; AND it has not been more than 90 days since employee received full dose of the vaccine; AND employee remains asymptomatic. (see note below on last page\*)

## EXPOSURE DIRECTLY TO SOMEONE WHO IS GETTING TESTED DUE TO SYMPTOMS

Employees who have been directly exposed to someone who is getting tested due to symptoms, will need to self-quarantine using their sick or annual leave until the sick individual receives a negative test, or self-quarantine using their sick or annual leave for at least eight (8) days and be tested for the current pandemic virus (example COVID-19) on the eighth (8<sup>th</sup>) day after exposure, or self-quarantine for two (2) weeks using their sick or annual leave. The employee will not be able to return to work until the sick individual receives a negative result on their test, or until the employee receives a negative result on their test, or until two (2) weeks have passed with no symptoms. The exception of this section of the policy is that if the employee has been fully vaccinated; AND it has been more than 2 weeks since being fully vaccinated; AND it has not been more than 90 days since employee received full dose of the vaccine; AND employee remains asymptomatic. (see note below on last page \*)

## EMPLOYEE TESTS POSITIVE FOR CURRENT PANDEMIC VIRUS

If an employee's test comes back positive for the current pandemic virus (e.g. COVID-19), they need to let their director and Human Resources know IMMEDIATELY.

The employee who tests positive will need to coordinate with HR to ensure the proper paperwork is completed to activate the employee's benefits such as Short Term Disability and/or Long Term Disability or any Federal Government Act put in place during a pandemic. Employees who test positive will be off work and may use a combination of sick, annual, and disability benefits until released back to work. A Doctor's release to return to work will be required prior to the employee returning to the work place.

#### **CONTACTS OF POSITIVE EMPLOYEE FOR CURRENT PANDEMIC VIRUS – CONTACT TRACING (IN THE WORKPLACE)**

Employees identified as a contact of a positive case within the workplace or community will need to self-quarantine for two (2) weeks using their sick or annual leave or 10 days with a PCR test on 8 day that is negative. Release from Quarantine will be on day 15 for the 14 day quarantine and day 11 for 10 day quarantine. The exception of this section of the policy is that if the employee has been fully vaccinated; **AND** it has been more than 2 weeks since being fully vaccinated; **AND** it has not been more than 90 days since employee received full dose of the vaccine; **AND** employee remains asymptomatic. (see note below \*)

#### **CONTACTS OF POSITIVE CASE-CONTACT TRACING (Outside of the Workplace)**

Employees identified as a positive case, when the exposure takes place outside of the workplace, will need to self-quarantine for 2 weeks using their sick and/or annual leave. The exception of this section of the policy is that if the employee has been fully vaccinated; **AND** it has been more than 2 weeks since being fully vaccinated; **AND** it has not been more than 90 days since employee received full dose of the vaccine; **AND** employee remains asymptomatic. (see note below \*)

#### **CDC GUIDELINES AND RECOMMENDATIONS**

Council intends to follow the CDC recommendations and guidelines.

- \* NOTE: • Fully vaccinated person who do not quarantine should still watch for symptoms of COVID-19 for 14 days following an exposure.
- If develop symptoms, seek a healthcare professional for COVID-19, including SARS-CoV-2 testing, if indicated.
- Continue to follow all travel, masking, and social distancing recommendations.
- Vaccinated inpatients and residents “