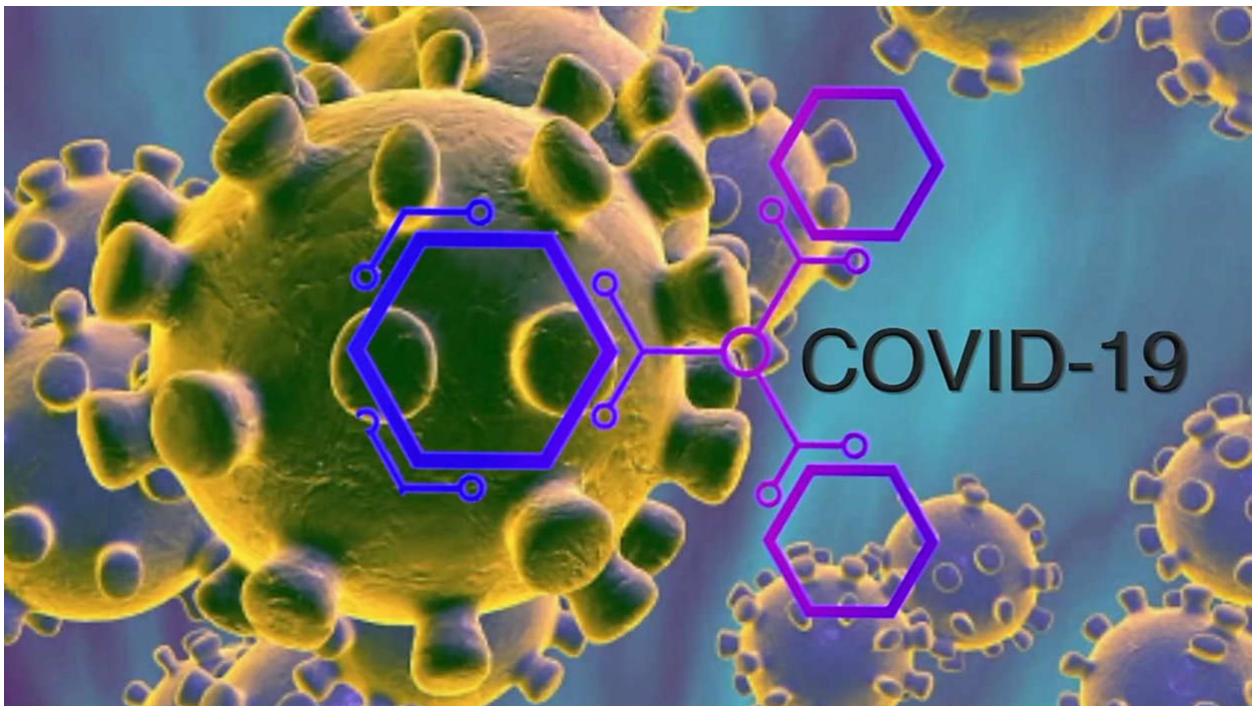




**CITY MANAGER
EXECUTIVE ORDER 2020-20
COVID-19 INTERNAL OPERATIONS**



August 28, 2020



Tim Gleason, City Manager

This City Manager Executive Order is issued in accordance with the Bloomington City Code, Chapter 2, Section 41, the City of Bloomington Emergency Action Plan, and City Ordinance 2020-18. The situation involving COVID-19 continues to evolve and this Executive Order may be amended or supplemented as necessary.

§ 20.1 INTRODUCTION

On May 5, 2020, the Governor released his Restore Illinois Plan and the City went into Phase 4 of this Plan on June 26. Phase 4 is titled “Revitalization” and opened additional sectors of the economy, including retail, entertainment venues, personal care services and health clubs, bars and restaurants, manufacturing and other non-essential businesses. In addition, Phase 4 allows gatherings up to 50 people. Although many sectors of the economy re-opened in Phase 4, there are various capacity limitations, restrictions and best practices that remain in place. This City Manager Executive Order follows the guidance and best practices designed to provide a safe work environment. Nothing herein shall be precedent setting.

§ 20.2 CITY FACILITIES

All City facilities and/or offices shall be open by appointment only. In addition, the following City facilities shall be open to the public: (1) designated Park facilities (including Miller Park Zoo); (2) the lobby of the Police Department; (3) the City of Bloomington Library; (4) the customer service window at the Arena; and (5) City facilities for public meetings in accordance with the law. City facilities may also be used for Administrative Court and as otherwise approved by the City Manager.

§ 20.3 STAFFING LEVELS & CONTACT LIMITS

- A. Each Department Director is responsible for establishing the staffing and attendance levels and requirements of the Department’s employees in accordance with the provisions of this Executive Order.
- B. The maximum office occupancy capacity guideline of 50% shall be followed, unless exempted for essential personnel, including police, fire and public works or as otherwise directed by the City Manager.
- C. Department Directors may permit employees that have the capacity to work remotely to do so under the City’s Amended Remote Work Policy, which is hereby adopted and attached as Exhibit A. In some cases, employees may be required to work remotely where feasible to limit office capacity. All employees working remotely will have to comply with the City’s Amended Remote Work Policy.



HEALTH OFFICIAL RECOMMENDATIONS

1. Practice social distancing;
2. Washing your hands often;
3. Avoid touching your eyes, nose and/or mouth with unwashed hands;
4. Avoid contact with sick people;
5. Stay home if you are sick;
6. Cover your mouth/nose with a tissue or sleeve when coughing or sneezing; and
7. Clean and disinfect frequently touched objects and surfaces.

For more information on COVID-19 and related health information, please visit the following websites:

www.cdc.gov

dph.illinois.gov

health.mcleancountyil.gov

- D. When practical, employees shall use teleconferencing and videoconferencing while at their desk in lieu of in-person contact.
- E. Employee arrival and departure times to may be adjusted to limit contacts and interactions.
- F. The number of in-person meetings should be limited.

§ 20.4 HEALTH MONITORING, TEMPERATURE TAKING & REPORTING

- A. All employees are responsible for and must monitor and report any personal health issues that may be related to COVID-19. This is necessary and required for the health of the employees, the employee's co-workers and the general public. As part of this employees must be on alert for symptoms of fever, cough, or shortness of breath and any other COVID-19 symptoms and report same to their supervisor.
- B. All employees are required to take their temperature before reporting on-site to work at a City location. An employee with a temperature may not report to work. Instead, these employees must contact their supervisor and complete the screening process outlined in Subsection 20.8(B) below.
- C. The supervisors of all City employees shall be required to immediately report to the directors of their Departments when any employee reports any personal health issues that may be related to COVID-19. All directors shall notify the City's Communication Manager on any operational issues they are experiencing related to COVID-19. In addition, all directors shall provide updates to either the director or assistant director of the Human Resources Department related to any employee issues related to COVID-19 as they occur.
- D. Employees are responsible for monitoring their symptoms throughout the day and should report any changes to their supervisor immediately. If an employee begins to experience one or more of the symptoms identified in Section 28.8(A) below during the day, the employee shall be sent home and not permitted to continue working for the day, unless directed otherwise pursuant to necessary staffing levels as a critical worker.
- E. Where appropriate and authorized, employees that have been potentially exposed by a co-worker or other work-related exposure, will be notified.
- F. When an employee calls in sick or for leave to care for another dependent, the employee's supervisor (or designee) must go through a screening document, to be provided by Human Resources, to ensure there is no symptom or circumstance that might be related to COVID-19. Where there are "yes" answers to the screening document, the information must then be shared with Human Resources for potential follow-up and/or other directives.
- G. An employee that has been on leave (e.g., vacation, sick time, etc.) and/or that has been working remotely and is ready to report back on-site to work, must first go through a screening document, to be provided by Human Resources, with the employee's supervisor (or designee) to ensure there are no existing potential COVID-19 related symptoms or exposures. Where there are "yes" answers to the screening document, the information must then be shared with Human Resources for potential follow-up and/or other directives.

§ 20.5 FACE COVERING REQUIREMENTS

- A. City employees are required to wear a face covering that covers their mouth and nose, while working in any common area (e.g., hallways, conference rooms, vehicles, job sites, common office space, etc.), including both indoor and outdoor areas, as well as any time the employee cannot maintain a six-foot distance from another individual.
- B. To the extent resources are available, the Human Resources Department shall be responsible for providing face coverings to City employees and contractors. Employees may alternatively utilize their own face coverings as long as it adequately covers their mouth and nose. All face coverings must comply with the City's dress code.
- C. The following exceptions to the face covering requirements shall apply:
- (i) Employees that cannot medically tolerate a face-covering must communicate with the Human Resources Department and provide medical documentation supporting the inability to wear a face covering *prior* to reporting to work and performing any job duties. If an employee is medically unable to wear a face covering, the City will review the job responsibilities and options available to allow, where feasible, the employee to continue to perform the essential functions of their position.
 - (ii) Employees while eating and/or drinking are not required to wear a face covering while doing so, so long as they follow other applicable sanitation practices and are situated at least six feet away from other individuals.
 - (iii) Employees while working in their own enclosed space (e.g., a private office or cubicle) are permitted to work without a face covering as long as they are working within the enclosed space and are maintaining a six-foot social distance from other employees or individuals. It should be noted that face coverings for these, and all other employees, must be utilized when moving around City facilities, including but not limited to walking in hallways, common areas, restrooms, lounges, etc., where a six-foot distance cannot be maintained at all times.
 - (iv) Employees while operating vehicles are permitted to drive without a face covering if they are operating the vehicle solely without other passengers and so long as the interior of the vehicle is properly disinfected after use.
 - (v) Employees while working outdoors are permitted to work without wearing a face covering if they are working individually and outside of potential public interaction. Employees working outside, where six-foot social distancing cannot be complied with at all times, are required to wear face coverings.
 - (vi) Employees while working remotely in accordance with the City's Amended Remote Work Policy and in compliance with social distancing.
 - (vii) Department Director's may approve other exemptions for employees within their Department where the required six-foot social distancing may be complied with.

- D. Supervisors are responsible for ensuring employees under their supervision wear face coverings as required by this Section 20.5. Supervisors may be subject to discipline if employees under their supervision fail to wear face coverings as required herein. However, no supervisor shall be disciplined if he/she undertook good faith efforts to obtain compliance, including, for example, providing notifications and reminders of the face covering requirements, taking disciplinary action and/or if the employee acted without the knowledge of the supervisor.
- E. Employees that do not comply with the requirements of this Section 20.5 are subject to progressive discipline up to and including termination.

§ 20.6 SANITATION / CLEANING / DISINFECTING

- A. The Director of each Department is responsible for implementing supplemental cleaning of the Department's offices and taking other measures to assist with the sterilization of the Department's operating space. The Facilities Department shall be responsible for additional cleanings and providing guidance on same.
- B. The City will provide hand washing capability or sanitizer to employees. Frequent hand washing practicing by employees must take place, and an adequate supply of soap/ paper towels and/or disinfectant/ hand sanitizer will be available.
- C. Cleaning and disinfecting shall be conducted in compliance with best practice protocols, including:
 - (i) Clean and disinfect common areas (e.g., restrooms, cafeterias) and surfaces which are touched by multiple people (e.g., entry/exit doorknobs, stair railings) frequently; and
 - (ii) Workstations should be disinfected by employees upon entering office and before leaving for the day, with cleaning products provided by the City.
- D. The following best practices should be followed to ensure a sanitized work environment:
 - (i) When practical, avoid seating directly facing each other;
 - (ii) Modify employee traffic, where necessary, to minimize contact (one-way traffic, designated entrance and exit);
 - (iii) Discourage use of shared workspaces, desks, offices and reduce surface contact via no-touch doors and elevators, disposable desk/keyboard covers for any necessary shared workspaces;
 - (iv) Minimize the use of shared work materials / equipment (e.g., copiers, office supplies);
 - (v) When practical, reduce the use of shared papers and encourage use of digital tools; and
 - (vi) Limit usage of telephone receivers to one receiver per person.

- E. If an employee is identified as being COVID-19 positive by testing, CDC cleaning and disinfecting shall be performed as soon after the confirmation of a positive test as practical. The director of the employee's department shall be responsible for ensuring the proper cleaning is performed.

§ 20.7 SOCIAL DISTANCING

All employees shall be required to implement social distancing practices. Employees should consider whether internal meetings in person are necessary and if not, should replace same with phone conferences or email communications.

§ 20.8 QUARANTINE REQUIREMENTS - EMPLOYEES WITH COVID-19 ILLNESS OR SYMPTOMS

- A. Unless cleared through the screening process set forth in Section 20.8(B), employees shall not report to work, or be allowed to remain at work, if sick or symptomatic with any of the following:
- Cough, shortness of breath or difficulty breathing;
 - Fever or chills;
 - Muscle pain, headache, sore throat; or
 - New loss of taste or smell
- B. Employees with any of the symptoms listed in Section 20.8(A) must: (1) notify their supervisors; and (2) contact Human Resources at 434-2222 prior to reporting to or remaining at work. Human Resources is responsible for making the final determination on whether the employee may report to or remain at work. Nothing herein shall limit the Police Department and Fire Department from independently managing screenings for employees within their respective Departments.
- C. As a result of having one or more of the symptoms identified in Section 20.8(A), the employee may be required to quarantine and/or be prohibited from coming to work. Sick or symptomatic employees will be encouraged to seek a COVID-19 test at a state or local government testing center, healthcare center or other testing location. In some situations, employees may be required to have a negative test for COVID-19 before returning to work at a City facility.
- D. If an employee does test positive for COVID-19, the employee shall remain isolated at home for a minimum of 10 days after symptom onset and may be released after feverless and feeling well (without fever-reducing medication) for at least 72 hours OR has 2 negative COVID-19 tests in a row, with testing done at least 24 hours apart or as otherwise may be recommended by the McLean County Health Department.
- E. An employee may be required to report to work, regardless of the symptoms identified in Section 20.8(A) if they are considered a critical worker, as designated by the City Manager, and as directed to do so by a Department Head pursuant to necessary staffing levels.

- F. As the list of symptoms of COVID-19 is long and somewhat fluid, employees must be mindful of any new illness or condition and should treat such seriously. If there is a possibility that such new illness or condition could be related to COVID-19, the employee should not report to work and instead should notify their supervisor and seek immediate treatment and/or testing. Supervisors are also responsible for being mindful of employees that appear ill that have not self-reported.

§ 20.9 EMPLOYEES WITH EXPOSURE TO COVID-19

Any employee who has had close contact with a co-worker or any other person who has tested positive for COVID-19 must notify his/her supervisor as soon as they are aware of the exposure and shall not return to work until cleared by the City. Human Resources must also be notified of the exposure. An exposed employee may be required to quarantine for up to 14 days after the last/most recent contact with the infectious individual. The employee will be required to seek a COVID-19 test at a state or local government testing center, healthcare center or other testing locations.

§ 20.10 LEAVE FOR EMPLOYEES RELATED TO COVID-19

- A. Employees that are not permitted to work on-site as a result of COVID-19 due to quarantine requirements or because of testing positive for COVID-19, may be eligible for leave under the Families First Act, including the Emergency Family and Medical Leave Act and Emergency Sick Leave Act. Any leave not covered by these Acts may use personal, sick, vacation or other time. Questions should be referred to Human Resources.
- B. Employees that are required to quarantine may be allowed by their Director to work remotely if: (1) the employee is either asymptomatic or experiencing minor symptoms; and (2) the employee can meet the hourly requirements of the City and can work with full productivity and efficiency remotely. An employee working remotely in this instance must do so from their residence, unless another arrangement is approved by the City Manager. In addition, said employees working remotely under this Section 20.10 must remain quarantined.

§ 20.11 LEAVE FOR CHILD CARE

- A. Any employee that needs to miss work for child-care purposes may be eligible for expanded partial paid FMLA benefits. Employees may use other available leave time (e.g., sick, vacation, personal days, etc.) to cover the remainder of their pay. If FMLA benefit time is exhausted, employees may continue to use other available leave time (e.g., sick, vacation, personal days, etc.) for child-care purposes. Questions should be referred to Human Resources. Employees may not bring their children to work.
- B. An employee that is able to work remotely is not required to take leave as long as said employee is able to continue meeting the hourly requirements of the City and can work with full productivity and efficiency. This includes where a child or dependent is able to take care of themselves and should not include situations where the child or dependent needs the repeated attention and/or close supervision of the employee. Directors may also approve flex schedules that do not interfere or interrupt the delivery of City services. A copy of any approved flex schedule must also be sent to the City Manager.

§ 20.12 EXTERNAL INTERACTIONS

Suppliers, vendors and visitors shall be required to wear face coverings over their nose and mouth when entering workspaces. Violations of this should be reported by employees to their supervisors.

§ 20.13 COMMUNICATIONS

The City's Communication Manager shall continue to be responsible for issuing timely press releases providing information on the City's actions regarding COVID-19 and sharing updates as they become available.

§ 20.14 BUSINESS TRAVEL

The physical attendance at conferences and/or seminars is prohibited unless approved by a Department Director or the City Manager. Other business travel is allowed if approved by the Department Director. If an employee is approved to travel for business, the employee must follow CDC considerations to protect themselves and others during the trip.

§ 20.15 GENERAL OPERATIONS

- A. Business Continuity. The business of the City will continue. While efforts are taken to minimize exposure risks, the City provides essential services and functions to the residents of Bloomington and the greater community. Accordingly, each City Department shall continue to ensure the operations of the Department continue in an organized and professional manner and in accordance with all applicable rules, regulations and executive orders.
- B. Permits & Transactions. To limit exposure risks, City Departments with public interaction should continue innovative ways to allow the public to do business with the City remotely. All financial and permitting transactions with the City must either be done online, via the telephone or the mail. Cash payments for water billing and other services may be made in person at the Arena.
- C. Procurement. All purchases and/or expenditures made as a result of the City's response to the COVID-19 outbreak must be tracked and coded in Munis. The Facilities Department is responsible for the acquisition and distribution of any necessary cleaning supplies and products. Any questions regarding purchases and/or the tracking of expenditures should be directed to the City's Procurement Office at ext. 2277.

§ 20.16 DISCIPLINE

Any employee that fails to abide by any of the provisions of this Executive Order or otherwise violates same shall be subject to discipline, up to and including termination.

§ 20.17 REPEAL / EXECUTIVE ORDERS

Effective August 28, 2020, the provisions of City Manager Executive Order 2020-17 shall be repealed and replaced by this Executive Order 2020-20.

§ 20.18 EFFECTIVENESS

This City Manager Executive Order 2020-20 shall be effective beginning August 28, 2020 through December 31, 2020, unless repealed or amended further by the City Manager.



Amended Remote Work Policy (Effective August 28, 2020)

The City of Bloomington may allow employees to temporarily work from home for circumstances such as inclement weather, pandemics, special projects or business travel in order to promote continuity of operations by allowing employees to continue their work at an approved alternative worksite. Remote work allows employees to work at home, on the road or in a satellite location, with the appropriate approval, for all or part of their workweek. The City of Bloomington considers remote work to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. These arrangements are approved on an as-needed basis by each Department Head, subject to the approval of the City Manager, with no expectation of on-going continuance and focuses first on the operational needs of the City.

Remote work may be appropriate for some employees and jobs but not for others. Remote work is not an entitlement, a citywide benefit, and nor does it change the terms and conditions of employment with the City. Before entering into any remote work agreement, the employee and Department Head, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability. The employee and supervisor will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful remote workers.
- Job responsibilities. The employee and supervisor will discuss the job responsibilities and determine if the job is appropriate for a remote work arrangement.
- Equipment needs and scheduling issues. The employee and supervisor will discuss the physical workspace needs. The employee is responsible at all times to safeguard all equipment, records, services and communications. Employees must protect the confidentiality of all electric and verbal communications.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.
- The employee and supervisor will agree on the number of days of remote work allowed each week, the work schedule the employee will maintain, the manner and frequency of communication and a methodology for measuring the employee's work results/productivity.
- Remote work employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to record all hours worked in compliance with established policy and procedure.

- Employees understand that they remain liable for injuries to third persons and/or members of employee's family at employee's remote work location. Employee agrees to defend, indemnify and hold harmless the City from and against any and all claims or liability resulting from any injury to persons (including death) or damage to property caused by the services provided by the employee or by the employee's willful misconduct, negligent acts or omissions in the performance of the employee's duties and obligations under the agreement.

Evaluation of remote worker performance will include regular interaction by phone and e-mail between the employee and the supervisor to evaluate performance, work output and completion of objectives.

On a case-by-case basis, the City of Bloomington will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs for each remote work arrangement. The human resource and information system departments will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. The City accepts no responsibility for damage or repairs to employee-owned equipment. The City reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the organization is to be used for business purposes only. The employee must take appropriate action to protect the items from damage or theft. Upon termination of employment, or remote work situation all City property will be returned to the City, unless other arrangements have been made.

The employee will establish an appropriate work environment within his or her home for work purposes. The City will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space. Consistent with the City's expectations of information security for employees working at the office, remote work employees will be expected to ensure the protection of proprietary City and citizen information accessible from their home office or remote work location. Department Heads will have the discretion to approve the removal of paper files from City premises. Employees who are temporarily working from a location other than their home, shall have written approval of their Department Head to work from this location. Any change in the location of an employee's home shall require a notice to their Department Head. The City reserves the right upon notice to require an employee to report back to working on-premises versus working remotely.

Employees are expected to maintain their home or approved remote workspace in a safe manner, free from safety hazards. Remote work employees are responsible for notifying their supervisor and Medcor immediately following any injury while working. Employees are not to have in-person meetings in their home.

Employee Acknowledgement:

1. I understand that I am responsible for maintaining the security and safety of the equipment and data entrusted to me. I agree to immediately surrender all city-owned equipment, files, and/or materials in the event that either this remote work agreement and/or my employment terminates. I understand that if I do not return this equipment in good working order, except for reasonable wear and tear, I will be responsible for reimbursing City of Bloomington the current value of the equipment.
2. I agree that all other remote work-related equipment or out-of-pocket expenses are my responsibility.
3. I agree to comply with the Amended Remote Work policy, and I have received a copy of it.
4. I agree to provide all appropriate liability, theft, and damage insurance at my own expense.
5. I further agree to hold the City harmless for any liability to any third-party claims arising out of the remote work arrangement.
6. I further understand that the tax consequences (if any) with setting up my remote workspace are entirely my responsibility.

Employee Signature: _____ Date: _____

Department Head Signature: _____ Date: _____