



WORK SESSION
REGULAR MEETING AGENDA

A work session of the Coleraine City Council will be held at Coleraine City Hall in Council Chambers at 3:30 p.m. on Tuesday, May 26th, 2020. Cavour Johnson will address the Council regarding changes that needed to be made to the Grant Application to the Minnesota Historical Society for Coleraine City Hall Masonry and Roof Repairs.

Please note: The doors to City hall will open 15 minutes prior to the meeting and the public is welcome to attend, however, strict social distancing guidelines will be followed. Only six people will be allowed in the gallery at one time; this includes staff.

Some of the City Council members may be participating by telephone. Members of the public may monitor the meeting via telephone conference. To monitor and access the meeting: dial 1-425-436-6378 and enter access code: 282213#. Please note that long distance charges may apply.

The Regular Meeting of the Coleraine City Council will begin at **4:00 p.m.** At said time the Council will consider the following:

Call to order/Pledge of Allegiance

Roll Call

Consent Agenda: Minutes of 5.11.2020
Correspondence
Claims

Approve meeting agenda with any changes or additions.

Public Comments:

Attorney: property taxes on city owned property
Court assessed costs

Department Heads: Library - raise for part-time employee
Clerk's Report

Committee/Commission/other: Public Utilities Commission & CBT
Eagle Ridge Golf Course
Planning & Zoning Commission
Greenway Joint Recreation Board
Cotton Beach
Mt. Itasca Ski Hill

New Business: New PD vehicle
Opening of facilities? -- Longyear Park, Pavilion, Nyberg, Cotton Beach, Log Church
MHSG application
Proposed notice – going out for bids – old Fire hall

Unfinished Business: cell phones/contract for Public Works staff/other staff

Council Concerns:

Dated this 22nd day of May, 2020


Briana Anderson, Clerk-Treasurer

CITY COUNCIL MEETING

A work session was held beginning at 3:30 p.m. and the regular meeting of the Coleraine City Council was held at 4:00 p.m., Monday, May 11th, 2020 in the Council Chambers of Coleraine City Hall with some members attending via telephone conference.

WORK SESSION

3:30 p.m.

Sarah Carling of CEDA, Jamie Mjolsness of Habitat for Humanity, and Kim Brink Smith of United Way were on hand to go over plans and discuss activities leading up to Day of Action in Coleraine. A team will be going door to door on May 15th along the Roosevelt corridor and visiting homes and businesses to provide information and hand out flyers including the flyer on Coleraine Clean-up day on June 19th. They want to do an outdoor blood drive on June 19th and use the Nyberg Center for back up in case of inclement weather. They would also like to do a Hygiene Drive that day and have police and fire department volunteers hand out Covid type care packages. It was announced that Elder Circle is now another partner on board.

It was reiterated that the Day of Action will probably be “Days of Action” to meet Covid social distancing guidelines. What that means is that the work will be spread out over a month or so with smaller groups working on projects over several days. Priority discussions are still being held and the goal is to look at how many homeowners can be served as well as tackling a couple city projects. One of the focuses will be the blight concerns on alleyways.

There is an opportunity to apply for a downtown street scape grant (matching grant) and they will be looking for letters of support from the City which may encompass putting out flower pots and painting businesses. It was reported that Leo Trunt, our District Itasca County Commissioner, will be writing a letter of support should the City provide permission to apply for the grant.

Finally, they are working on developing some sort of visual experience with a live stream or prerecorded video of what Day of Caring is and what it means to the City as well as setting up some sort of wrap-up street celebration (no date yet).

REGULAR MEETING

4:00 p.m.

The regular meeting was called to order by Mayor Mandich at 4:00 p.m. followed by the Pledge of Allegiance. A roll call was done by Clerk Anderson. Members present: Councilpersons Stish, Troumbly, Pollard, Sutherland, and Mayor Mandich. Attorney Dimich was also present.

Moved by Councilperson Stish, supported by Troumbly, **to approve the consent agenda which included Council meeting minutes of 4.27.20, correspondence, Public Utility claims of \$15,430.44, regular claims of \$14,750.75 and claims already paid of \$27,100.** Roll Call: Ayes: Councilpersons Stish, Troumbly, Pollard, Sutherland, and Mayor Mandich. Nays: none. Motion carried.

Moved by Councilperson Stish, seconded by Pollard, **to approve the meeting agenda with the addition of the Proclamation Declaring a 2020 Senior Class Recognition Day.** Roll Call: Ayes: Councilpersons Stish, Pollard, Sutherland, Troumbly, and Mayor Mandich. Nays: none. Motion carried.

PUBLIC COMMENTS:

Resident Mary Drewes requested permission to dump leaves in an area across Lakeview Blvd filling up the hole where the bank is failing. Discussion surrounded the current signage. The consensus of the Council was to allow this in only that one spot.

DEPARTMENT HEADS Police Department

Police Chief Mjolsness had presented a written report for Council packets which included a quote for a new squad. It takes 6 months after an order for a squad to be outfitted and ready for use. Once received, the oldest squad would be put in the paper for sealed bids. It was stated that this will not impact the budget as the current loan is almost complete. Funds for the purchase comes from the fines collected each month. This will be placed on the next agenda for approval.

Mjolsness noted that he would like to get together with the Zoning and Planning Commission and come up with some ordinance to regulate vehicle parking in yards and/or driving over the curbs in town.

Lastly, Mjolsness indicated that he has lost part-time officers and is currently trying to hire more.

Public Works (Street):

Public Works Supervisor Bertram had provided a written report and attended via phone to go over the report. Of concern was the reclaim pump that had failed over the last week and the reclaim meter which is reportedly on its last leg. Quotes were provided in the report from Quality Flow Systems, Inc. which is who has worked with the city in the past. Two options were provided and discussed. **Motion** by Councilperson Pollard with the support of Sutherland **to approve Option 2 – Replacement Pump and Guide System (Reclaim Basin) for at the installed sell price of \$8,960 from Quality Flow Systems, Inc.** Roll Call: Ayes: Councilpersons Pollard, Sutherland, Stish, Troumbly and Mayor Mandich. Nays: none. Motion carried.

Public Works staff have expressed concern with hiring temporary, seasonal workers and exposure to Covid-19. A brief discussion ensued as to what could be put in place to protect all staff. No formal motions were necessary.

A quote was provided for street sweeping by a local contractor. \$125 per hour per truck (2 trucks). It is estimated that it would take three to four days to complete the work.

Bertram stated that the street crew has now started their summer hours – 6am to 3:30 p.m. Monday through Thursday and 6am to 10am on Fridays.

ATTORNEY:

Nothing to report at this time.

NEW BUSINESS:

Day(s) of Action – Motion by Councilperson Stish with the support of Troumbly **to grant permission and allow the Police and Fire Department to assist with a hygiene drive on June 19th by having volunteers handing out Covid centered care packages.** Roll Call: Ayes: Councilpersons Stish, Troumbly, Pollard, Sutherland, and Mayor Mandich. Nays: none. Motion carried.

Motion by Councilperson Troumbly, supported by Stish, **to allow use of the Nyberg Community Center if necessary, for a blood drive on June 19th.** Roll Call: Ayes: Councilpersons Troumbly, Stish, Pollard, Sutherland, and Mayor Mandich. Nays: none. Motion carried.

Motion by Councilperson Pollard with the support of Stish **to provide letters of support and apply for a Downtown Streetscape Grant from IRRR.** Roll Call: Ayes: Councilpersons Pollard, Stish, Sutherland, Troumbly, and Mayor Mandich. Nays: none. Motion carried.

Historical Society Grant Application-City Hall Masonry & Roof Repairs – The grant application had previously been sent to the Council for review and a copy was included in Council packets. Cavour Johnson explained that this was a highly competitive grant and would require a 20% match – roughly \$30,972. This figure represents both a cash and in-kind contribution. The grant is specifically to get the masonry and roof repairs suggested by the construction documents prepared by Collaborative Design Group completed during a previous grant received. A brief discussion followed. **Motion** by Councilperson Stish, supported by Sutherland **to approve and submit the preliminary grant application.** Roll Call: Ayes: Councilpersons Stish, Sutherland, Pollard, Troumbly, and Mayor Mandich. Nays: none. Motion carried. Council stated their appreciation and thanks for all Cavour's work on this grant.

Resolution accepting donation for Stormwater Enhancement Project – Clerk Anderson explained a donation had been received by Stephen Crosbie specifically for use towards the Stormwater Enhancement Project. **Motion** by Councilperson Sutherland with the support of Pollard **to accept the donation and set-aside said donation for the project.** Roll Call: Councilpersons Sutherland, Pollard, Stish, Troumbly, and Mayor Mandich. Nays: none. Motion carried.

Set up Fund 406 to track monies for the Stormwater Retrofit Project – Clerk Anderson stated a specific fund is recommended to be set up to track, restrict, and spend monies for the various parts of this long-term project. Setting up the fund requires Council approval. **Motion** by Councilperson Pollard, supported by Sutherland, **for the Clerk to set up Fund 406 for the Stormwater Retrofit Project.** Roll Call: Ayes: Councilpersons Pollard, Sutherland, Stish, Troumbly, and Mayor Mandich. Nays: none. Motion carried.

Hiring policy for temporary seasonal employees – Clerk Anderson explained that due to the concern of full-time public works staff and potential exposure to Covid that social distancing would be difficult should they have to ride in the same vehicle. Public Works Supervisor Bertram was unable to secure the use of golf carts from the golf course. Anderson has checked on options with the League of MN Cities. The following standard mileage reimbursement language is in their model Personnel Policy template: ***“Employees who find it necessary to use their private automobiles for city travel and who do not receive a car allowance will be reimbursed at the prevailing mileage rate as established by***

the City Council, not to exceed the allowable IRS rate.” Anderson explained adding this to the City’s policy might be useful should there not be enough city vehicles to travel to work locations and is already practice for administrative staff. **Motion** by Councilperson Troumbly supported by Pollard **to adopt the suggested language as part of City policy with the exception of traveling back and forth for taking lunch and breaks together. It is expected that staff will take breaks and lunch where they are at.** Roll Call: Ayes: Councilpersons Troumbly, Pollard, Stish, Sutherland, and Mayor Mandich. Nays: none. Motion carried.

Clerk Anderson also brought up that two of the summer help applicants not only were returning for the summer, but had also been rink attendants over the winter season. Both have had drug tests and background checks within the last six months. Anderson was suggesting that **language be added to the City’s hiring policy to waive drug testing and background testing for returning seasonal workers provided that testing was completed within the last year.** **Motion** by Councilperson Stish, with the support of Pollard, **to approve such language be added to the City’s hiring policy for seasonal employees.** Roll Call: Ayes: Councilpersons Stish, Pollard, Sutherland, Troumbly, and Mayor Mandich. Nays: none. Motion carried.

Street Sweeping – a quote for a contractor to complete city street sweeping had been included with the Public Works Supervisor report. It was reiterated that the rate would be \$125/hour and would take two trucks at a time approximately 3 to 4 days to complete the work. **Motion** by Councilperson Pollard, supported by Troumbly, **to hire the contractor to perform street sweeping this spring at the quoted rate.** Roll Call: Ayes: Councilpersons Pollard, Troumbly, Stish, Sutherland, and Mayor Mandich. Nays: none. Motion carried.

Easements for H & H -- Clerk Anderson reported that easements for the Bike trail, water lines, and one for Minnesota Power for electricity that are currently on the property had not been recorded and are necessary for the sale of said property. H & H is requesting that the City take care of obtaining and recording the required easements. The cost to the City should not exceed \$450.00 and there is a possibility that two of them can be done together. **Motion** by Councilperson Troumbly with the support of Pollard **to approve the drafting of and recording of the three easements.** Roll Call: Councilpersons Troumbly, Pollard, Stish, Sutherland, and Mayor Mandich. Nays: none. Motion carried.

UNFINISHED BUSINESS:

Cell phones/contract for Public Works Staff/other staff – Clerk Anderson reported that she has not had time to work on this and will attempt to get something put together for the next Council meeting. This has been **tabled.**

COUNCIL CONCERNS:

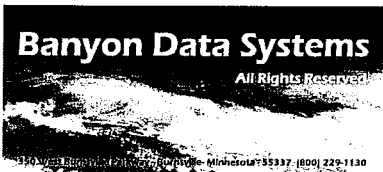
Stish:	Reported that the Planning & Zoning Committee will meet next week to go over a variety of issues.
Troumbly:	None
Pollard:	Stated that he will be gone for approximately one month and will miss the next two meetings.
Sutherland:	None
Mandich:	None

Motion by Councilperson Pollard with the support of Sutherland **to adjourn the meeting at 5:39 p.m.**
Ayes: all. Nays: none. Motion carried.

Dan Mandich, Mayor

Briana Anderson, Clerk-Treasurer

Note: Clerk Anderson failed to remind Council about the addition of the Proclamation Declaring 2020 Senior Class Recognition Day on May 30th that had been presented and added to the agenda. An e-mail went out with the proclamation attached requesting an approval of each Council member. The following replied independently to the Clerk to approve the proclamation as presented in the affirmative: Councilpersons Sutherland, Pollard, Stish, Troumbly, and Mayor Mandich. Proclamation Declaring 2020 Senior Class Recognition Day on May 30th approved.



COLERAINE, MN

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Payments

Current Period: MAY 2020

Batch Name	5/26/20bills	User Dollar Amt	\$25,363.28		
	Payments	Computer Dollar Amt	\$25,363.28		
			\$0.00	In Balance	
Refer	0 ANDERSON, LLOYD				
Cash Payment	E 100-46000-241 Zoning Officer	monthly stipend for May			\$100.00
Invoice	5/26/2020				
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100		Total	\$100.00
Refer	0 RANGER, DUANE				
Cash Payment	E 100-46000-241 Zoning Officer	monthly stipend for May			\$100.00
Invoice	5/26/2020				
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100		Total	\$100.00
Refer	0 BAKER AND TAYLOR ENTERTAIN				
Cash Payment	E 175-45501-435 BOOKS	new book orders for Library			\$140.39
Invoice	2035224281 5/6/2020				
Cash Payment	E 175-45501-435 BOOKS	new book orders for Library			\$35.25
Invoice	2035223200 5/5/2020				
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100		Total	\$175.64
Refer	0 BANYON DATA SYSTEMS, INC.				
Cash Payment	E 600-43200-343 COMPUTER SUPPORT	PSN Module Support			\$195.00
Invoice	160299 6/1/2020				
Cash Payment	E 175-45501-343 COMPUTER SUPPORT	Pay Timecard Entry Support			\$119.00
Invoice	160299 6/1/2020				
Cash Payment	E 100-41400-343 COMPUTER SUPPORT	Pay Timecard Entry Support			\$119.00
Invoice	160299 6/1/2020				
Cash Payment	E 100-42100-343 COMPUTER SUPPORT	Pay Timecard Entry Support			\$119.00
Invoice	160299 6/1/2020				
Cash Payment	E 100-43100-343 COMPUTER SUPPORT	Pay Timecard Entry Support			\$119.00
Invoice	160299 6/1/2020				
Cash Payment	E 600-43200-343 COMPUTER SUPPORT	Pay Timecard Entry Support			\$119.00
Invoice	160299 6/1/2020				
Cash Payment	E 600-43200-343 COMPUTER SUPPORT	UB Support			\$795.00
Invoice	160299 6/1/2020				
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100		Total	\$1,585.00
Refer	0 BOVEY BAIT, INC.				
Cash Payment	E 100-42100-212 MOTOR FUELS	gas for PD vehicles			\$41.00
Invoice	1272 5/18/2020				
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100		Total	\$41.00
Refer	0 BURGGRAF S ACE HARDWARE/PA				
Cash Payment	E 175-45501-220 SUPPLIES	Orange Guard for library			\$17.99
Invoice	335741 5/14/2020				
Cash Payment	E 100-43100-220 SUPPLIES	extension cords and power strip for street department			\$55.97
Invoice	335655 5/13/2020				
Cash Payment	E 100-43100-220 SUPPLIES	hardware			\$4.40
Invoice	334909 4/28/2020				
Cash Payment	E 175-45501-401 BUILDING MAINTENAN	gorilla construction adhesive for Library			\$12.99
Invoice	334842 4/27/2020				



COLERAINE, MN

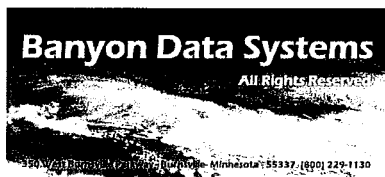
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Cash Payment	E 100-43100-220 SUPPLIES	caulkeeper caps		\$2.99
Invoice	334842	4/27/2020		
Cash Payment	E 600-43200-220 SUPPLIES	N95 Masks		\$69.90
Invoice	336161	5/22/2020		
Cash Payment	E 100-43100-401 BUILDING MAINTENAN	project painter plus		\$299.99
Invoice	336161	5/22/2020		
Cash Payment	E 100-43100-220 SUPPLIES	extension tip, couple, couple & stop, tub strap, tube cooper,		\$131.47
Invoice	336161	5/22/2020		
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total	\$595.70
Refer	0 BTC, INC.			
Cash Payment	E 100-43100-212 MOTOR FUELS	346 gallons of #2 ULSD		\$585.00
Invoice	26287	5/16/2020		
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total	\$585.00
Refer	0 CARDMEMBER SERVICE			
Cash Payment	E 100-41110-220 SUPPLIES	printing of blight notices on door hangers		\$224.80
Invoice		4/15/2020		
Cash Payment	E 100-41400-322 POSTAGE	certified mail to resident		\$6.40
Invoice	544	4/27/2020		
Cash Payment	E 100-41400-322 POSTAGE	postage for newsletter		\$550.00
Invoice	503	4/17/2020		
Cash Payment	E 100-41400-322 POSTAGE	property vacations to recorder's office		\$2.20
Invoice	554	4/28/2020		
Cash Payment	E 100-41400-322 POSTAGE	certified mail to resident		\$6.95
Invoice	609	5/5/2020		
Cash Payment	E 100-42100-220 SUPPLIES	Brother Printer for PD		\$199.99
Invoice		5/6/2020		
Cash Payment	E 100-42100-220 SUPPLIES	Brother toner replacement cartridge		\$109.99
Invoice		5/6/2020		
Cash Payment	E 100-42100-240 SMALL TOOLS & MINO	3 - Philips CVT2000 Digital Voice Recorders		\$154.35
Invoice		5/6/2020		
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total	\$1,254.68
Refer	0 CERTIFIED LABORATORIES			
Cash Payment	E 600-43200-217 SUPPLIES-WATER	Citra Flow, 2 x 2.5 FL, NAC FE		\$509.50
Invoice	3949090	5/8/2020		
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total	\$509.50
Refer	0 EXCEL BUSINESS SYSTEMS			
Cash Payment	E 100-41400-220 SUPPLIES	contract base rate charge for the 4/15/20 to 5/14/20 billing period		\$0.00
Invoice	61490	5/8/2020		
Cash Payment	E 100-41400-220 SUPPLIES	contrat copies charge for the 4/15/20 to 5/14/20 copies period (8,394 colored copies the majority of which are the newsletter mailing)		\$578.28
Invoice	61490	5/8/2020		
Cash Payment	E 100-41400-404 EQUIPMENT MAINTEN	monthly lease payment for April		\$135.89
Invoice	61490	5/8/2020		
Cash Payment	E 100-41400-404 EQUIPMENT MAINTEN	monthly lease payment for May		\$135.89
Invoice	61616	5/12/2020		



COLERAINE, MN

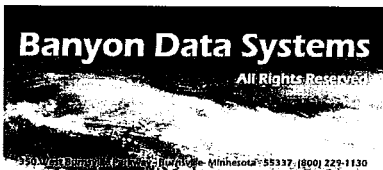
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Cash Payment	E 100-41400-404 EQUIPMENT MAINTEN	note: no charges for contract base rate for 5/15/20 to 6/14 20 billing period	\$0.00
Invoice	61616	5/12/2020	
Cash Payment	E 100-41400-220 SUPPLIES	contract base rate charge for the 4/15/20 to 5/14/20 billing period on old machine	\$0.00
Invoice	61617	5/12/2020	
Cash Payment	E 100-41400-220 SUPPLIES	contract copies charge for the 4/15/to 5/14/20 copies period on old machine	\$101.21
Invoice		5/12/2020	
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total \$951.27
Refer	0 FOUR SEASONS MARKET		
Cash Payment	E 115-45100-327 PARK EXPENSES	4 - 10" baskets for city	\$115.92
Invoice	57589	5/19/2020	
Cash Payment	E 115-45100-327 PARK EXPENSES	10 pks @ 2.98 each	\$29.80
Invoice	57590	5/19/2020	
Cash Payment	E 115-45100-327 PARK EXPENSES	4 baskets charged for 2019 summer season not billed or paid for previously	\$127.16
Invoice	58021		
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total \$272.88
Refer	0 HILLYARD INC.		
Cash Payment	E 100-43100-220 SUPPLIES	hand soap, liners, paper towels, and tissue paper	\$462.40
Invoice	603880280	5/14/2020	
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total \$462.40
Refer	0 MINNESOTA ENERGY RESOURCE		
Cash Payment	E 150-41925-383 HEAT	called and removed this from budget billing -- The city has a \$445.44 credit and is only using standard \$18.00 per month for heat	\$0.00
Invoice	0506668407-000	5/14/2020	
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total \$0.00
Refer	0 MINNESOTA POWER		
Cash Payment	E 115-45100-381 ELECTRICITY	5141119280 - Park Pavilion	\$157.30
Invoice		5/6/2020	
Cash Payment	E 100-43160-381 ELECTRICITY	3530120000 - Lt Op 1	\$925.02
Invoice		5/6/2020	
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total \$1,082.32
Refer	0 NORTHEAST LAW ENFORCEMENT		
Cash Payment	E 100-42100-433 DUES	annual dues	\$75.00
Invoice		5/13/2020	
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total \$75.00
Refer	0 RAPID ROOTER INC.		
Cash Payment	E 600-43200-408 WATER LINE REPAIR	high pressure water jetting - hydrant shut off	\$175.00
Invoice	8326	5/18/2020	
Cash Payment	E 600-43200-408 WATER LINE REPAIR	high pressure water jetting water shut off valves	\$300.00
Invoice	8345	5/19/2020	
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total \$475.00
Refer	0 SEH, INC.		



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Cash Payment	E 100-41110-303 ENGINEERING FEES	Coleraine 2020 Infrastructure CIP	\$220.00
Invoice	386022	5/13/2020	
Cash Payment	E 100-41110-303 ENGINEERING FEES	old Fire Hall - legal descriptions	\$1,050.00
Invoice	386022	5/13/2020	
Cash Payment	E 600-43200-303 ENGINEERING FEES	Water Treatment Facility	\$1,400.00
Invoice	386022	5/13/2020	
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total \$2,670.00
Refer	0 SERVPRO		
Cash Payment	E 100-43100-401 BUILDING MAINTENAN	Water restoration due to damage to old fire hall roof from ice and snow removal -- covered by insurance - Claim CP104263	\$14,255.05
Invoice	5522577	4/24/2020	Project OFHroo
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total \$14,255.05
Refer	0 TACTICAL SOLUTIONS		
Cash Payment	E 100-42100-404 EQUIPMENT MAINTEN	certification of radar units and tunig forks complete with certificates done on 5/12/20	\$34.00
Invoice	7809	5/12/2020	
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total \$34.00
Refer	0 TDS LONG DISTANCE CORPORATI		
Cash Payment	E 600-43200-320 TELEPHONE	service for 5/13/20 to 6/12/20 for 4 lines	\$138.84
Invoice		5/13/2020	
Transaction Date	5/26/2020	1ST NAT. BANK CO 10100	Total \$138.84

Fund Summary

	10100 1ST NAT. BANK COL.	
100 GENERAL FUND		\$20,905.24
115 RECREATION		\$430.18
150 LOG CHURCH		\$0.00
175 LIBRARY		\$325.62
600 PUBLIC UTILITIES		\$3,702.24
		<u>\$25,363.28</u>

Pre-Written Checks	\$0.00
Checks to be Generated by the Computer	\$25,363.28
Total	<u>\$25,363.28</u>

CBT REGULAR MEETING MINUTES MAY 2020

The Regular Meeting of the Coleraine, Bovey, and Taconite Joint Wastewater Commission was held on Wednesday, May 20th, 2020 at 4:00 P.M. in the Taconite Community Center Gym. Due to COVID 19 restrictions the April meeting was cancelled and the May meeting location was moved to accommodate social distancing requirements.

Members present: Chairperson Odden, M. Troumbly, Tok, Casey, and J. Troumbly. Absent: Pollard, Bertram, Trboyevich and Savich. Also attending: Operators Brist and Dezelske.

Moved by Casey and supported by Tok to approve the minutes from the Regular Meeting held March 11th, 2020 as read by Tok. Ayes: All. Nays: None Motion carried.

Moved by Tok and supported by J. Troumbly to approve claims 863 – 920 in the amount of \$49,758.37 with claims 877 and 878 to the City of Coleraine in the amounts of \$1,385.83 and \$2,000.00 plus claims 916 to North Central Labs for \$2,675.94 and claim 920 to Ideal Service Inc. for \$4,017.92 to be paid from the replacement fund, and also approve the March and April 2020 Financial Statement with total available funds of \$51,507.97 and file for audit as read by Chairperson Odden. Roll Call Vote: Ayes: All Nays: None Motion carried

Plant Operator Chuck Brist presented the plant's March and April monthly reports. Brist reported for March that they built a new safety screen for grit classifier, found VFD for #2 blower unrepairable, had air valve on C1 manhole stuck, installed vacuum regulator maintenance kits. With 31 days of data March wastewater flows for Coleraine 47.24%, Bovey 39.15%, and Taconite 13.61%. 2nd quarter flow billing for May thru June Coleraine 49.97%, Bovey, 37.07%, and Taconite 12.96%. Reported in April they started chlorination and So2 systems for disinfection, ordered new SCU chlorine feed controller from VESSCO, pressed 4 times, found rags obstructing influent sample pump grinder head, April 28th started proficiency testing with the Microbe/fecal coliform test. With 30 days of data April wastewater flows for Coleraine 46.22%, Bovey 40.01% and Taconite 13.77%.

Moved by J. Troumbly and supported by Tok to approve 2nd Quarter billing flows of Coleraine 49.97%, Bovey 37.07% and Taconite 12.96%. Roll Call Vote Ayes: All Nays: None. Motion carried.

Moved by Tok and supported by Casey to renew medical insurance with MN PEIP the H.S.A. Advantage Plan with Family Premiums at a rate of \$1,461.84 and Single monthly premium of \$561.38. Ayes: All, Nays: None Motion carried.

Moved by J. Troumbly supported by Casey to purchase a BOD incubator from North Central Labs at a cost of \$2,675.94 with payment coming from the replacement fund also approve purchase of SFC-SC CL Flow Proportional Controller from VESSCO at a cost of \$1,924.88. Ayes: All, Nays: None Motion Carried

During the 2019 Financial Audit, auditor Bonnie Sterle recommended that the commission review the union agreement to ensure proper calculations for employee health insurance reimbursement rates. The agreement calls for the retiree to be responsible for 50% of dependent coverage. 2019 calculations were taken by dividing ½ the family plan and having retiree pay 50% of that amount. She felt that commission may want to take the difference of the family and single plans and have retiree pay difference between the two. This would amount to an addition \$74.88 per month for the retiree. In checking with auditor she felt that the

current method was fine as long as it stayed consistent in future situations. Current retiree Hawkinson is checking to see if he could have two single plans. This would reduce premium costs.

Moved by J. Troumbly supported by Odden that commission and follow union agreement between CBT and the American Federation of State, County and Municipal Employees, AFL-CIO found in Appendix B-3 (Insurance Coverage of Retired Employees) Section "C" and "E". Ayes: All, Nays: None Motion Carried

During the 2019 audit, the auditor also recommended that by resolution the commission adopt a conflict of interest resolution for the employment of board member Odden.

The following resolution was introduced by M. Troumbly and supported by Casey:

RESOLUTION 05202020A

Resolution Accepting a Conflict of Interest

WHEREAS, Coleraine/Bovey/Taconite Joint Wastewater Board's member Cities have operated a joint sewage treatment plant and associated facilities for the treatment and disposal of wastewater since 1987.

AND WHEREAS, the Coleraine/Bovey/Taconite Joint Wastewater Board has adopted a Joint Powers Agreement in which Article IV paragraph A item 1 empowers the commission to obtain professional and skilled services and to hire employees the commission deems necessary to operate a plant.

AND WHEREAS, the Minnesota Pollution Control Agency requires that the treatment plant employ a competent Waste Water Operator that holds a Class B Wastewater Operators certification issued by the MPCA.

AND WHEREAS, upon the retirement of Plant Operator Hawkinson that held the required certification a vacancy occurred.

AND WHEREAS, board member Kevin Odden former CBT plant operator holds a Class B Wastewater Operators certification issued by the Minnesota Pollution Control Agency (MPCA)

AND WHEREAS, Kevin Odden being a current board member as required by the Joint Powers Agreement as stated in Article III paragraph 1.

AND WHEREAS, a search found no other person with a Class B Wastewater Operators certification that could provide such need service at a cost as low or lower than that offered by Mr. Odden.

BE IT THEREFORE RESOLVED THAT: Until such conflict can be resolved the Coleraine/Bovey/Taconite Joint Wastewater Board enter into a contract for service with Kevin Odden as a Class B Wastewater Operator under the requirements of the MPCA

Upon being put to a roll call vote: Ayes: All Nays None, Abstained Odden

Adopted this 20th day of May, 2020.

Moved by J. Troumbly and supported by Tok to adjourn @ 4:46. Carried.

Kevin Odden, Chairperson

Bob Tok, Secretary

May 2020 Library Board Minutes

The regular meeting of the Coleraine Library Board was called to order by Lila Dezelske at 4:04 PM on May 14, 2020.

Present: Mostad-Jensen, Dezelske, LaFond, Inglebret, Sutherland, Savich

Absent: Patnaude

No March minutes due to the COVID-19

No April minutes due to the COVID-19

Motion was made by Dezelske and seconded by Savich to approve the March librarian's report and bills. Roll call vote passed.

Motion was made by Dezelske and seconded by Savich to approve the April librarian's report and bills. Roll call vote passed.

Old Business

- The next step in the upgrades to the library will be a building assessment. *On hold due to COVID-19*
- Liv will contact Theresa to see if Nature's Edge is still interested in remodeling the kitchen and repairing the front doors. *Nature's Edge will come over on Thursday, May 21st at 11:30AM*
- Liv is looking into a Legacy Grant for a building assessment. April is the next round of applications. *We should receive a decision within 8 weeks of the deadline, sometime in June.*
- Liv is re-submitting the LCP Round-up grant to purchase three computers instead of five which she hopes to improve the library's chances.. Also, Liv will find out more budget information from the department head meeting on Tuesday. Kathy also informed the board that the grant cycle for Greenway Community Foundation will be open March 1st to March 31st. *Received \$500 from the Round-up grant. Waiting to hear from Greenway Community Foundation. Liv will contact them on Monday. Over \$2000 being held over from the City for computers.*

New Business

- Liv recommended a pay raise for Jean. Liv feels a \$1.50 raise would be fair, based on the fact that summer workers get a .50 raise for returning for a second summer and that Jean is starting her third year at the library without having received any raises. She has also taken on many more duties and responsibilities over the last few years and has been very reliable. It would be \$660 out of the library budget. *Dezelske motioned. Inglebret seconded. Roll call vote. Motion passed. Liv will make the request to the city.*
- The library received \$2551 in Crossover funds from ALS. \$150 was put toward ebooks and audiobooks for the region as they have been in high demand due to the pandemic.

- The Arrowhead Regional Library system has allocated funds from cancelled summer programming to individual libraries for summer reading programs. Each library can be reimbursed up to \$750. Liv is considering developing a flexible summer reading program with Take & Make kits. Liv will work with Marble and Calumet librarians to get the word out via the school system. .
- Liv will start to advertise curbside pick up on Monday, May 18th. Books are in quarantine for 72 hours before distributed/redistributed. The library is open 10-2, M-F.

Upcoming Legacy Events

No Legacy events scheduled at this time.

Motion to adjourn at 3:58 PM by LaFond and seconded by Dezelske. The next meeting is scheduled for Thursday, June 11th , 2020.

Respectfully submitted by: Jennifer Inglebret

Notes for Library Board Meeting on March 12, 2020 at 3:00 pm

What we are doing:

- We have a person in the building at least from 10-2 M-F (with a few exceptions)
 - o Currently:
 - Liv works at the library on Mondays and from home the rest of the week
 - Tasks have included providing reference, technical support for Jean and Karla, grant writing, book ordering, coordinating with ALS, cataloging, school billing, planning a no-contact Summer Reading Program, Zoom Coffee, Cake and Craft meet-ups etc.
 - Karla is now working Wednesdays at the library. She is focusing primarily on processing new books and coordinating curbside pick-up for the day. She has also been doing a lot of research for book buying and summer reading brainstorming.
 - Jean is working Tuesdays, Thursdays and Fridays. She has instrumental in setting up and coordinating the initial curbside pick-up system. As she has time, she is also doing inventory. This was delayed somewhat because MobileCirc, the program we usually use for inventory, was having technical issues. We were conducting test inventories to try to help the company and ALS fix it.
- No-contact curbside pick-up and printing
 - o Not currently advertised
 - o Based on patrons contacting library staff, library staff contacting patrons and word of mouth
- The book drop is open and checked daily. Books are being quarantined as they come in.
- Receiving courier deliveries from ALS on Mondays. The delivery bins are quarantined for a day before they are processed.
- Ordering, receiving and processing new books

A Plan for the Future:

We will implement the following phased plan based on our assessment of the local situation and guidance from county, state and federal health departments. Following the modifications of the state stay-at-home order announced on Wednesday, May 14, we would likely put into action most of the elements of Phase 1 starting on Monday, May 18. We do expect to be operating in Phase 1 for a while yet.

Phase 1

The no-contact curbside pick-up and printing is advertised. Staff return to the library building, maintaining social distance when more than one person is working at the same time. Interlibrary loan service and book delivery are restored to their normal M,W,F schedule. We explore the possibility of providing limited computer access by appointment

for adults who need it for essential tasks (i.e. applying/managing unemployment, applying for jobs, etc.). We have a laptop at the library that could potentially be used outside the building.

Phase 2

Library open to public. All Library services for the general public are provided on a limited schedule to allow for enhanced cleaning; social distancing accommodations in place, such as, moving public seating and computers 6 feet apart; perhaps limiting the number of people allowed at one time in the library; limiting computer time to 45 minutes or by appointment so that sanitation can take place between users. Extra precautions, including providing adequate public sanitation supplies, may be desired.

Phase 3

Library open to public, business as usual, all library services for the general public are provided as normal and as scheduled.

Old Business

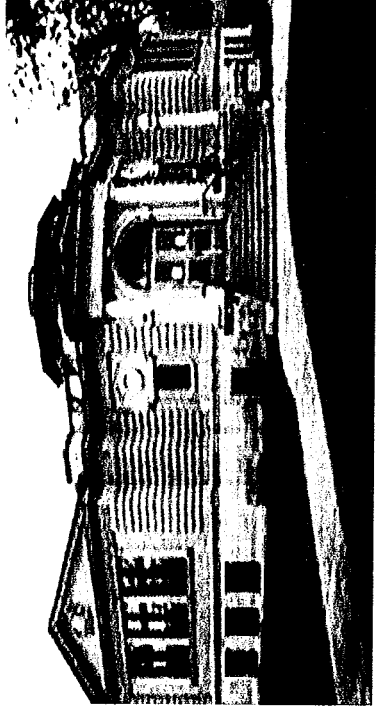
- We are expecting to hear back about the MNHS grant sometime in early June. I am working to prepare an RFP so that we can send it out quickly if we receive the grant.
- We have not heard back from the Greenway Community Foundation about the grant we wrote for computers. I am trying to line up a computer order so that we would be ready to order as soon as I hear from them.

New Business

- I would like to suggest a pay raise for Jean. She is going into her 3rd year of working at the library and has yet to receive a raise. She is constantly working to develop her skills and take on new tasks and has been a rock whenever we have needed her. Returning summer workers get a 50-cent raise each summer. Based on these factors, I would recommend a \$1.50 raise, bringing her from \$10.00/hr. to \$11.50/hr. She has approximately 440 regularly scheduled hours a year, so this would only be an extra \$660 a year out of the budget, which I believe Jean more than deserves for her work and dedication to the library.
- The library has received \$2551 in Crossover funds from ALS. We elected to put the \$150 we would have spent on the canceled summer Kids' Stuff programs towards the ALS Overdrive account to purchase ebooks and audiobooks, which have experienced very high demand during the pandemic.
- Because the summer Kids' Stuff programs were canceled, ALS has reallocated funds so that each library can get up to \$750 reimbursed for Summer Reading Program expenses.

- We are working to develop a flexible Summer Reading Program that can be done either from a distance or in person. We are thinking a lot about different Take & Make kits we could put together and activities we could do outside. We will probably try to do some things through Facebook, but we really want to focus on activities that can be done without the use of screens. I am going to try to get in touch with Alicia at Marble and Melanie at Calumet to send out some sort of joint flyer about summer reading via the school system before school is out for the summer. We also know a lot of our regular younger patrons, so we will try to reach out to them as the summer starts. We are still trying to decide how we will handle kids and computer access over the summer.

Coleraine Library Monthly Report



May 2020

Mission Statement

The Coleraine Carnegie Library is a community gathering place where children develop a love of reading, youth and adults expand their knowledge and enjoyment, and the public stays connected to our world-past, present and future.

April 2020 - Circulation & Attendance*

Circulation	Apr-19	Apr-19	% Chg
Adult	1,026	340	-201.8%
Adult (Year-to-Date)	4,150	3,458	-20.0%
Juvenile	2,381	64	-3620.3%
Juvenile (Year-to-Date)	9,032	6,912	-30.7%
Media	436	88	-395.5%
Media (Year-to-Date)	1,772	984	-80.1%
Total circulation	3,843	492	-681.1%
Total Circulation YTD	14,954	11,354	-31.7%

	Apr-19	Apr-19	% Chg
Attendance	1,789	75	-95.8%
New Borrowers	9	0	-100.0%
New Books/Items	79	9	-88.6%
Computer Usage	155	0	-100.0%
Club Room Usage	101	0	-100.0%
Reference	244	48	-80.3%

Programming: Coffee, Cake and Crafting – has been meeting on Zoom every Tuesday, with 6-8 participants each week.

*NOTE The library was closed to the public throughout April due to the COVID-19 library pandemic. We did begin limited and unadvertised no-contact curbside pick-up during the second week of April.

Month	eBook	Audio	Magazines Newspaper	Total
Jan	59	68	0	127
Feb	58	63	0	121
Mar	58	65	0	123
Apr	74	76	0	150
May				
June				
July				
Aug				
Sept				
Oct				
Nov				
Dec				
Total	249	272	0	521

E-materials – 150 were checked out in March 2020 vs 82 in April 2019.

Library Account

April 2020

First National Bank of Coleraine	<u>Amount</u>
Balance on 3/31/2020	\$4,845.77
Disbursements	
Baker & Taylor 4/13/2020	-\$122.82
Total Disbursements	-\$122.82
Balance on 4/30/2020	\$4,722.95

MPL	\$131.71
-----	----------

Library Expenses

Petty Cash Account	
Cash On-Hand 3/31/2020	\$165.31
Disbursements	
Scotch tape 4/15/2020	\$5.00
Total Disbursements	\$5.00
Total from below	\$20.00
Balance on 4/30/2020	\$180.31

Petty Cash Deposits	
Printing	\$20.00
Total	\$20.00

Clerk's Report
May 26th, 2020

I have been working on a request from a Councilperson to find out what needs to be done for a business owner to put up a sign on a piece of property that the city owns, but would need approval from MNDOT. As I was checking into all of this it was discovered that the City does not own the property.

The property is a triangular type piece that lies to the east of Four Seasons Market and in between Roosevelt and Hwy 169. This is property that was taken by the State of Minnesota as right-of-way (part of 33.4 acres) when the four lane was going through.

After a period of time the state turns back the property to the next level of government- Itasca County. Once that is complete, then the City has to formally request to get the property back from the County. During the waiting period for the 'turn back' documents to be completed, Mr. Delich was attempting to purchase the property from the City. He could not, because the City did not own it. Mr. Dimich kept checking with the County Engineer so that the City could request the property back. Well, every time he checked, the 'turn back' hadn't happened. It took so long that the County Engineer has since retired and the issue got dropped.

So . . . here is where we are at with this property. The current County Engineer is checking into what needs to be done to turn the property back to the City of Coleraine. In the meantime, she believes that the County can approve the placement of the signage. I am not yet sure what hoops need to be gone through, but I am on it and working with Karin to get this issue resolved. I am also in touch with the business owner who wants to put the sign up and he is aware of what is happening.

I know this is long . . . but should you have any questions on all of this, please let me know. ☺

Updated info: The County cannot grant permission to put up the billboard. Only MN DOT can and they will not until the property is either owned by the City or Bovey Bait AND the property is zoned commercial. There are a gazillion rules about all this and covered by MN Statute 173.

So . . . I have already requested that Karin Grandia, Itasca County Transportation Engineer, start the process to turn the parts of the right of way it can back to the City. We've spoken at length about all this. She will start the process; however, it is their busiest time of year and it won't be a priority. She asked that I reach out to her in the fall and ask her to move it up high on her priority list. I'll stay on top of this.

~~~~~

Hopefully you will be seeing some changes in the Hwy 169 and CSAH 61 intersection soon. I've scheduled Karin Grandia, Itasca County Transportation Engineer, to attend the June 8<sup>th</sup> Council meeting work session to inform you of what is going to happen, and provide some pictures. You will have an

opportunity to ask her questions. I've included some correspondence in your Council packet.

LMC puts out clarification and information continually regarding city employment issues as they related to the Covid-19 pandemic. I am always reviewing the materials and all the links for anything that needs to be implemented, considered, and/or decided upon. I provide any change to or addition to a formal policy to Council for approval. I have provided a copy of the most recent in your Council packets.

On the same note, I've included a packet entitled "*Employment Issues Associated With 'Returning to the New Normal'*" also put out by the LMC. It is a rather thick packet as this time I included the materials from the links I checked during its review.

These are just some of the materials that come in almost daily from a variety of sources in addition to webinars, conference calls, and others that I participate in to make sure the City is following all the appropriate guidelines. This is in addition to what I would consider normal business at this time of year and trying to accomplish things that were dropped or not done in the past.

There are several reasons these should be reviewed by you, but a couple that I wish to point out at this time as it relates to my time:

- 1) A. Some things have fallen behind as they are not a high priority.
  - B. I don't see a significant change in the amount of overtime (compared to last year) necessary to get things accomplished, although I have not done as much as I could for my own well-being. Just want to give you a heads up on that.
- 2) There is a myriad of things that should be considered moving forward to the 'new normal'. One of the most important right now is whether or not the City wants to have a written "Covid-19 Preparedness Plan" similar to what non-essential businesses need to have in place prior to opening to the public.
  - a. According to the LMC, it is unclear whether small cities who have continued to operate during this pandemic are required to have a written plan. That said, documentation of a written plan that has been communicated to staff (and public) would be a 'best practice'. This will take a fair amount of time even using the templates that have been provided. Would you like me to put something together for your approval? If you don't see the need, I won't spend any time on it. ***Should you see the need, I would request a formal motion and Council request directing its development.***

The City has received 10 applications so far for the Laborer/Janitor position that has been posted. The application deadline is Friday, May 29<sup>th</sup>. ***I suggest that a review/interview/hiring committee be set up and a date the 1<sup>st</sup> week in June to begin reviewing applications.***

~~~~~

Please reserve Monday, June 29th at 3:00 p.m. to meet with the Teamster Union regarding renewal of the Labor Agreement.

~~~~~

Working on a plan to have lucite barriers, signage with a request to wear a mask, more sanitizing spray and cloth masks available to the public – all in place before opening city offices to the general public. Thinking we will do the same for Council meetings moving forward. I doubt that I will have things in place by June 1<sup>st</sup>, but I will keep you posted.

Liv is also working on a plan as to how and when the Library will be open to the public to keep both public and staff safe.

~~~~~

Just an fyi – the blood drive scheduled for June 19th in conjunction with the Day(s) of Action cannot be held outdoors. Since the Nyberg Center has been approved by Council for use, the blood drive will be conducted there.

~~~~~

It's been a whirlwind of activity with phone calls, e-mails, etc trying to get the proper easements in place for the H & H property. Since much of the Bike Trail easements got dropped before, there were some other things with this that had been left undone.

I have received confirmation that two of the easements can be done together. That is good news. ☺

The bad news is that after all of this is done, easements for other city property in the industrial park that had already been sold to others will need to be completed as well. The land guy for the county has sent me a list of what got dropped and what needs to still be completed – not a priority, but needs to be done.

~~~~~

Every year I receive a notice regarding Municipal bond Continuing disclosures where a report needs to be submitted to MSRB. Currently, there is one bond that requires reporting and those services are done by David Drown Associates, Inc. for a cost of \$250.00. For your information, I have authorized those services and will provide to them the required documents needed to file the report.

~~~~~

I had to go to the DMV in Deer River to get the renewal tabs for all the City vehicles; it was a very long wait, but the error has been fixed. The tabs and cab cards were given to the street department last week.

~~~~~  
Figuring out and suggesting how cell phones (and policy) would be handled by staff is turning out to be a huge project. I am reviewing several other cities policies that were sent to me by the LMC. They also have a policy that I am reviewing.

Interesting that it's about half and half as to whether the cities carries a specific contract paid for by the city or whether they do a stipend. Many require that the position require a documented need/requirement for the employee to carry a phone. Some allow an option so that they do not have to carry two phones.

If it is determined that the City purchase the plan and phone, then there are a variety of rules that must be followed and then that the employee reimburse the City through payroll deduction for any long distance and personal calls over a threshold – all requiring an inordinate amount of paperwork. 😞 I don't think that the City would need to go that route; at the present time, I think offering a stipend for use of their personal phone is better. That said, there still is clear policy that would need to be put in place prior to that being implemented. A piece of that would be written documentation that use of their cell phone is necessary/required to conduct city business, not simply a convenience.

I still hope to have something ready for one of the next two Council meetings. My apologies for this taking so long.

~~~~~  
Are you comfortable re-setting a date for the CIP work session? We could do this in the Nyberg Center so that everyone can spread out. I strongly recommend that the City start working on this before the budgeting process for 2021 begins.

~~~~~  
Still need to set up a work session/meeting to discuss budgets, payments from, and current agreement with the Management Group that runs the golf course.

~~~~~  
As always, should you have any questions on anything, please let me know.

Respectfully submitted,

Briana



## Briana Anderson - City of Coleraine

---

**From:** Karin Grandia <Karin.Grandia@CO.ITASCA.mn.us>  
**Sent:** Wednesday, May 13, 2020 11:31 AM  
**To:** Miranda Jurgansen  
**Cc:** Briana Anderson - City of Coleraine  
**Subject:** RE: US Hwy 169 & CSAH 61 Intersections

*re: take routes  
to school and*

All:

Itasca County has entered into a contract with SRF Consulting firm to put together plans for bidding out the construction of the system. They are actively working on this now. The hope is still for construction later this summer but I cannot guarantee that it will be done before school starts in the fall. We will get it accomplished. The costs will be entirely covered by Itasca County's state aid account.

We are moving forward with the overhead system of pedestrian activated flashing beacons with advance flashing beacons as well. The crossing will stay at the intersection of CSAH 61 & TH 169.

Please let me know if you have more questions.

Karin Grandia, P.E.  
Itasca County Engineer  
123 NE 4<sup>th</sup> Street  
Grand Rapids, MN 55744  
218-327-7389 office  
218-244-2313 cell  
[Karin.grandia@co.itasca.mn.us](mailto:Karin.grandia@co.itasca.mn.us)

**From:** Miranda Jurgansen <mjurgansen@isd316.org>  
**Sent:** Wednesday, May 13, 2020 11:24 AM  
**To:** Karin Grandia <Karin.Grandia@CO.ITASCA.mn.us>  
**Subject:** Fwd: US Hwy 169 & CSAH 61 Intersections

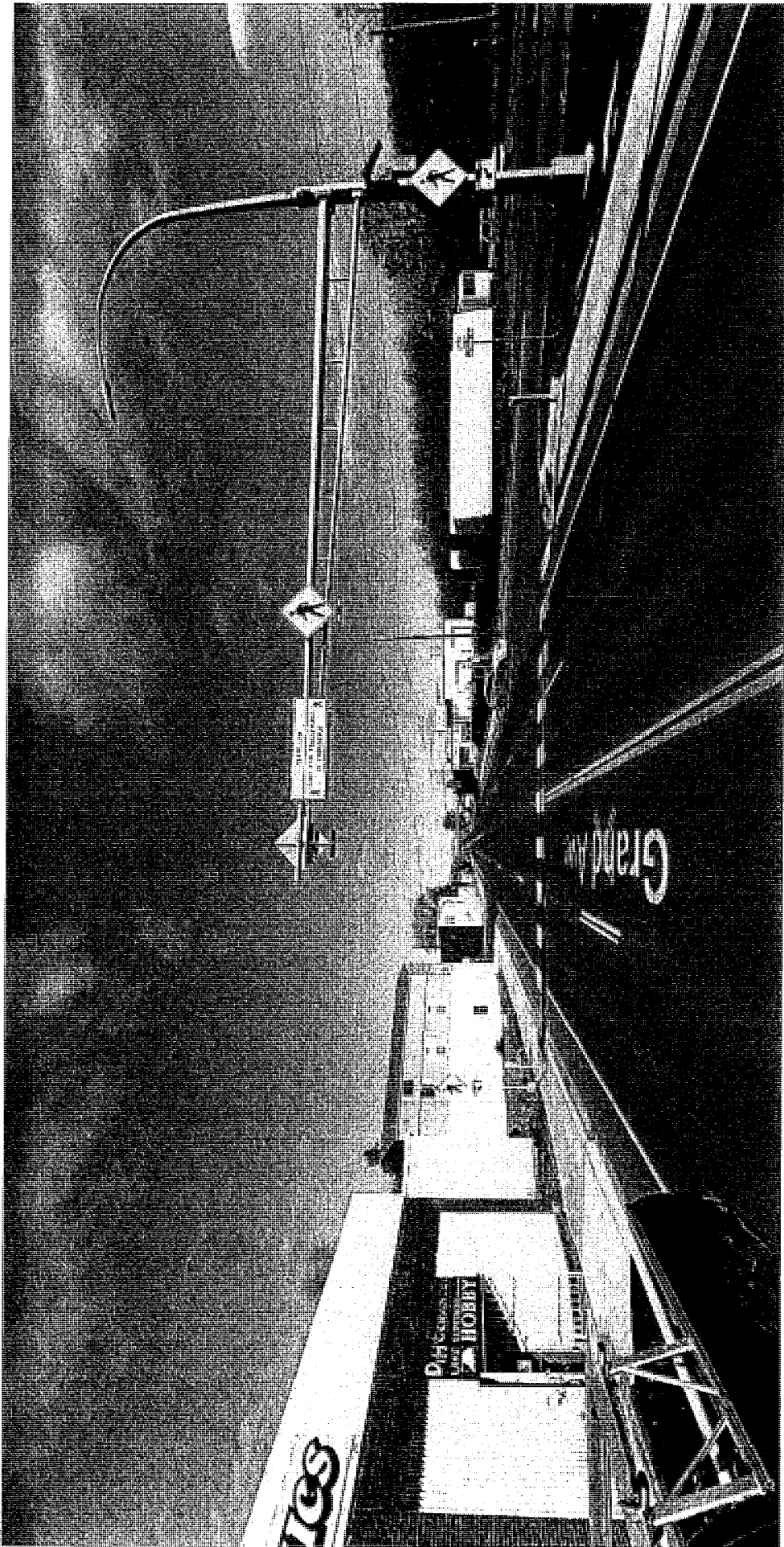
**CAUTION:** This email originated from outside of the Itasca County email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Karin. Can you provide an update on the potential project status? I received the attached email from Briana at the City of Coleraine today. Thanks

Randi

----- Forwarded message -----

**From:** Briana Anderson - City of Coleraine <[banderson@cityofcoleraine.com](mailto:banderson@cityofcoleraine.com)>





## MINNESOTA HISTORICAL AND CULTURAL HERITAGE PROGRAM

### City of Coleraine

R-MHCG-2004-24487 | \$121,969 | MN Historical and Cultural  
*Coleraine City Hall masonry & roof repairs*

### Status Draft

The two yellow highlighted fields marked with an \* (Brief Project Summary and Amount Requested) must be completed in order to save your application for the first time. The save button is at the top of the application. Be sure to complete the entire application before submitting. Incomplete applications will not be considered.

*Submissions to the Grants Office may be subject to Minnesota Government Data Practices Act (Statute 13). All user-written material may be modified by the Minnesota Historical Society for clarity and promotional purposes.*

### APPLICANT INFORMATION

**Program Organization:** City of Coleraine

**Project Director:** Cavour Johnson

**Authorized Officer:** Briana Anderson

**Additional Project Staff:** Mary Roy

**Applicant County:** Itasca

**Applicant Organization Type:** Local/Regional Government

**Governance/Board Members:**

Dan Mandich, Ryan Stish, Jeff Troumbly, Thomas Sutherland, Joseph Pollard

Mid/large request: greater than \$10,000: Yes

### BUDGET REQUEST (Applicant View)

| Budget Item                                       | Amount Requested | Match       |
|---------------------------------------------------|------------------|-------------|
| 1. Replace EDPM roofing in troughs                | \$17,365.00      | \$10,000.00 |
| 2. Replace roofing on low roof                    | \$24,150.00      | \$10,000.00 |
| 3. Replace gutters and downspouts                 | \$3,795.00       |             |
| 4. Repair brick and stone at SE corner            | \$15,525.00      | \$10,000.00 |
| 5. Repoint wall above east cornice                | \$20,125.00      | \$493.00    |
| 6. Structural repair in attic                     | \$13,340.00      |             |
| 7. Repoint brick on interior                      | \$8,050.00       |             |
| 8. scaffolding                                    | \$18,975.00      |             |
| 9. Architect/Engineer Construction Administration | \$15,000.00      |             |
| 10. Contingency                                   | \$12,133.00      |             |
| 11. Inflation escalation (3%) on construction     | \$4,004.00       |             |
| 12. Volunteer and city staff - personnel          |                  | \$1,114.00  |

|                     |                    |
|---------------------|--------------------|
| Total: \$152,462.00 | Total: \$31,607.00 |
|---------------------|--------------------|

**\* Amount Requested (REQUIRED TO SAVE. USE TOTAL FROM ABOVE):**  
\$121,969.00

**Match Offered (USE TOTAL FROM ABOVE):** \$31,607.00

**How were above figures determined?**

The construction costs were determined by CDG's structural engineer estimating labor and materials for each work item, and comparing costs to historical cost data. An additional 3% was included for inflationary costs since construction would not take place until 2021.

Scaffolding will be shared between masonry and roofing costs. Masonry work has estimated unit costs per square foot, including labor, materials, and equipment.

The procurement process described in Appendix I of the Grants Manual was followed. Prevailing wage criteria is listed under Prevailing Wage Section 00 7339 in the attached Specs Document.

Construction costs are estimated to be \$137,461 plus \$15,000 for construction administration. See attached Document - Coleraine City Hall Detailed Cost Estimate

**Match Description:**

Operating budget: \$30,493 secured

In-kind/volunteer:

Briana Anderson, city clerk and Authorized Officer; handling finances and record keeping: 8 hours @ \$39.27/hr

Harry Bertram, Public Works Director; providing assistance and information to contractors: 4 hours @ \$39.65/hr

Mike Anderson, city labor staff; assisting contractors under direction of Public Works Director: 2 hours @ \$36.67/hr

Steve Campbell, city labor staff; assisting contractors under direction of Public Works Director: 2 hours @ \$36.67/hr

Cavour Johnson, Project Director (volunteer); file MNHS reports and act as liaison between city, CDG, and contractors 10 hours @25.33/hr

May 25, 2020

**Caterline City Hall**  
CDG Project Number 19053.00

General conditions 15%  
Contingency 10%

| DESCRIPTION                                    | LABOR HOURS | UNIT | UNIT COST | TOTAL LABOR  | MATERIALS & EQUIPMENT | UNIT     | UNIT COST    | TOTAL MATERIALS & EQUIPMENT | TOTAL LABOR + MATERIALS | GENERAL CONDITIONS | CONTINGENCY  | TOTAL ITEM COST |
|------------------------------------------------|-------------|------|-----------|--------------|-----------------------|----------|--------------|-----------------------------|-------------------------|--------------------|--------------|-----------------|
| Replace EPDM roofing in troughs                | 96          | hrs  | \$ 100.00 | \$ 9,600.00  | 1                     | lump sum | \$ 5,500.00  | \$ 5,500.00                 | \$ 15,100.00            | \$ 2,265.00        | \$ 1,736.50  | \$ 19,101.50    |
| Replace roofing on low roof                    | 120         | hrs  | \$ 100.00 | \$ 12,000.00 | 1                     | lump sum | \$ 9,000.00  | \$ 9,000.00                 | \$ 21,000.00            | \$ 3,150.00        | \$ 2,415.00  | \$ 26,565.00    |
| Replace gutter and downspouts                  | 16          | hrs  | \$ 100.00 | \$ 1,600.00  | 1                     | lump sum | \$ 1,700.00  | \$ 1,700.00                 | \$ 3,300.00             | \$ 495.00          | \$ 379.50    | \$ 4,174.50     |
| Repair brick and stone at corner               |             |      |           | \$ -         | 300                   | SF       | \$ 45.00     | \$ 13,500.00                | \$ 13,500.00            | \$ 2,025.00        | \$ 1,552.50  | \$ 17,077.50    |
| Repoint wall above east cornice                |             |      |           | \$ -         | 500                   | SF       | \$ 35.00     | \$ 17,500.00                | \$ 17,500.00            | \$ 2,625.00        | \$ 2,012.50  | \$ 22,137.50    |
| Structural repair in attic                     | 80          | hrs  | \$ 100.00 | \$ 8,000.00  | 1                     | lump sum | \$ 3,600.00  | \$ 3,600.00                 | \$ 11,600.00            | \$ 1,740.00        | \$ 1,334.00  | \$ 14,674.00    |
| Repoint brick on interior scaffolding          |             |      |           | \$ -         | 200                   | SF       | \$ 35.00     | \$ 7,000.00                 | \$ 7,000.00             | \$ 1,050.00        | \$ 805.00    | \$ 8,855.00     |
| Initiation Escalation (3%)                     |             |      |           | \$ -         | 1                     | lump sum | \$ 16,500.00 | \$ 16,500.00                | \$ 16,500.00            | \$ 2,475.00        | \$ 1,897.50  | \$ 20,872.50    |
| <b>CONSTRUCTION TOTAL</b>                      |             |      |           |              |                       |          |              |                             | \$ 3,165.00             | \$ 474.75          | \$ 363.98    | \$ 4,003.73     |
| Architect/Engineer Construction Administration |             |      |           |              |                       |          |              |                             | \$ 108,665.00           | \$ 16,299.75       | \$ 12,496.48 | \$ 137,461.23   |
| <b>PROJECT TOTAL</b>                           |             |      |           |              |                       |          |              |                             |                         |                    |              | \$ 152,461.23   |

Notes:

1. Masonry work has estimated Unit Costs per square foot, including labor, materials, and equipment.
2. Scaffolding costs should be shared between masonry and roofing costs

# **City of Coleraine**

## **Notice of Sale**

### **Old Fire Hall**

The City of Coleraine is taking bids for the sale of the Old Fire Hall as described on the map and with the attached legal. The City is accepting cash offer and will take the best offer based on a business plan submitted by the builder as to the use of the building.

The plan must establish the proposed use, and time frame for completion of the project. If the proposed project is not completed or substantially completed with 1 year of the acceptance of the offer, the City and sale owner agree that the property will be returned to the City, and the City will refund the sale price. In the one-year period the buyer acquires any liens against the property the buyer at its own expense shall remove that lien or judgement from the property.

The City reserves the right to reject any and all bids.

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Mayor Dan Mandich

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City Clerk – Briana Anderson

# Coronavirus Disease 2019 (COVID-19)



## Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19

Interim Guidance

Printer friendly version 

To ensure continuity of operations of essential functions, CDC advises that critical infrastructure workers may be permitted to continue work following potential exposure to COVID-19, provided they remain asymptomatic and additional precautions are implemented to protect them and the community.

A potential exposure means being a household contact or having close contact within 6 feet of an individual with confirmed or suspected COVID-19. The timeframe for having contact with an individual includes the period of time of 48 hours before the individual became symptomatic.

Critical Infrastructure workers who have had an exposure but remain asymptomatic should adhere to the following practices prior to and during their work shift:

- **Pre-Screen:** Employers should measure the employee's temperature and assess symptoms prior to them starting work. Ideally, temperature checks should happen before the individual enters the facility.
- **Regular Monitoring:** As long as the employee doesn't have a temperature or symptoms, they should self-monitor under the supervision of their employer's occupational health program.
- **Wear a Mask:** The employee should wear a face mask at all times while in the workplace for 14 days after last exposure. Employers can issue facemasks or can approve employees' supplied cloth face coverings in the event of shortages.
- **Social Distance:** The employee should maintain 6 feet and practice social distancing as work duties permit in the workplace.
- **Disinfect and Clean work spaces:** Clean and disinfect all areas such as offices, bathrooms, common areas, shared electronic equipment routinely.

If the employee becomes sick during the day, they should be sent home immediately. Surfaces in their workspace should be cleaned and disinfected. Information on persons who had contact with the ill employee during the time the employee had symptoms and 2 days prior to symptoms should be compiled. Others at the facility with close contact within 6 feet of the employee during this time would be considered exposed.

### INTERIM GUIDANCE

*This interim guidance pertains to critical infrastructure workers, including personnel in 16 different sectors of work including:*

- Federal, state, & local law enforcement
- 911 call center employees
- Fusion Center employees
- Hazardous material responders from government and the private sector
- Janitorial staff and other custodial staff
- Workers – including contracted vendors – in food and agriculture, critical manufacturing, informational technology, transportation, energy and government facilities

### ADDITIONAL CONSIDERATIONS

- Employees should not share headsets or other objects that are near mouth or nose.
- Employers should increase the frequency of cleaning commonly touched surfaces.
- Employees and employers should consider pilot testing the use of face masks to ensure they do not interfere with work assignments.
- Employers should work with facility maintenance staff to increase air exchanges in room.
- Employees should physically distance when they take breaks together. Stagger breaks and don't congregate in the break room, and don't share food or utensils.



Employers should implement the recommendations in the Interim Guidance for Businesses and Employers to Plan and Respond to Coronavirus Disease 2019 to help prevent and slow the spread of COVID-19 in the workplace. Additional information about identifying critical infrastructure during COVID-19 can be found on the DHS CISA website [\[link\]](#) or the CDC's specific First Responder Guidance page.

## Essential critical workers who have been exposed to COVID-19

Print Version 

### Steps for workers

#### Do

Take your temperature before work.

Wear a face mask at all times.

Practice social distancing in the workplace as work duties permit.

#### Don't

Stay at work if you become sick.

Share headsets or objects used near face.

Congregate in the break room or other crowded places.

### Steps for employers

#### Do

Take employee's temperature and assess symptoms prior to their starting work.

If an employee becomes sick during the day, send them home immediately.

Test the use of face masks to ensure they do not interfere with workflow.

Increase air exchange in the building.

Increase the frequency of cleaning commonly touched surfaces.

### More Info

Guidance for Meat Packing Industry

First responders and law enforcement

Businesses and employers

Correctional and detention facilities



# City Employment Issues During COVID-19 Pandemic

Published: March 27, 2020

(Updated May 18, 2020)

**Note:** The League is using the Centers for Disease Control and Prevention (CDC) and Minnesota Department of Health (MDH) to provide much of our guidance. We urge our member cities to keep checking the CDC (<https://www.cdc.gov/coronavirus/2019-ncov/index.html>) and MDH (<https://www.health.state.mn.us/diseases/coronavirus/index.html>) websites for updates. Because this situation is rapidly evolving, the League encourages cities to work with their city attorney in implementing the new law and adapting any policies.

For policy samples and other guidance relating to COVID-19 employment related issues, contact [HRBenefits@lmc.org](mailto:HRBenefits@lmc.org) (<mailto:HRBenefits@lmc.org>).

Get answers to these frequently asked questions (FAQs) about city employment issues and COVID-19:

Q1. In an effort to slow the COVID-19 spread, our city hall has closed. What happens to our employees' pay and benefits? (#Q1)  
(Updated April 3, 2020)

Q2. What new state employment laws have been passed or amended in response to the COVID-19 pandemic that are applicable to cities? (#Q2)(Updated May 18, 2020)

Q3. Can cities quarantine an employee who was in contact with someone who is awaiting COVID-19 test results? (#Q3)(Updated April 10, 2020)

Q4. Can we terminate an employee who is not able to come to work due to COVID-19? (#Q4)

Q5. How do we protect public safety employees? (#Q5)(Updated April 10, 2020)

Q6. For our operations crew and first responder employees, how many hours per day or per week can an employee work? (#Q6)

Q7. Are workers who contract or are exposed to COVID-19 eligible for workers' compensation? (#Q7)(Updated April 21, 2020)

Q8. What about unemployment insurance benefits for our employees if their hours are reduced? What about paid on-call firefighters — are they covered? (#Q8)

Q9. How do OSHA regulations apply to remote workers? What about ergonomics? (#Q9)(Updated April 10, 2020)

Q10. What is the HR policy to address an employee that may have been exposed? Can a city require isolation? Or check workers' temperatures? (#Q10)(Updated May 18, 2020)

Q11. If an employee has been diagnosed with COVID-19, when can they return to work? (#Q11)

Q12. How do cities process I-9s for new hires during the COVID pandemic? (#Q12)(Updated April 23, 2020)

Q13. What are the requirements of the new federal Families First Coronavirus Response Act? (#Q13)(Updated April 16, 2020)

Q14. With the Stay at Home order by Gov. Walz, is that deemed a quarantine or isolation that allows employees to access Emergency Paid Sick Leave? (#Q14)(Updated April 3, 2020)

Q15. Can you please address how Emergency Paid Sick Leave might overlap with Public Health Emergency Leave? (#Q15)  
(Updated April 3, 2020)

Q16. For the Emergency Paid Sick Leave, the up to 80 hours is regardless of if the employee has accrued time available, correct? (#Q16)

Q17. Can an employee supplement with their own accrued leave to receive a full check in cases where they are receiving two-thirds pay under Public Health Emergency Leave or Emergency Paid Sick Leave? (#Q17)(Updated April 3, 2020)

Q18. Can an employee access Public Health Emergency Leave or Emergency Paid Sick Leave for care of a grandchild? (#Q18)  
(Updated April 3, 2020)

Q19. Can the paid FMLA Public Health Emergency Leave be used intermittently? (#Q19)(Updated April 3, 2020)

Q20. If we have an employee on 14-day quarantine due to possible exposure, can they use the 80-hour FFCRA leave? Or is it better to use paid administrative leave? (#Q20)



Q21. If schools are not open in person, but for distance learning, does the FFCRA cover employees who want or need to stay home with their children during the distance learning? (#Q21)

Q22. Are Public Health Emergency Leave and Emergency Paid Sick Leave paid benefits subject to Public Employees Retirement Association (PERA)? (#Q22) (Updated April 10, 2020)

Q23. Can an employee stay home under the FMLA expansion to avoid getting COVID-19? (#Q23) (Updated April 20, 2020)

Q24. I understand there will be some posting requirements related to FFCRA. What does that include? (#Q24) (Updated May 18, 2020)

Q25. Can you tell me more about the FFCRA health care providers and medical responders exemptions and why the exemptions exist? (#Q25) (Added April 3, 2020)

Q26. Is it an option to exclude Emergency Responders from the Public Health Emergency Leave, but not the Emergency Paid Sick Leave, or visa versa? (#Q26) (Added April 3, 2020)

Q27. If we exempt health care workers or emergency responders from the leave granted under the FFCRA, can they take other kinds of leave? (#Q27) (Updated April 6, 2020)

Q28. As an employer, how long do I need to retain documentation relating to FFCRA leaves? (#Q28) (Added April 3, 2020)

Q29. Is it true that all employers (including governments) are exempt from paying the employer's share of the Social Security tax on wages paid under the FFCRA? (#Q29) (Updated April 10, 2020)

Q30. Do I need to keep employees on the city's insurance while they are taking Public Health Emergency Leave or Emergency Paid Sick Leave? (#Q30) (Added April 10, 2020)

Q31. Not necessarily a question, but a comment – there has been so many changes flying around, it's hard to keep everything straight. (#Q31) (Added April 3, 2020)

Q32. We are a small city. Do we have to comply with the FFCRA? (#Q32) (Updated April 3, 2020)

Q33. What is the definition of "son or daughter" with regard to the FFCRA? (#Q33) (Updated April 3, 2020)

Q34: I heard something about possible administrative forbearance for public employees who are using the Public Service Loan Forgiveness (PSLF). Where can I direct employees to learn more? (#Q34) (Added April 13, 2020)

Q35: Should the city be offering COVID-19 antibody testing to emergency responders? (#Q35) (Added April 21, 2020)

## **Q1. In an effort to slow the COVID-19 spread, our city hall has closed. What happens to our employees' pay and benefits?**

**A1.** Generally, the League recommends cities be as flexible as possible with keeping workers in paid status, but every city has different resources and needs. Below are some options various cities are using:

- Working from home. The [April 1 Department of Labor guidance](https://www.dol.gov/sites/dolgov/files/WHDPandemic/FFCRA.pdf) (<https://www.dol.gov/sites/dolgov/files/WHDPandemic/FFCRA.pdf>) encourages employers to implement highly flexible telework arrangements that allow employees to perform work, potentially at unconventional times, while tending to family and other responsibilities, such as teaching children whose schools are closed for COVID-19 related reasons.
- Allowing use of accrued leave balances (sick leave, vacation, compensatory time).
- Catastrophic paid leave banks.
- Allowing a negative sick leave balance (ranging from 80 to 120 hours) to be paid back when the employee returns to work.
- Paid leave for a period of time, above and beyond normal accruals.
- Redeploying employees to job duties they do not normally perform but are qualified to do, or using the time to work on "back-burner" projects.
- Establishing alternating days or extra shifts to reduce the total number of employees in a facility at a given time to allow for social distancing.
- Special provisions to keep the city's health insurance contribution in place beyond the 12 weeks required by the Family and Medical Leave Act.
- Also, see Question 13 below for information on mandated paid leave under the new federal Families First Coronavirus Response Act.

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## Q2. What new state employment laws have been passed or amended in response to the COVID-19 pandemic that are applicable to cities?

A2. There has been a flurry of actions at the state and federal level taken to assist employees and employers with this situation. To date, these are the state actions and implications to local government employers (read about federal actions in [Question 13 \(#Q13\)](#)).

### Gov. Walz Executive Order — Unemployment Insurance

On March 16, 2020, Gov. Tim Walz issued an executive order to ensure workers affected by the COVID-19 pandemic have full access to unemployment benefits. The executive order makes applicants eligible for unemployment benefits if:

- A health care professional or health authority recommended or ordered them to avoid contact with others.
- They have been ordered not to come to their workplace due to an outbreak of a communicable disease.
- They have received notification from a school district, daycare, or other child care provider that either classes are canceled or the applicant's ordinary child care is unavailable, provided that the applicant made reasonable effort to obtain other child care and requested time off or other accommodation from the employer and no reasonable accommodation was available.

On April 6, 2020, [Emergency Executive Order No. 20-29](https://mn.gov/governor/assets/2a.%20EO%2020-29%20Final%20Filed_tcm1055-426997.pdf) ([https://mn.gov/governor/assets/2a.%20EO%2020-29%20Final%20Filed\\_tcm1055-426997.pdf](https://mn.gov/governor/assets/2a.%20EO%2020-29%20Final%20Filed_tcm1055-426997.pdf)) was issued requiring employers to notify separated employees about the availability of unemployment insurance benefits; it also suspends enforcement of Minnesota statutes that would typically delay unemployment benefits for those employees receiving vacation, sick, or personal time off. We believe this is an attempt to minimize any lags between when an employer stops paying and when the previous workers would begin receiving unemployment benefits. Minnesota law requires employers to display several informational posters in a physical location where their employees can easily see them. The posters provide safety, wage and age-discrimination information. A pdf version of the unemployment insurance informational poster is available below for downloading & printing.

The Unemployment Insurance poster must be displayed in a prominent place at the worksite. Select from the links below to view, download or print a poster:

- [English](https://www.uimn.org/assets/109_tcm1068-192562.pdf) ([https://www.uimn.org/assets/109\\_tcm1068-192562.pdf](https://www.uimn.org/assets/109_tcm1068-192562.pdf))
- [Spanish – DESEMPLEADO? \(UNEMPLOYED?\)](https://www.uimn.org/assets/109-spanish_tcm1068-192563.pdf) ([https://www.uimn.org/assets/109-spanish\\_tcm1068-192563.pdf](https://www.uimn.org/assets/109-spanish_tcm1068-192563.pdf))
- [Somali – Shaqo la'aan? \(UNEMPLOYED?\)](https://www.uimn.org/assets/109-somali_tcm1068-192564.pdf) ([https://www.uimn.org/assets/109-somali\\_tcm1068-192564.pdf](https://www.uimn.org/assets/109-somali_tcm1068-192564.pdf))
- [Hmong – Puas yog koj poob hauj lwjwm? \(UNEMPLOYED?\)](https://www.uimn.org/assets/109-hmong_tcm1068-192565.pdf) ([https://www.uimn.org/assets/109-hmong\\_tcm1068-192565.pdf](https://www.uimn.org/assets/109-hmong_tcm1068-192565.pdf))

The complete set of required state posters is available from the Minnesota Department of Labor and Industry (DLI). There is no cost for the posters and they can be printed from the DLI website or ordered as a packet (<https://www.dli.mn.gov/about-department/workplace-posters>) that will be sent to you by mail.

Providing an employee the information from this poster (whether in a special communication or by displaying the poster in a physical workspace) would meet the notice requirement.

Additionally, it is our understanding under the federal CARES Act, the federal government will forgive 50% of reimbursing employer unemployment insurance costs, for at least some of the benefits mandated by the federal government through Dec. 31, 2020. (Many cities are reimbursing employers and pay the full costs of unemployment benefits when they occur vs. insurance premium payments to the state.) For purposes of estimating unemployment costs, this means reimbursing employers would owe the trust fund approximately 25% of the employee's regular wages, when those employees access the state's unemployment insurance benefits. The State's Unemployment Insurance team at the Department of Employment and Economic Development (DEED) is working through how this reimbursement will be implemented for cities' unemployment costs, and these FAQs will be updated when that guidance is available. But presently, their efforts are focused on paying Minnesotans out of work.

**DEED was able to provide this update on May 18, 2020:**

*"Under the CARES Act, the federal government is directly funding the \$600 additional weekly benefit, the 13-week extended benefit program, and the Pandemic Unemployment Assistance (PUA) program for self-employed people and other workers who are not eligible for regular UI. Employers will not be charged for these benefits.*

*The federal government will also be reimbursing the state for certain other costs, including the first week of regular UI benefits (what would've ordinarily been the "waiting week"). We will be able to take steps to relieve employer charges once that federal reimbursement process is complete.*

*The CARES Act also created a relatively complex process for providing additional financial relief to reimbursing employers for their UI costs. We recently received federal guidance on that process, which we are still reviewing.*

*We will update our web site (and can follow up with the League of Minnesota Cities) as we have more information. We expect to provide more information before Q2 benefits paid charges come due.*

**Please DO NOT raise an issue just to let us know you have been charged for UI benefits.** We will review your account for possible financial relief automatically.

*You can still raise an issue to tell us you think someone is ineligible for benefits."*

[—Learn more about state Unemployment Insurance & COVID \(https://www.uimn.org/applicants/needtoknow/news-updates/covid-19.jsp\)](https://www.uimn.org/applicants/needtoknow/news-updates/covid-19.jsp)

## Gov. Walz Stay at Home Executive Order

On March 25, 2020, Gov. Walz ordered Minnesotans to stay at home for two weeks (until April 10) to slow the spread of COVID-19. This was extended until May 4, 2020 in Executive Order 20-33, and until May 18 in Executive Order No. 20-48.

[—Read FAQs about the Stay at Home order and how it affects cities \(https://www.lmc.org/resources/stay-at-home-covid-19/\)](https://www.lmc.org/resources/stay-at-home-covid-19/)

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## Q3. Can cities quarantine an employee who was in contact with someone who is awaiting COVID-19 test results?

**A3.** Generally speaking, a city would want to rely on a medical provider to classify whether an employee is on quarantine. Under state health law, if an employee has contracted or been exposed to COVID-19, the MDH can recommend the employee isolate themselves. Employees who are diagnosed with COVID-19 should follow guidance from public health officials and their doctor before being released from isolation and thus returning to work. Employers have an obligation (under OSHA) to keep their workplaces safe, and the Department of Labor (https://www.dol.gov/agencies/whd/flsa/pandemic) states an employer may encourage, or require, employees to telework as an infection-control or prevention strategy, provided the employer is not singling out employees on a basis prohibited by any of the Equal Opportunity Employment laws. In the absence of an order by a health care provider to self-quarantine, and in the event the position simply is not one that can work remotely, employers should encourage employees who are ill with pandemic influenza or are exposed to ill family members to stay home. Employers should also consider flexible leave policies for their employees in these circumstances, and review federal guidance to determine whether employees would qualify for emergency paid sick leave (under the Families First Coronavirus Response Act) or for unemployment. Recently, CDC Guidance has been updated for essential employees who have experienced a COVID-19 exposure but are experiencing no symptoms. Please see question #10 below.

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## Q4. Can we terminate an employee who is not able to come to work due to COVID-19?

**A4.** Cities are strongly cautioned against terminating employees due to their inability to work during the COVID-19 pandemic. In addition to all of the normal employment protections (e.g., civil rights laws, collective bargaining agreements, the Americans with Disabilities Act), there are additional employee protections such as Minnesota Statutes, section 144.4196 (https://www.revisor.mn.gov/statutes/cite/144.4196). This law provides protections for employees quarantined for up to 21 days.

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## Q5. How do we protect public safety employees?

**A5.** MDH, the Occupational Safety and Health Administration (OSHA), and CDC offer guidance.

- [See the MDH website for information for first responders on COVID-19 \(https://www.health.state.mn.us/diseases/coronavirus/responders.html\)](https://www.health.state.mn.us/diseases/coronavirus/responders.html).
- [See the OSHA guidance for higher risk industries \(https://www.osha.gov/SLTC/covid-19/controlprevention.html\)](https://www.osha.gov/SLTC/covid-19/controlprevention.html).
- [See the CDC guidance for law enforcement \(https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-law-enforcement.html\)](https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-law-enforcement.html).
- [See the updated CDC guidance for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19 \(https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html\)](https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html).

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## Q6. For our operations crew and first responder employees, how many hours per day or per week can an employee work?



**A6.** Federal or state law does not limit the number of hours per day or week that employees aged 18 or older can be required to work. OSHA in the past has offered some [helpful tips](https://www.osha.gov/OshDoc/data/Hurricane_Facts/faq_longhours.html) ([https://www.osha.gov/OshDoc/data/Hurricane\\_Facts/faq\\_longhours.html](https://www.osha.gov/OshDoc/data/Hurricane_Facts/faq_longhours.html)) to consider when scheduling employees for longer hours.

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## Q7. Are workers who contract or are exposed to COVID-19 eligible for workers' compensation?

**A7.** There is no coverage for **exposure** to a disease under Minnesota's workers' compensation law, but individuals may be eligible for workers' compensation benefits if they **contract** COVID-19. There's also a new state law for injuries occurring on or after April 8, 2020, that provides a presumption for COVID-19 workers' compensation claims, which applies to employees and volunteers working in certain occupations. Please see [Insurance Trust Coverage Response During COVID-19 Pandemic](https://www.lmc.org/insurance-trust/coverages/lmcit-coverage-covid/) (<https://www.lmc.org/insurance-trust/coverages/lmcit-coverage-covid/>) for more information.

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## Q8. What about unemployment insurance benefits for our employees if their hours are reduced? What about paid on-call firefighters — are they covered?

**A8.** In addition to the special pandemic-related changes to unemployment insurance listed in Question 2 above, most city employees (including paid on-call firefighters) may be eligible for unemployment insurance benefits if their hours are reduced, as long as they are not receiving paid leave equivalent to their normal rate of pay.

When a person submits an application for unemployment benefits, the Unemployment Insurance Program uses the wages of ALL employers in the applicant's base period (with a few exceptions). Therefore, paid on-call firefighters may be eligible for compensation on both their full-time job wages and the paid on-call wages.

The Minnesota Department of Employment and Economic Development (DEED) has asked that employees use the website to file for benefits.

- [Apply for Unemployment Benefits](https://www.uimn.org/applicants/howapply/index.jsp) (<https://www.uimn.org/applicants/howapply/index.jsp>).
- [Learn more about unemployment benefits and COVID19](https://www.uimn.org/applicants/needtoknow/news-updates/covid-19.jsp) (<https://www.uimn.org/applicants/needtoknow/news-updates/covid-19.jsp>).

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## Q9. How do OSHA regulations apply to remote workers? What about ergonomics?

**A9.** The Department of Labor's Occupational Safety and Health Administration (OSHA) does not have any regulations regarding telework in home offices. The agency issued a directive in February 2000 stating that the agency will not conduct inspections of employees' home offices, will not hold employers liable for employees' home offices, and does not expect employers to inspect the home offices of their employees. With respect to ergonomic issues, the League of Minnesota Cities Insurance Trust has field representatives you can consult. You can reach them at (651) 281-1200 or (800) 925-1122.

—Read about [simple ergonomics tips when working from home in the LMC Pipeline blog](https://lmcpipeline.blogspot.com/2020/03/simple-ergonomic-tips-for-working-from.html) (<https://lmcpipeline.blogspot.com/2020/03/simple-ergonomic-tips-for-working-from.html>).

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## Q10. What is the HR policy to address an employee that may have been exposed? Can a city require isolation? Or check workers' temperatures?

**A10, Part A:** If a worker is exhibiting symptoms leading you to believe a positive diagnosis for COVID-19 is likely, you will want to send the employee home promptly and also ask the employee to identify all individuals he/she was in close proximity to (within six feet) during the prior 48-hour period (for additional information, read the [CDC's definition of close contact](https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-risk-assessment-hcp.html) (<https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-risk-assessment-hcp.html>)). In the event a worker calls in to the city to notify the city he or she tested positive for COVID-19, a city will also want to work through the above analysis to determine whether the employee has been working in close proximity with other city workers recently. While the city will want to consult with their city attorney and call the Minnesota Department of Health COVID-19 hotline (651-201-3920) for the most current guidance, it is our understanding those close proximity workers will then be sent home by the city. Cities will want to keep in mind, in accordance with the MN Data Practices Act and Americans with Disabilities Act, the city cannot identify the infected worker's name. In addition to the guidance from the MN COVID-19 hotline, cities can also consult the [CDC's Suspected or Confirmed Cases of COVID-19 in the Workplace](https://www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html#Reducing-the-Cases-of-COVID-19-in-the-Workplace) (<https://www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html#Reducing-the-Cases-of-COVID-19-in-the-Workplace>).

*within 6 feet for 15 minutes or more.*



Spread-of-COVID-19-in-Workplaces). This CDC guidance includes staying home until 14 days after last exposure, maintaining social distance from others, and self-monitoring for symptoms (i.e., fever, cough, or shortness of breath). Employers should not require a sick employee to provide a negative COVID-19 test result or healthcare provider's note to return to work.

Please be aware of the CDC guidelines for critical infrastructure employees (<https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html>) with potential exposure but who are not presenting any COVID-19 symptoms. This guidance allows these specific employees to continue working provided they remain symptom free and the city implements additional precautions (for additional information, please refer to answer A10, Part B (#A10B) of these FAQs).

Additionally, if you need information regarding how to compensate your employees who are sent home or ill with COVID-19, please see Q&As #1 (#Q1), #13 (#Q13), #15 (#Q15), #17 (#Q17), #20 (#Q20), #25 (#Q25), #26 (#Q26), #27 (#Q27), #30 (#Q30) of these FAQs.

**A10, Part B: Exposure:** The CDC issued updated Interim Guidance (<https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html>), for **critical infrastructure employees with potential exposure but who are not showing any COVID-19 symptoms**, to ensure continuity of operations of essential functions. These changes were announced during the White House coronavirus task force briefing on April 8, 2020. The CDC indicated this interim guidance applies to personnel in **16 different sectors of work** (<https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>) including local law enforcement, 911 call center employees, hazardous material responders, janitorial/custodian staff, and workers in informational technology, transportation and government facilities.

The new guidance focuses on implementing precautionary measures in the workplace for critical infrastructure employees in the event a worker is potentially exposed to COVID-19 (either through household contact or having close contact within six feet of someone with a confirmed or suspected COVID-19 case). The CDC notes the time frame for having contact with an individual includes the period of time of 48 hours before that person became symptomatic (fever, cough, shortness of breath, (<https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>))

Specifically, the CDC states the workers may be permitted to work, provided they don't show any symptoms and the following additional precautions are conducted prior to and during their work shift:

- **Pre-Screen temperature checks:** As a practical matter, it's important to consider an employee may be infected with COVID-19 without exhibiting recognized symptoms such as a fever. However, the CDC noted in their updated Interim Guidance, that employers should measure the employee's temperature and assess symptoms prior to them starting work. Ideally, this temperature check should happen before the individual enters the facility. Cities considering testing an essential employee's temperature must consult with their city attorney to analyze what type of device will be used, determine who will conduct those checks and how the testing process will work so testing is conducted privately, and the responding results are kept private (subject to ADA confidentiality requirements and only to be shared with those who have a legitimate need to know). The CDC offers several methods for temperature screening protocols, including using social distancing by maintaining a distance of six feet from others or physical barriers to minimize the screener's exposure due to close contact with a person who has symptoms during screening. The CDC provides the following examples (<https://www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html>) to consider that incorporating these types of control for temperature testing include:
  - **Reliance on Social Distancing:** Ask employees to take their own temperature either before coming to the workplace or upon arrival at the workplace. Upon their arrival, stand at least 6 feet away from the employee and:
    - Ask the employee to confirm that their temperature is less than 100.4°F (38.0°C), and confirm that they are not experiencing coughing or shortness of breath.
    - Make a visual inspection of the employee for signs of illness, which could include flushed cheeks or fatigue.
    - Screening staff do not need to wear personal protective equipment (PPE) if they can maintain a distance of 6 feet.
  - **Reliance on Barrier/Partition Controls:** During screening, the screener stands behind a physical barrier, such as a glass or plastic window or partition, that can protect the screener's face and mucous membranes from respiratory droplets that may be produced when the employee sneezes, coughs, or talks. Upon arrival, the screener should wash hands with soap and water for at least 20 seconds or, if soap and water are not available, use hand sanitizer with at least 60% alcohol. Then:
    - Make a visual inspection of the employee for signs of illness, which could include flushed cheeks or fatigue.
    - Conduct temperature and symptom screening using this protocol:
      - Put on disposable gloves.
      - Check the employee's temperature, reaching around the partition or through the window. Make sure the screener's face stays behind the barrier at all times during the screening.
      - If performing a temperature check on multiple individuals, make sure that you use a clean pair of gloves for each employee and that the thermometer has been thoroughly cleaned in between each check. If disposable or non-contact thermometers are used and you did not have physical contact with an individual, you do not need to change gloves before the next check. If non-contact thermometers are used, clean and disinfect them according to manufacturer's instructions and facility policies.
    - Remove and discard PPE (gloves), and wash hands with soap and water for at least 20 seconds. If soap and water are not available, use hand sanitizer with at least 60% alcohol.

If social distance or barrier controls cannot be implemented during screening, PPE can be used when the screener is within 6 feet of an employee during screening. However, reliance on PPE alone is a less effective control and more difficult to implement given PPE shortages and training requirements.

- **Reliance on Personal Protective Equipment (PPE):** Upon arrival, the screener should wash their hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol, put on a facemask, eye protection (goggles or disposable face shield that fully covers the front and sides of the face), and a single pair of disposable gloves. A gown could be considered if extensive contact with an employee is anticipated. Then:
  - Make a visual inspection of the employee for signs of illness, which could include flushed cheeks or fatigue, and confirm that the employee is not experiencing coughing or shortness of breath.
  - Take the employee's temperature.
    - If performing a temperature check on multiple individuals, make sure that you use a clean pair of gloves for each employee and that the thermometer has been thoroughly cleaned in between each check. If disposable or non-contact thermometers are used and you did not have physical contact with an individual, you do not need to change gloves before the next check. If non-contact thermometers are used, you should clean and disinfect them according to manufacturer's instructions and facility policies.

After each screening, remove and discard PPE and wash hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol



- **Regular Monitoring:** As long as the employee doesn't have a temperature or symptoms, the worker should self-monitor.
- **Wear a Mask:** The employee should wear a face mask at all times while in the workplace for 14 days after last exposure. Cities may issue facemasks or can approve employees-supplied cloth face coverings in the event of shortages. [Read CDC Guidance on cloth face masks.](https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html) (<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>). The CDC encourages employees and employers to consider pilot testing the use of face masks to ensure they do not interfere with essential work assignments.
- **Social Distance:** The employee should maintain six feet and practice social distancing as work duties permit in the workplace. The CDC also reminds employees to physically distance when they take breaks together. Stagger breaks and avoid congregating in the break room, and do not share food or utensils. Additionally, employees should not share headsets or other objects that are near mouth or nose.
- **Disinfect and Clean workspaces:** While many cities are already increasing the frequency of cleaning commonly touched surfaces, in the event of possible exposure, employers will want to routinely clean and disinfect all areas such as offices, bathrooms, common areas, and shared electronic equipment. Employers should work with facility maintenance staff to increase air exchanges in rooms.

The CDC further advises if the essential worker becomes sick during the day the employee should be sent home immediately. Surfaces in their workspace should be cleaned and disinfected. The city will want to compile a list of anyone the worker was in contact with within two days prior to the worker being symptomatic but maintain confidentiality as required by the Americans with Disabilities Act (ADA).

—For more information see the CDC's [interim guidance for businesses and employers](https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html) (<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>).

Under state health law, if an employee has contracted or been exposed to COVID-19, the MDH can recommend the employee isolate themselves. As addressed in Question 4 above, Minnesota law protects employees who are absent for up to 21 workdays because of isolation or quarantine. See [Minnesota Statutes, section 144.4196](https://www.revisor.mn.gov/statutes/cite/144.4196) (<https://www.revisor.mn.gov/statutes/cite/144.4196>) for more information. Employers have an obligation (under OSHA) to keep their workplaces safe; during a pandemic, employers should err on the side of sending sick employees home.

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## Q11. If an employee has been diagnosed with COVID-19, when can they return to work?

**A11.** Thus far we have been recommending following [CDC guidelines](https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html) (<https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>); Employees should notify their supervisor and stay home if they are sick. See [CDC Guidance for Businesses](https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html) (<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>).

Per the [CDC](https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html) (<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>), there are two options for determining when a person may end home isolation after they are ill, using either a time-since-recovery option, or a test-based option.

- **Time since recovery:** Persons with COVID-19 who have symptoms and were directed to care for themselves at home may stop home isolation under the following conditions:
  - No fever for at least 72 hours without the use of fever-reducing medications;
  - Other symptoms have improved (e.g., cough, shortness of breath have improved); and
  - At least seven days have passed since symptoms first appeared.
- **Test-based:** To determine if a person is still contagious, he or she can leave home if these three things have occurred:
  - Resolution of fever without the use of fever-reducing medications;
  - Other symptoms have improved (e.g., cough, shortness of breath have improved); and
  - The individual received two negative tests in a row, 24 hours apart.

Based on CDC guidelines, we are suggesting employers NOT require a return to work statement from a doctor to allow medical providers to concentrate on treating those with COVID-19; additionally, it is unlikely the employee will be able to obtain one.

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## Q12. How do cities process I-9s for new hires during the COVID pandemic?

**A12.** Employers can implement a Form I-9 remote document if city offices are closed and staff are working remotely, however, you must follow the guidelines set by the federal government. This includes:

- Providing each new hire with the city's telework policy and maintaining evidence this requirement was met.
- Review documents remotely (e.g., over video link, fax, or email etc.).
  - Note that for drivers' licenses that may have expired due to [closure of Driver and Vehicle Services offices](https://dps.mn.gov/divisions/dvs/news/Pages/default.aspx) (<https://dps.mn.gov/divisions/dvs/news/Pages/default.aspx>), the [U.S. Immigration and Customs Enforcement offers a related FAQ](https://www.dhs.gov/immigration-travel/entry/faq) (<https://www.dhs.gov/immigration-travel/entry/faq>) that includes this information about documents



and expiration dates:

Q4. Many states are extending the expiration date of state IDs and/or driver's licenses. How should the extension be documented in Section 2?A. If the employee's state ID or driver's license expired on or after March 1, 2020, and the state has extended the document expiration date due to COVID-19, then it is acceptable as a List B document for Form I-9. Enter the document's expiration date in Section 2 and enter "COVID-19 EXT" in the Additional Information field. Employers may also attach a copy of the state motor vehicle department's webpage or other notice indicating that their documents have been extended. Employers can confirm that their state has auto-extended the expiration date of state IDs and driver's licenses by checking the state Motor Vehicle Administration or Department of Motor Vehicle's website.

- Record COVID-19 in "Additional Information" field of Section 2.
- Review original documents within three days of resuming normal operations.
- Once physical inspection takes place after normal operations resume, "documents physically examined" should be included in "Additional Information" field of Section 2.

[Learn more from the Department of Homeland Security's website \(https://www.ice.gov/news/releases/dhs-announces-flexibility-requirements-related-form-i-9-compliance\)](https://www.ice.gov/news/releases/dhs-announces-flexibility-requirements-related-form-i-9-compliance)

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## Q13. What are the requirements of the new federal Families First Coronavirus Response Act (FFCRA)?

**A13.** The new law (H.R. 6201) impacts employers in two key respects: it requires Emergency Family and Medical Leave Act (FMLA) leave be provided to qualifying employees and requires that Emergency Paid Sick Leave be offered to an employee who is unable to work due to specific impacts of COVID-19. The law took effect on April 1 and will sunset on Dec. 31, 2020, as the law is meant to specifically address concerns around COVID-19.

It is important to note, regardless of how much accrued leave an employee has through their employer, eligible employees can take any and all Public Health Emergency and Emergency Paid Sick Leaves they are entitled to (as noted below).

- [View a chart of paid leave and wage loss benefits for COVID-19 under FFCRA \(https://www.canva.com/design/DAD4snt21HM/Hszp8RPDgQLQVAK4lhZUiA/view\)](https://www.canva.com/design/DAD4snt21HM/Hszp8RPDgQLQVAK4lhZUiA/view) (Note: Please use the chart in conjunction with more detailed information provided below.)
- [View decision trees to work through FFCRA leaves from Gallagher consultants \(pdf\) \(https://ajg.adobeconnect.com/covid19leavedecide/\)](https://ajg.adobeconnect.com/covid19leavedecide/)

## Emergency Family and Medical Leave (FMLA) Expansion Act

The **Public Health Emergency Leave** is an amendment to the FMLA, providing a new category for eligible full-time and part-time employees. All political subdivisions of the state, regardless of size, must comply. Employers may, however, exclude employees who are health care providers or emergency responders. This eligibility for a specific circumstance is a notable change from the "traditional" FMLA. Under traditional FMLA, generally speaking, provisions do not apply to employers with fewer than 50 employees, whereas Public Health Emergency Leave applies to all cities.

Question #49 of the [DOL's FFCRA FAQs \(https://www.dol.gov/agencies/whd/pandemic/ffcra-questions\)](https://www.dol.gov/agencies/whd/pandemic/ffcra-questions) clarifies that the Emergency Family and Medical Leave Expansion Act does not distinguish between full- and part-time employees, but the number of hours an employee normally works each week affects the amount of pay the employee is eligible to receive.

This portion of the bill amends the FMLA by granting up to 12 weeks of job-protected leave to employees to care for children because school has been closed or they are without child care, due to a public health emergency. A "public health emergency" is defined to mean "an emergency with respect to COVID-19 declared by a federal, state, or local authority." Thus, the Public Health Emergency Leave does not increase the total number of FMLA weeks an employee has available; it is still 12 weeks, but the act simply adds a new category of leave for employees to access.

Employees who have been employed for at least 30 calendar days are eligible for this specific expanded family medical leave. The [April 1 DOL guidance \(https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf\)](https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf) reiterates this different eligibility criteria is solely for the Public Health Emergency Leave, reiterating "not all employees who are eligible to take expanded family and medical leave will be eligible to take FMLA leave for other reasons." An employee is considered to have been employed for at least 30 calendar days if an employee has been on the city's payroll for the 30 calendar days immediately prior to the day the leave begins. The [DOL FFCRA FAQs \(https://www.dol.gov/agencies/whd/pandemic/ffcra-questions\)](https://www.dol.gov/agencies/whd/pandemic/ffcra-questions) provide the following example to illustrate the 30 days: If an employee wants to take leave on April 1, 2020, that employee would need to have been on the city's payroll as of March 2, 2020. In the event a city has a temporary employee who is subsequently hired as a full-time employee, the city will want to count days the employee worked as a temporary employee toward the 30-day eligibility period.

In the April 1 DOL guidance, eligibility for Public Health Emergency Leave was expanded to employees who were laid off or otherwise terminated on or after March 1, 2020, provided:

- The employer rehires or otherwise reemploys the employee on or before Dec. 31, 2020, and
- The employee has been on the city's payroll for 30 or more of the 60 calendar days prior to the date the employee was laid off or terminated.

The act provides leave for employees who are unable to work (or telework) because they need to care for a son or daughter whose:

- School or place of care has been closed, or
- Child care provider is unavailable due to a public health emergency.

A part-time employee is entitled to leave for his or her average number of work hours in a two-week period. To count the hours worked by a part time employee, the DOL FFCRA FAQs (<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>) state an employer will calculate hours of leave based on the number of hours the employee is normally scheduled to work. If the normal hours scheduled are unknown, or if the part-time employee's schedule varies, you may use a six-month average to calculate the average daily hours. Such a part-time employee may take paid sick leave for this number of hours per day for up to a two-week period and may take expanded Family and Medical Leave for the same number of hours per day up to 10 weeks after that.

The DOL FFCRA FAQs (<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>) provide further guidance stating, if this calculation cannot be made because the employee has not been employed for at least six months, use the number of hours that you and your employee agreed that the employee would work upon hiring. And if there is no such agreement, the April 1 DOL (<https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf>) guidance states an employer will use the average number of hours per workday the employee was scheduled to work over the entire period of employment, including hours for which the employee took leave of any type.

Typically, an employer is not required to provide paid leave under traditional FMLA; however, for Public Health Emergency Leave, only the first two weeks of such leave may be unpaid. The April 1 DOL guidance affirms that the unpaid period for employees who work regular Monday through Friday schedules would be 10 days because that is the number of days they would work in two weeks. However, the following 10 weeks must be paid at no less than two-thirds the regular rate of pay for the number of hours the employee would otherwise be normally scheduled to work. To reiterate, this specific type of leave is taken because the employee must care for a child whose school or place of care is closed, or child care provider is unavailable, due to COVID-19 related reasons.

Employees may elect to substitute any accrued vacation leave or sick leave for the initial two weeks of unpaid leave, but an employer may not require an employee to substitute any such leave. In some cases, such as when an employee is caring for their child whose school or place of care is closed or whose child care provider is unavailable due to COVID-19 related reasons, employees may elect to overlap the initial two weeks of unpaid leave with two weeks covered by the new Emergency Paid Sick Leave, so the cap would be subject to \$200 per day or \$12,000 for the 12 weeks when the employee is on leave to care for their child.

The Public Health Emergency Leave requires an employer to pay an employee, using the regular rate of pay, for hours the employee would have been normally scheduled to work. For purposes of the FFCRA, the regular rate of pay is the average of an employee's regular rate over a period of up to six months prior to the date on which the leave begins. The DOL, in its April 1 guidance, notes such an average should be weighted by the number of hours worked each workweek and provides an example on page 32 of the guidance.

For some employees, the regular rate of pay may include overtime. Because there are circumstances when both the Public Health Emergency Leave and Emergency Paid Sick Leave would be in play (such as for when school or child care is closed due to COVID-19 and the employee needs to care for children), it's important to be mindful of the daily and aggregate caps. Recall under the Emergency Paid Sick Leave Act, sick leave may be paid only up to 80 hours over a two-week period. The DOL FFCRA FAQs (<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>) note, in an example, an employee who is scheduled to work 50 hours a week may take 50 hours of paid sick leave in the first week and 30 hours of paid sick leave in the second week, and states in any event, the total number of hours paid under the Emergency Paid Sick Leave Act is capped at 80. However, that pay under either does not need to include a premium for overtime hours under either the Emergency Paid Sick Leave Act or the Emergency Family and Medical Leave Expansion Act.

The April 1 DOL guidance (<https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf>) notes FFCRA regulations do not require employers to provide employees requesting to use Public Health Emergency Leave with notices of eligibility, rights and responsibilities, or a written designation that leave use counts against employee's FMLA leave allowances. As a best practice, cities may want to develop notices for this leave to comport with their "traditional" FMLA practices.

The DOL FAQs provided guidance (<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>) (in questions 15-16) on what documentation employers can use to substantiate the need for Public Health Emergency Leave, including a notice of closure or unavailability from a child's school or child care provider, such as a notice posted on a government, school or day care website. As well as a notice published in a newspaper or e-mailed to the employee from a school official or child care provider.

There is an exception to the job protection provisions for employers with fewer than 25 employees if the employee's position does not exist after Public Health Emergency Leave due to an economic downturn or other operating conditions that affect employment caused by the COVID-19 pandemic, but specific conditions must be met.

See page 54 of the April 1 DOL guidance (<https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf>) for these requirements. Additionally, the "key" employee exception under "traditional" FMLA is applicable to leave taken under Public Health Emergency Leave. See information beginning on page 11 of the League's FMLA memo (<https://www.lmc.org/resources/family-and->

[medical-leave-act/](#) for additional details on key employees.

The DOL, in its April 1 guidance, notes for leave taken under “traditional” FMLA for an employee’s own serious health condition related to COVID-19, or to care for the employee’s own spouse, son or daughter, or parent with a serious health condition related to COVID-19, the “traditional” FMLA certification requirements (<https://www.law.cornell.edu/cfr/text/29/825.306>) still apply. However, cities will want to be mindful that during the COVID-19 pandemic, medical documentation from providers may be difficult to obtain.

Employers of health care providers or emergency responders may elect to exclude such employees from this leave. (Refer to Question #25 below for additional information.)

- [View LMC model form: Employee Request for Public Health Emergency Leave \(doc\)](#) (<https://www.lmc.org/employee-request-for-public-health-emergency-leave/>).
- [View LMC model form: Designation Notice for Public Health Emergency Leave \(doc\)](#) (<https://www.lmc.org/designation-notice-for-public-health-emergency-leave/>).
- [View checklist by Gallagher consulting on FFCRA Leave and Employer Recordkeeping Requirements \(pdf\)](#) (<https://ajg.adobeconnect.com/ffcrarecords/>).

## Emergency Paid Sick Leave Act

Subject to a few exceptions, all public agencies must provide their eligible employees with Emergency Paid Sick Leave. Further, section 5110 of the FFCRA (<https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf>) states the term “covered employer” in the emergency sick leave provisions apply to “public agency[ies] or any other entity that is not a private entity or individual, employs 1 or more employees.”

This provision of the act requires applicable employers (like cities) to provide employees with a maximum of two weeks of paid sick leave (paid at the full regular rate) for employees who are unable to work or telework because they need to:

- Quarantine. Documentation an employee could provide to the city in support of paid sick leave would include the name of the government entity issuing the quarantine or isolation the employee is subject to (in this case Governor Walz’s Stay at Home Executive Order) or the name of the health care provider who advised the employee to self-quarantine for COVID-19 related reasons. In the [April 1 DOL guidance](#) (<https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf>), it was clarified that if the employer has closed, and there is no available work for the employee, then Emergency Paid Sick Leave would not be appropriate (because the employee would be unable to work even if he or she were not required to comply with the quarantine or isolation order). In those cases, an employee would file for unemployment since there no work available. The guidance further states, if an employee is subject to a quarantine or isolation order, but the employer permits the employee to telework and there are no extenuating circumstances preventing the employee from performing that work, that employee is ineligible for Emergency Paid Sick Leave (due to the fact they are teleworking).
- Seek a diagnosis or preventive care for coronavirus. The April 1 DOL guidance states Emergency Paid Sick Leave for this reason is limited to the time the employee is unable to work because he or she is taking affirmative steps to obtain a medical diagnosis (i.e., the time spent making, waiting for, or attending an appointment for a test for COVID-19), but specifies the employee may not take Emergency Paid Sick Leave to self-quarantine without seeking a medical diagnosis. The guidance further notes in the case of an employee who exhibited COVID-19 symptoms and seeks medical advice but is told he or she does not meet the criteria for testing and is advised to self-quarantine, that employee is generally eligible for Emergency Paid Sick Leave.

In these circumstances, there is a cap of \$511/day or \$5,110 total over the entire two-week paid sick leave period.

However, two-thirds of the employee’s regular rate must be paid to:

- Care for a family member who has been quarantined or advised by a health care provider to self-quarantine. The [April 1 DOL guidance](#) (<https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf>) states the individual being cared for must be an immediate family member, roommate, or a similar person with whom the employee has a relationship that creates an expectation that the employee would care for the person due to the quarantine. Documentation an employee would provide to the city in support of paid sick leave for this situation could include the name of the government entity that issued the quarantine or isolation the employee is subject to (in this case Governor Walz’s Stay at Home Executive Order), or the name of the health care provider who advised the employee to self-quarantine for COVID-19 related reasons.
- Care for a child whose school has closed or whose child care provider is unavailable due to the coronavirus. The April 1 DOL guidance clarifies if an employer does not have available work (e.g., if the place of employment is closed and the employee cannot telework), an employee may not take paid sick leave. In that case, the employee could file for unemployment. The guidance further clarifies Emergency Paid Sick Leave is only for the period when the employee needs to, and actually is, caring for his or her child. Stating, “generally, an employee does not need to take Emergency Paid Sick Leave if another suitable individual – such as a co-parent, co-guardian, or the usual child care provider – is available to provide the care for the employee’s child needs.” Also, in the case of a 15- to 17-year old child, the employee must identify “special circumstances” requiring the employee to provide care. Documentation an employee would provide to the city in support of this Emergency Paid Sick Leave situation would include: (1) the name of the child being cared for; (2) the name

of the school, place of care, or child care provider that closed or became unavailable due to COVID-19 reasons; and (3) a statement representing that no other suitable person is available to care for the child during the period of requested leave.

- Tend to any other substantially similar condition that may arise, as specified by the Secretary of Health and Human Services (as of the date of these FAQs, this situation is not in play).

In these circumstances, there is a cap of \$200/day or \$2,000 total over the entire two-week paid sick leave period.

In the event your city has opted to provide any of these leaves to your employees, the authority for sick leave and other related benefits should satisfy the public purpose doctrine for these expenditures. Minnesota courts have held that the “public purpose” doctrine should be “broadly construed to comport with the changing conditions of modern life.” *Short Co. v. City of Minneapolis*, 269 N.W.2d 331 (Minn. 1978). In addition, remember that the state auditor emphasizes the importance of governing bodies to accurately record pay and benefit decisions in your meeting minutes.

Emergency Paid Sick Leave is a benefit for all eligible employees for up to 80 hours of paid sick time, regardless of the employee's length of employment. Full-time employees are entitled to two weeks (80 hours) of paid sick time and part-time employees (defined under question #49 of the DOL's FFCRA FAQs (<https://www.dol.gov/agencies/whd/pandemic/ffcr-questions>), as an employee who is normally scheduled to work fewer than 40 hours per week), are entitled to paid sick time based on the number of hours equal to the average number of hours that the employee normally works in a two-week period.

In the [April 1 DOL guidance](https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf) (<https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf>), employers are directed to use the daily average a variable scheduled employee works to compute the two-week average. Thus, employers will want to take the number of hours the variable scheduled employee was scheduled per calendar day, averaged over the past six-month period prior to the date on which the leave begins. Alternatively, an employer may also use twice the number of hours that an employee was scheduled to work per workweek, averaged over the six-month period. The calculation will yield Emergency Paid Sick Leave for a variable employee equal to 14 times the average number of hours the employee was scheduled to work per calendar day (including any vacation, PTO, or sick leave hours the employee used) over the six-month period ending on the date on which the employee takes paid sick leave.

The Department of Labor's April 1 guidance states if this calculation cannot be made because the employee has not been employed for at least six months, use the number of hours that you and your employee agreed that the employee would work upon hiring. And if there is no such agreement, you may calculate the appropriate number of hours of leave based on the average hours per day the employee was scheduled to work over the entire term of his or her employment.

Any unused paid leave granted by the act does not carry over into 2021.

Employers of health care providers or emergency responders may elect to exclude such employees from this leave. (Refer to Question #25 below for additional information.)

—View LMC model form: [Request for Emergency Paid Sick Leave \(doc\)](https://www.lmc.org/request-for-emergency-paid-sick-leave/) (<https://www.lmc.org/request-for-emergency-paid-sick-leave/>)

## Reimbursement

As passed, the Families First Coronavirus Response Act implements significant mandates on local governments as employers to provide expanded leave to employees, but unfortunately, language in the bill expressly prohibits government employers from receiving the tax credits to offset the costs of providing such leave.

A concerted effort by the National League of Cities and the League of Minnesota Cities to amend this language in the more recently passed CARES Act (third COVID-19 stimulus package) was not successful. As a result, the language in the *Families First Coronavirus Response Act* (PL 116-127) remains and governmental employers are prohibited from receiving any benefit of the payroll tax credits for providing paid sick and paid emergency family leave. We are aware of efforts at the federal level to continue to attempt to fix this issue should there be any further COVID-19 stimulus packages. Because this is in flux, might be a good idea to start tracking as of April 1 any paid leave benefits granted under this act. Some cities are considering coding any leave under this act as a specific code in their payroll systems so they can more easily generate a report if needed down the line. For further information about the tax credits available to private employers, please visit the [IRS' Coronavirus Tax Relief page](https://www.irs.gov/coronavirus) (<https://www.irs.gov/coronavirus>).

- [See the text of the Families First Coronavirus Response Act \(pdf\)](https://docs.house.gov/billsthisweek/20200309/BILLS-116hr6201-SUS.pdf) (<https://docs.house.gov/billsthisweek/20200309/BILLS-116hr6201-SUS.pdf>)
- [Get additional information on the leave provisions from the U.S. House of Representatives \(pdf\)](https://appropriations.house.gov/sites/democrats.appropriations.house.gov/files/2020-03-17%20Emergency%20Paid%20Sick-Family%20Leave%20Fact%20Sheet%20Enrolled%20FINAL.pdf) (<https://appropriations.house.gov/sites/democrats.appropriations.house.gov/files/2020-03-17%20Emergency%20Paid%20Sick-Family%20Leave%20Fact%20Sheet%20Enrolled%20FINAL.pdf>)
- [Read FAQs from DOL about the FFCRA](https://www.dol.gov/agencies/whd/pandemic/ffcr-questions) (<https://www.dol.gov/agencies/whd/pandemic/ffcr-questions>)
- [Get more information about FFCRA from the DOL website](https://www.dol.gov/agencies/whd/pandemic/ffcr-employer-paid-leave) (<https://www.dol.gov/agencies/whd/pandemic/ffcr-employer-paid-leave>)

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## Q14. With the Stay at Home order by Gov. Walz, is that deemed a quarantine or isolation that allows employees to access Emergency Paid Sick Leave?

**A14.** Very likely, but the city will want to make an initial determination whether there is available work for the employee. Essentially, an employee may take paid sick leave only if being subject to one of these orders prevents him or her from working or teleworking.

Specifically, in the [April 1 DOL guidance \(https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf\)](https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf), it was clarified that if an employer has closed, and there is no available work for the employee, then Emergency Paid Sick Leave would not be appropriate (because the employee would be unable to work even if he or she were not required to comply with the quarantine or isolation order). In those cases, an employee would file for unemployment due to no available work. The guidance further states, if an employee is subject to a quarantine or isolation order, but the employer permits the employee to telework, and there are no extenuating circumstances preventing the employee from performing that work, that employee is ineligible for Emergency Paid Sick Leave (due to that fact they are working via teleworking).

For reference, in the April 1 DOL guidance, there is language stating, “quarantine or isolation orders include a broad range of governmental orders, including orders that advise some or all citizens to shelter in place, stay at home, quarantine, or otherwise restrict their own mobility.” Essentially, an employee may take paid sick leave only if being subject to one of these orders prevents him or her from working or teleworking

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## Q15. Can you please address how Emergency Paid Sick Leave might overlap with Public Health Emergency Leave?

**A15.** The Public Health Emergency Leave only applies if an employee is unable to work (or telework) due to the need to care for a child if the child's school, or child care provider is closed due to a public health emergency (like that of COVID-19). If that situation is in play for your employee and the employee has worked for you for the eligibility criteria outlined in question #13 (whereas the Emergency Paid Sick Leave is immediately available to employees), then the employee is eligible for up to 12 weeks of FMLA leave (assuming they have not already previously used any FML time within your defined 12-month period). Ten of those weeks will be paid at two-thirds the rate of the employee's regular pay, and the first two weeks of that leave are unpaid. Employee can elect to use their accrued employer provided leave balances for the first two weeks (which arguably may be paid at the employee's full rate of pay), can elect to use up to 80 hours of Emergency Paid Leave or take those two weeks as unpaid. For the case of an employee caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19, they would be eligible for up to two weeks of Emergency Paid Sick Leave paid at two-thirds their regular rate of pay, up to a cap of \$200/day (\$10,000 in the aggregate, or no more than \$12,000 in the aggregate when combined with two weeks of the Emergency Paid Sick Leave).

In the event an employee has exhausted his or her 12 weeks of “traditional” FMLA or the 12 weeks of Public Health Emergency Leave, (and assuming the employee has not already used the two weeks of Emergency Paid Sick Leave) the [April 1 DOL guidance \(https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf\)](https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf) reiterates the employee may still be eligible for the two weeks of Emergency Paid Leave for a COVID-19 qualifying reason.

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## Q16. For the Emergency Paid Sick Leave, the up to 80 hours is regardless of if the employee has accrued time available, correct?

**A16.** Yes, the Emergency Paid Sick Leave is in addition to any accrued banks of leave the employee may currently possess. Further, the act includes an express provision that an employer may not require an employee to use other paid leave provided by the employer to the employee before the employee uses the paid sick time.

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## Q17. Can an employee supplement with their own accrued leave to receive a full check in cases where they are receiving two-thirds pay under Public Health Emergency Leave or Emergency Paid Sick Leave?

**A17.** We tend to think so, but this election is at the employee's choice and the employer cannot require an employee to supplement the FFCRA leaves. In question #32 of earlier DOL guidance, the DOL stated, “Under the FFCRA, the employee may choose to use existing paid vacation, personal, medical, or sick leave from your paid leave policy to supplement the amount your employee receives from paid sick leave or expanded family and medical leave, up to the employee's normal earnings. Note, however, that you are not entitled to a tax credit for any paid sick leave or expanded family and medical leave that is not

required to be paid or exceeds the limits set forth under Emergency Paid Sick Leave Act and the Emergency Family and Medical Leave Expansion Act.” However, it is important to note, the Act currently expressly prohibits government employers from receiving the tax credits to offset the costs of providing such leave. (See question #13 above for additional information).

The DOL offers guidance specifically on supplementing Public Health Emergency Leave in their April 1 guidance, noting an employee may take the first two weeks of Public Health Emergency Leave as unpaid, elect to take Emergency Paid Sick Leave at two-thirds the employee’s regular rate of pay, or use his or her accrued leave through the employer. After the first two weeks of leave, Public Health Emergency Leave is paid at two-thirds an eligible employee’s regular rate of pay, up to \$200 per day. Because this period of Public Health Emergency Leave is paid, the DOL notes on page 110 of its [April 1 guidance](https://www.dol.gov/sites/dolgov/files/WHHD/Pandemic/FFCRA.pdf) (<https://www.dol.gov/sites/dolgov/files/WHHD/Pandemic/FFCRA.pdf>), the “traditional” FMLA provision for substitution of the employee’s accrued paid leave is inapplicable, and neither the eligible employee nor the employer may require the substitution of paid leave. However, cities and eligible employees may agree, to have paid leave supplement pay under the Public Health Emergency Leave so that the Employee receives the full amount of his or her normal pay.

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## Q18. Can an employee access Public Health Emergency Leave or Emergency Paid Sick Leave for care of a grandchild?

**A18.** Possibly, if the employee was considered “in loco parentis” for the child. In [DOL’s FFCRA FAQs](https://www.dol.gov/agencies/whd/pandemic/ffcra-questions), (<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>) the definition of son or daughter includes an employee’s biological, adopted, or foster child, stepchild, a legal ward, or a child for whom you are standing in loco parentis—someone with day-to-day responsibilities to care for or financially support a child. For additional information regarding “in loco parentis” please refer to [Fact Sheet #28B](https://www.dol.gov/agencies/whd/fact-sheets/28B-fmla-in-loco-parentis) (<https://www.dol.gov/agencies/whd/fact-sheets/28B-fmla-in-loco-parentis>), where it states, “In loco parentis refers to a relationship in which a person puts himself or herself in the situation of a parent by assuming and discharging the obligations of a parent to a child. The in loco parentis relationship exists when an individual intends to take on the role of a parent to a child who is under 18 or 18 years of age or older and incapable of self-care because of a mental or physical disability. Although no legal or biological relationship is necessary, grandparents or other relatives, such as siblings, may stand in loco parentis to a child under the FMLA, as long as the relative satisfies the in loco parentis requirements.”

In the [April 1 DOL guidance](https://www.dol.gov/sites/dolgov/files/WHHD/Pandemic/FFCRA.pdf) (<https://www.dol.gov/sites/dolgov/files/WHHD/Pandemic/FFCRA.pdf>), under both Public Health Emergency and Emergency Paid Sick Leaves, the definition of child is mirrored and includes children under 18 years of age as well as children age 18 or older who are incapable of self-care because of a mental or physical disability.

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## Q19. Can the paid leaves under the FFCRA be used intermittently?

**A19.** Generally, yes, provided the employer and employee are in agreement. The [DOL’s April 1 guidance](https://www.dol.gov/sites/dolgov/files/WHHD/Pandemic/FFCRA.pdf) (<https://www.dol.gov/sites/dolgov/files/WHHD/Pandemic/FFCRA.pdf>), reiterates this with no leave under the FFCRA may be taken intermittently without agreement by both the employer and employee. In earlier [DOL Q&As](https://www.dol.gov/agencies/whd/pandemic/ffcra-questions) (<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>), the Department encourages employers and employees to collaborate to achieve flexibility and meet mutual needs. The Department notes that it is supportive of such voluntary arrangements that combine telework and intermittent leave. In the April 1 DOL guidance, it is noted that providing this intermittent leave flexibility during the COVID-19 pandemic should not be construed as undermining the employee’s exempt status under the FLSA.

While the April 1 DOL guidance noted a written agreement outlining both parties’ agreement is not required, it is noted there needs to be clear and mutual understanding between the parties that the employee may take intermittent paid sick leave or intermittent expanded family and medical leave, or both. Further, where an employer and employee agree to the intermittent leave, there needs to be agreement on the increments of time in which leave may be taken. Thus, cities may want to talk with their legal counsel on how best to document any intermittent arrangement.

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## Q20. If we have an employee on 14-day quarantine due to possible exposure, can they use the 80-hour FFCRA leave? Or is it better to use paid administrative leave?

**A20.** As of April 1, if the employee has been advised by a health care provider to self-quarantine related to COVID-19, then that is a qualifying reason for up to 80 hours of Emergency Paid Sick Leave at their regular rate, up to \$511 per day and \$5,110 in the aggregate. Prior to April 1, the city would follow its typical paid leave policies.

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**Q21. If schools are not open in person, but for distance learning, does the FFCRA cover employees who want or need to stay home with their children during the distance learning?**

**A21.** Touch base with your city attorney, but with schools and likely many day cares closed due to COVID-19 (regardless of whether there is virtual learning, since arguably the children still need someone to watch over them), and in the event work (or telework) is not available for your employees, it seems like Emergency Paid Sick Leave and extended FMLA leave would be benefits available for those workers.

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**Q22. Are Public Health Emergency Leave and Emergency Paid Sick Leave paid benefits subject to Public Employees Retirement Association (PERA)?**

**A22.** League staff spoke with PERA on March 26 and confirmed that both the emergency FMLA and Paid Sick Leave are PERA reportable. Visit PERA's [COVID-19 Q&A web page \(https://www.mnpera.org/about/covid-19/\)](https://www.mnpera.org/about/covid-19/).

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**Q23. Can an employee stay home under the FMLA expansion to avoid getting COVID-19?**

**A23.** The FMLA protects eligible employees who are incapacitated by a serious health condition, as may be the case with the flu where complications arise, or who are needed to care for covered family members who are incapacitated by a serious health condition. Generally speaking, leave taken by an employee for the purpose of avoiding exposure to the flu would not be protected under the FMLA. Employers should encourage employees who are ill with pandemic influenza or are exposed to ill family members to stay home and should consider flexible leave policies for their employees in these circumstances.

If a city finds itself in a position where an employee expresses fears working due to COVID-19 concerns, a conversation with the city attorney is vital to balance employee rights and city business needs. Generally speaking, a city will want to engage in an interactive process to better understand the employee's specific concerns, and as with any accommodation request, the EEOC notes in their [Guidance on COVID-19 and the Americans with Disabilities Act \(ADA\)](https://www.eeoc.gov/eeoc/newsroom/wysk/wysk_ada_rehabilitaion_act_coronavirus.cfm) ([https://www.eeoc.gov/eeoc/newsroom/wysk/wysk\\_ada\\_rehabilitaion\\_act\\_coronavirus.cfm](https://www.eeoc.gov/eeoc/newsroom/wysk/wysk_ada_rehabilitaion_act_coronavirus.cfm)) employers may: ask questions to determine whether the condition is a disability; how the disability creates a limitation, how the requested accommodation will effectively address the limitation, whether another form of accommodation could effectively address the issue; and how a proposed accommodation will enable the employee to continue performing the "essential functions" of his position (that is, the fundamental job duties).

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**Q24. I understand there will be some posting requirements related to FFCRA. What does that include?**

**A24.** Cities will want to post this [notice of the FFCRA requirements \(https://www.dol.gov/sites/dolgov/files/WHd/posters/FFCRA\\_Poster\\_WH1422\\_Non-Federal.pdf\)](https://www.dol.gov/sites/dolgov/files/WHd/posters/FFCRA_Poster_WH1422_Non-Federal.pdf) by March 31 in a conspicuous place at your premises, but employers can satisfy this requirement by emailing or direct mailing this notice to employees or posting it on an employee information internal or external website. You may notice, there are two posters on the [DOL workplace posters website \(https://www.dol.gov/agencies/whd/posters\)](https://www.dol.gov/agencies/whd/posters); cities will want to post and share the *non-federal employees*, "[Employee Rights: Paid Sick Leave and Expanded Family and Medical Leave under the Families First Coronavirus Response Act](https://www.dol.gov/sites/dolgov/files/WHd/posters/FFCRA_Poster_WH1422_Non-Federal.pdf)" (WH1422 REV 03/20) poster ([https://www.dol.gov/sites/dolgov/files/WHd/posters/FFCRA\\_Poster\\_WH1422\\_Non-Federal.pdf](https://www.dol.gov/sites/dolgov/files/WHd/posters/FFCRA_Poster_WH1422_Non-Federal.pdf)). Cities are not required to post this notice in multiple languages, but the Department of Labor (Department) has issued a Spanish language version of the poster. Additionally, the Department of Labor offers some [notice FAQs \(https://webapps.dol.gov/dolfaq/dolfaqbytopic.asp?topicID=17&topicTitle=Posters\)](https://webapps.dol.gov/dolfaq/dolfaqbytopic.asp?topicID=17&topicTitle=Posters) you may want to read.

Notably, if have new hires you must convey this notice to them either by email, direct mail, or by posting this notice on the premises or on an employee information internal or external website.

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**Q25. Can you tell me more about the FFCRA health care providers and medical responders exemptions and why the exemptions exist?**

**A25.** Employers of health care providers or emergency responders may elect to exclude such employees from the Public Health Emergency and Emergency Paid Sick Leaves. In question #57 of the [DOL's FFCRA FAQs](https://www.dol.gov/agencies/whd/pandemic/ffcra-questions) (<https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>), the DOL defines emergency responders who may be excluded from paid sick leave or expanded family and medical leave by their employer under the FFCRA, as an employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility. (Refer to additional content regarding the health care providers and emergency responders exclusion under Public Health Emergency Leave section.)

In the April 1 DOL guidance, this exclusion was explained as a balance struck by the FFCRA. "On the one hand, the FFCRA provides for paid sick leave and expanded family and medical leave so employees will not be forced to choose between their paychecks and the individual and public health measures necessary to combat COVID-19. On the other hand, providing paid sick leave or expanded family and medical leave does not come at the expense of fully staffing the necessary functions of society, including the functions of emergency responders. The FFCRA should be read to complement—and not detract from—the work being done on the front lines to treat COVID-19 patients, prevent the spread of COVID-19, and simultaneously keep Americans safe and with access to essential services. Therefore, the Department interprets 'emergency responder' broadly."

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## Q26. Is it an option to exclude Emergency Responders from the Public Health Emergency Leave, but not the Emergency Paid Sick Leave, or visa versa?

**A26.** We have consulted with a local benefits attorney and understand that given the fact that the two types of leave are governed by different laws and each law separately gives an employer the ability to exclude emergency responders, it seems like the answer is yes, a city could exclude emergency responders from one leave and not the other, or exclude emergency responders from both leaves. Thus, a city could exclude emergency responders from being eligible for Public Health Emergency Leave, but allow them to receive Emergency Paid Sick Leave.

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## Q27. If we exempt health care workers or emergency responders from the leave granted under the FFCRA, can they take other kinds of leave?

**A27.** Yes, an employer's exercise of this option does not authorize an employer to prevent an employee who is a health care provider or emergency responder from taking earned or accrued leave in accordance with established employer policies. Therefore, the city may be required to grant other forms of paid leave, depending on the circumstances of the employee's request. Consult your city attorney for clarification.

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## Q28. As an employer, how long do I need to retain documentation relating to FFCRA leaves?

**A28.** Four years. Specifically, an employer is required to retain all documentation for four years, regardless of whether leave was granted or denied. In the [DOL's April 1 guidance](https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf) (<https://www.dol.gov/sites/dolgov/files/WHd/Pandemic/FFCRA.pdf>), it is noted if an employee provides oral statements to support his or her request for Emergency Paid Sick Leave or Public Health Emergency Leave, the employer is required to document and retain such information for four years.

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## Q29. Is it true that all employers (including governments) are exempt from paying the employer's share of the social security tax on wages paid under the FFCRA?

**A29.** Yes. Local governments are not allowed to use the tax credits, but the employer portion (equivalent to 6.2%) of the OASDI tax imposed by Section 3111(a) of the Code, which is also known as the social security tax, is exempted. (However, the employee portion of the social security tax is not exempted.) We have verified that payments made to employees taking paid leave pursuant to the FFCRA are not subject to the employer portion of the OASDI tax imposed by Section 3111(a) of the IRS Code (i.e., the 6.2%), which is also known as the social security tax. Unlike the "tax credit" section of the act, this particular section does not include an exclusion for governmental employers; therefore, the rule applies to all types of employers, including governmental employers. See also IRS FAQ 10 ([IRS COVID-19 FAQs](https://www.irs.gov/newsroom/covid-19-related-tax-) (<https://www.irs.gov/newsroom/covid-19-related-tax->



[credits-for-required-paid-leave-provided-by-small-and-midsize-businesses-faqs#basic](#))), which confirms that qualified Emergency Paid Sick Leave and qualified Public Health Emergency Leave payments are exempt from the employer portion (6.2%) of the social security tax.

At a minimum, government employers are going to need to document and track these qualified sick and family leave wages separately, in order to: a) not withhold the employer portion of social security (assuming software/system can handle not withholding employer only portion) and/or b) report the correct wages subject to employer portion of social security, most likely on the quarterly Form 941, although the IRS has not yet provided any information on this.

Any regular sick, vacation, or PTO used would be taxed as it normally is taxed because it isn't considered qualified sick and family leave.

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### Q30. Do I need to keep employees on the city's insurance while they are taking Public Health Emergency Leave or Emergency Paid Sick Leave?

A30. Yes, employees are entitled to continued coverage under the employer's group health plan on the same terms as if the employee did not take leave during the period of absence covered by the law. For additional information about health plan continuation under FMLA, please refer to the [League's FMLA memo \(https://www.lmc.org/resources/family-and-medical-leave-act/\)](https://www.lmc.org/resources/family-and-medical-leave-act/).

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### Q31. Not necessarily a question, but a comment – there have been so many changes flying around, it's hard to keep everything straight.

A31. We completely agree! There is good news; the Department of Labor will observe a temporary period of non-enforcement for the first 30 days, so long as the employer has acted reasonably and in good faith to comply with the Act. [Learn more about the non-enforcement period. \(https://www.dol.gov/agencies/whd/field-assistance-bulletins/2020-1\)](https://www.dol.gov/agencies/whd/field-assistance-bulletins/2020-1)

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### Q32. We are a small city. Do we have to comply with the FFCRA?

A32. Yes, municipalities must comply with both the Public Health Emergency and Emergency Paid Leaves, regardless of the number of employees they employ, although such employers may exclude employees who are health care providers or emergency responders.

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### Q33. What is the definition of "son or daughter" with regard to the FFCRA?

A33. The DOL regulations define son or daughter the same way for both Public Health Emergency and Emergency Paid Leaves. This definition includes children under 18 years of age and children age 18 or older who are incapable of self-care because of a mental or physical disability. However, the IRS noted that if employees wish to take leave under Public Health Emergency Leave or Emergency Paid Sick Leave, the employee alone must be providing care to the child (thus, if another family member is present to care of the child, then the employee would not qualify for the leaves under the FFCRA).

Additionally, in the case of a 15- to 17-year old child, the employee must identify "special circumstances" requiring the employee to provide care. This [IRS guidance \(https://www.irs.gov/newsroom/covid-19-related-tax-credits-for-required-paid-leave-provided-by-small-and-midsize-businesses-faqs#family\\_leave\)](https://www.irs.gov/newsroom/covid-19-related-tax-credits-for-required-paid-leave-provided-by-small-and-midsize-businesses-faqs#family_leave) appears to relate to tax-credits which local governments are not currently eligible for, but it may be a good idea to include on your forms in the event cities are eligible for this credit down the line.

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### Q34: I heard something about possible administrative forbearance for public employees who are using the Public Service Loan Forgiveness (PSLF). Where can I direct employees to learn more?

A34: The U.S. Department of Education has directed all federal student loan servicers to temporarily stop requiring payments (a forbearance) from any borrower with a federally held loan. If you have a Direct Loan, were on a qualifying repayment plan prior to the suspension, and work full-time for a qualifying employer during the suspension, then you will receive credit toward PSLF for the period of suspension as though you made on-time monthly payments. Servicers of federal student loans were directed to place borrowers in an automatic forbearance. To request a forbearance/stop payment/refund, borrowers should contact their federal student loan servicer online or by phone.

—Learn more and find out who your federal student loan servicer is (<https://studentaid.gov/announcements-events/coronavirus>)

### Q35: Should the city be offering COVID-19 antibody testing to emergency responders?

**A35:** As of April 21, 2020, despite companies currently offering such testing, none of the antibody tests are approved by the FDA. Further, it is presently unclear even if an individual has antibodies for COVID-19, how long they will last. Thus, in the absence of an FDA-approved test, it is not currently recommended to offer this testing to employees.

The CDC website indicates that the CDC is evaluating commercially manufactured serologic tests in collaboration with various agencies.

- Read more about serology testing for COVID-19 on the CDC website (<https://www.cdc.gov/coronavirus/2019-ncov/lab/serology-testing.html>)
- Read the FDA's statement about serology testing (<https://www.fda.gov/news-events/press-announcements/coronavirus-covid-19-update-serological-test-validation-and-education-efforts>)

—Access more COVID-19 News and Resources (<https://www.lmc.org/resources/covid-19-resources/>)

Your LMC Resource

#### HR & Benefits Department

(651) 281-1200 or (800) 925-1122

[hrrbenefits@lmc.org](mailto:hrrbenefits@lmc.org)

## Employment Issues Associated With ‘Returning to the New Normal’

Published: April 23, 2020

(Updated May 21, 2020)

Gov. Tim Walz and state agencies, including the Department of Employment and Economic Development (DEED), Minnesota Department of Health (MDH), and Department of Labor and Industry (DLI) are working together to safely allow some non-critical sector businesses to open, while abiding by the stay-at-home order issued on March 25, 2020, and extended through May 4 in Executive Order 20-33, and until May 18, 2020 in Executive Order 20-48. He released [Executive Order 20-40](https://mn.gov/governor/assets/EO%2020-40%20Final_tcm1055-429564.pdf) ([https://mn.gov/governor/assets/EO%2020-40%20Final\\_tcm1055-429564.pdf](https://mn.gov/governor/assets/EO%2020-40%20Final_tcm1055-429564.pdf)) “Allowing Workers in Certain Non-Critical Sectors to Return to Safe Workplaces” on April 23.

On May 13, Gov. Walz issued four Executive Orders to correspond to the Stay-at-Home Order expiration at midnight on May 17, 2020, thereby moving Minnesota to a “Stay Safe” initiative in reopening the state’s economy. Two of the executive orders ([20-54](https://mn.gov/governor/assets/EO%2020-54%20Final_tcm1055-431913.pdf) ([https://mn.gov/governor/assets/EO%2020-54%20Final\\_tcm1055-431913.pdf](https://mn.gov/governor/assets/EO%2020-54%20Final_tcm1055-431913.pdf)) and [20-55](https://mn.gov/governor/assets/EO%2020-55%20Final_tcm1055-431920.pdf) ([https://mn.gov/governor/assets/EO%2020-55%20Final\\_tcm1055-431920.pdf](https://mn.gov/governor/assets/EO%2020-55%20Final_tcm1055-431920.pdf))) that most closely correspond to city employment situations are outlined below.

As the title of Executive Order 20-54 reflects (“Protecting Workers from Unsafe Working Conditions and Retaliation During the COVID-19 Peacetime Emergency”), this action protects workers from retaliation by declaring the following worker protections:

- Employers must not discriminate or retaliate in any way against a worker communicating orally or in writing with management personnel about occupational safety or health matters related to COVID-19, including asking questions or expressing concerns.
- Employers must not discriminate or retaliate in any way against any worker for wearing gloves, a cloth face covering, eye protection, or other protective gear which the worker has personally procured and reasonably believes will protect them, their coworkers or the public against COVID-19 in the course of their work, provided that the protective gear which the worker has personally procured does not violate industry standards or existing employer policies related to health, safety, or decency.
- Employers may require use of employer-provided protective gear that meets or exceeds protective gear procured by employees.
- Workers have the right to refuse to work under conditions that they, in good faith, reasonably believe present an imminent danger of death or serious physical harm. This includes a reasonable belief that they have been assigned to work in an unsafe or unhealthful manner with an infectious agent such as COVID-19. Employers must not discriminate or retaliate in any way against a worker for the worker’s good faith refusal to perform assigned tasks if the worker has asked the employer to correct the hazardous conditions but remains uncorrected.
- Workers and authorized representatives of workers have the right to request that DLI conduct an inspection of their workplace if they believe that a violation of a safety or health standard that threatens physical harm exists or that an imminent danger exists. Employers must not discriminate or retaliate in any way against a worker because such worker has requested an inspection or exercised any other right under Minnesota Statutes [Chapter 182](https://www.revisor.mn.gov/statutes/cite/182) (<https://www.revisor.mn.gov/statutes/cite/182>).
- Provides unemployment insurance benefit eligibility for workers quitting employment because the employer has failed to correct an adverse work condition related to the pandemic which would compel an average, reasonable worker to quit, provided the worker has complained to the employer about such adverse work condition and has given the employer a reasonable opportunity to correct such adverse work condition, to no avail, or has been retaliatorily terminated from their employment as a result of exercising the worker rights described in the Executive Order.
- Directs the commissioner of Human Rights to issue guidance, as necessary, consistent with federal and state anti-discrimination laws, including the Minnesota Human Rights Act, regarding employers’ obligations to provide reasonable accommodations related to COVID-19 for qualified employees with disabilities, which may include employees with health conditions who are at high-risk, as determined by relevant guidelines from the CDC or MDH, if they are exposed to or if they contract COVID-19.

Reasonable accommodations related to COVID-19 for such employees may include, but are not limited to, adjusting schedules or workstations, allowing employees to work from home, or permitting use of leave. Executive Order 20-55 protects the rights and health of at-risk populations during the COVID-19 Peacetime Emergency. The order strongly recommends people in high-risk categories to stay at home or in their place of residence, except to engage in necessary activities for health and well-being (including, but not limited to, visiting medical professionals, picking up prescriptions and other medical equipment, grocery shopping, outdoor exercise, child care, caring for family members or pets) and work, if it is not possible to work from home. People who can work from home must do so.

At-risk persons are defined in this executive order as people who are 65 years and older, people in nursing homes or long-term care facilities, and anyone with underlying health conditions (such as chronic lung diseases, severe asthma, serious heart conditions, compromised immunity system, diabetes, severe obesity, chronic kidney disease, and liver disease).

—Read DEED Guidance on safely returning to work (<https://mn.gov/deed/newscenter/covid/safework/>)

## Effective April 27, 2020:

- Workers at non-critical sector industrial and office-based businesses that are non-customer facing are allowed to go back to work as long their employer:
  - Has created and shared a COVID-19 Preparedness Plan that follows MDH and Centers for Disease Control and Prevention (CDC) guidelines and meets Occupational Safety and Health Administration (OSHA) standards.
  - Is following the health and safety protocols outlined in Executive Order 20-40, including conducting health screenings of workers.
  - Continues to encourage teleworking as much as possible. Employees who can work from home should continue doing so.
- Businesses that were included on the critical sector list and already open prior to April 27 are also required to comply with all CDC and OSHA guidance to ensure the health and safety of their workers but are not required to create a COVID-19 Preparedness Plan.

The executive order also states that all workers who are able to work from home must continue to do so (and this is reiterated on the [DEED website \(https://mn.gov/deed/newscenter/covid/safework/\)](https://mn.gov/deed/newscenter/covid/safework/))

On May 20, 2020 Gov. Walz announced plans for additional businesses to open on June 1, including outdoor service for restaurants and bars and personal care services providing they have a COVID-19 Preparedness Plan in place as well as other [established safety measures \(https://mn.gov/deed/newscenter/covid/safework/\)](https://mn.gov/deed/newscenter/covid/safework/).

## Requirements for non-critical exempt businesses

Before workers may return to work at a non-critical exempt business under this executive order, the non-critical exempt business must establish and implement a COVID-19 Preparedness Plan (Plan). Each plan must provide for the business' implementation of Minnesota OSHA standards and MDH and CDC guidelines in their workplaces. These requirements are set forth in [guidance published by DEED and DLI \(Plan Guidance\) \(https://mn.gov/deed/safework/\)](https://mn.gov/deed/safework/).

The [CDC also offers a helpful document on activities and initiatives \(https://www.cdc.gov/coronavirus/2019-ncov/downloads/php/CDC-Activities-Initiatives-for-COVID-19-Response.pdf\)](https://www.cdc.gov/coronavirus/2019-ncov/downloads/php/CDC-Activities-Initiatives-for-COVID-19-Response.pdf) supporting the COVID-19 Response and the President's Plan for Opening America Up Again. The last two pages of the document provide a concise summary of CDC guidance, which reiterates the MDH guidance.

## Required Plan content

As set forth in the Plan Guidance, at a minimum, each Plan must adequately address the following areas:

- **Require work from home whenever possible.** All Plans must ensure that all workers who can work from home continue to do so.
- **Ensure that sick workers stay home.** All Plans must establish policies and procedures, including health screenings, that prevent sick workers from entering the workplace.
- **Social distancing.** All Plans must establish social distancing policies and procedures.
- **Employee hygiene and source control.** All Plans must establish hygiene and source control policies for workers.
- **Cleaning and disinfection protocols.** All Plans must establish cleaning and disinfection protocols for areas within the workplace.
- **Optional template.** A [template COVID-19 Preparedness Plan \(https://www.dli.mn.gov/updates\)](https://www.dli.mn.gov/updates), which covers the above requirements, is available.

The executive order also requires certification by senior management, dissemination and posting of the Plan, training for workers on the contents of the Plan, and compliance with the Plan by workers and management. Plans do not need to be submitted for approval but must be made available to regulatory authorities and public safety officers, including the Department of Labor. DLI may issue citations, civil penalties, or closure orders with unsafe or unhealthy conditions. Workers who violate the order are also subject to fines or imprisonment.

## Get answers to frequently asked questions (FAQs) regarding returning employees to work

The information contained in these FAQs is designed to help cities decide when and how to return their workforce back to the city's worksites. Please make sure to use CDC and MDH guidance wherever provided in order to meet the requirements of this executive order.

Q1. How should our city decide when to bring our workforce back to the worksite? (#Q1) (Updated May 14, 2020)

Q2. Should we consider screening employees and visitors to our building? (#Q2) (Updated May 14, 2020)

Q3. How will we know when our employees are ready to return to the worksite, both practically and psychologically? (#Q3) (Updated May 14, 2020)

Q4. What kinds of precautionary safety measures do we need to take before returning more employees to the same worksite? (#Q4) (Updated May 19, 2020)

Q5. How should we communicate our decision to return to the worksite with our employees? (#Q5)

Q6. What are we obligated to share if someone becomes ill? (#Q6) (Updated May 18, 2020)

Q7. Are there any other miscellaneous legal issues to think about? (#Q7)

Q8. What should our city be thinking about as we start to plan — beyond the short-term logistical issues? (#Q8)

Q9. What employment issues should our city start thinking about for the longer term? (#Q9)

## Q1. How should our city decide when to bring our workforce back to the worksite?

**A1.** One indicator is the expiration of the governor's stay-at-home order. However, that is not the only consideration. Each employer will need to make its decision based on expert guidance and the unique needs of its workforce.

Here are a few considerations:

- Health care experts suggest that COVID-19 testing should be readily available prior to returning to the worksite so employers can identify sick people and trace whom they had contact with and where that contact occurred.
- How comfortable will your employees be returning to a workplace? Do they prefer to wait until a vaccine is developed? Are they able to effectively telecommute? How confident are they that you will protect them from unnecessary risk?
- Has your city sought input from employee labor unions? Are they comfortable with the safety measures you have put in place?
- How ready is your city to deal with the issues associated with employees working together at one site again? Do you have the right protocols and policies in place?
- Some employers in China have returned their workforce in smaller segments and gradually, over time, eased into the transition. They have also scheduled shorter shifts for workers, with telework before and after (e.g., work onsite from 10-3 and telework before and after) to avoid rush times in public transit, etc.

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## Q2. Should we consider screening employees and visitors to our building?

**A2.** Some employers have decided to check temperatures of all employees and visitors to their worksites. Others are implementing health screening templates and questionnaires.

While a best practice is to use medical personnel for this testing, another option is to have a qualified medical professional train staff who will be taking temperatures. For screening employee temperatures by staff, the [CDC offers several methods for temperature screening protocols](https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fcommunity%2Fgeneral-business-faq.html&data=02%7C01%7CLaura.oliven%40state.mn.us%7Ca58f4835c56a474501d208d7edfd6caa%7Ceb14b04624c445198f26b89c2159828c%7C0%7C0%7) (<https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fcommunity%2Fgeneral-business-faq.html&data=02%7C01%7CLaura.oliven%40state.mn.us%7Ca58f4835c56a474501d208d7edfd6caa%7Ceb14b04624c445198f26b89c2159828c%7C0%7C0%7>) including using social distance by maintaining a distance of 6 feet from others or physical barriers to minimize the screener's exposure due to close contact with a person who has symptoms during screening. The CDC provides the following examples to consider that incorporating these types of control for temperature testing include:

- **Reliance on Social Distancing:** Ask employees to take their own temperature either before coming to the workplace or upon arrival at the workplace. Upon their arrival, stand at least 6 feet away from the employee and:
  - Ask the employee to confirm that their temperature is less than 100.4°F (38.0°C) and confirm that they are not experiencing coughing or shortness of breath.
  - Make a visual inspection of the employee for signs of illness, which could include flushed cheeks or fatigue.
  - Screening staff do not need to wear personal protective equipment (PPE) if they can maintain a distance of 6 feet.
- **Reliance on Barrier/Partition Controls:** During screening, the screener stands behind a physical barrier, such as a glass or plastic window or partition, that can protect the screener's face and mucous membranes from respiratory droplets that may be produced when the employee sneezes, coughs, or talks. Upon arrival, the screener should wash hands with soap and water for at least 20 seconds or, if soap and water are not available, use hand sanitizer with at least 60% alcohol. Then:
  - Make a visual inspection of the employee for signs of illness, which could include flushed cheeks or fatigue.

- Conduct temperature and symptom screening using this protocol:
  - Put on disposable gloves.
  - Check the employee's temperature, reaching around the partition or through the window. Make sure the screener's face stays behind the barrier at all times during the screening.
  - **If performing a temperature check on multiple individuals, make sure that you use a clean pair of gloves for each employee and that the thermometer has been thoroughly cleaned in between each check.** If disposable or non-contact thermometers are used and you did not have physical contact with an individual, you do not need to change gloves before the next check. If non-contact thermometers are used, clean and disinfect them according to manufacturer's instructions and facility policies.
- Remove and discard PPE (gloves), and wash hands with soap and water for at least 20 seconds. If soap and water are not available, use hand sanitizer with at least 60% alcohol.

If social distance or barrier controls cannot be implemented during screening, PPE can be used when the screener is within 6 feet of an employee during screening. However, reliance on PPE alone is a less effective control and more difficult to implement given PPE shortages and training requirements.

- **Reliance on Personal Protective Equipment (PPE):** Upon arrival, the screener should wash their hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol, put on a face mask, eye protection (goggles or disposable face shield that fully covers the front and sides of the face), and a single pair of disposable gloves. A gown could be considered if extensive contact with an employee is anticipated. Then:
  - Make a visual inspection of the employee for signs of illness, which could include flushed cheeks or fatigue, and confirm that the employee is not experiencing coughing or shortness of breath.
  - Take the employee's temperature.
    - **If performing a temperature check on multiple individuals, make sure that you use a clean pair of gloves for each employee and that the thermometer has been thoroughly cleaned in between each check.** If disposable or non-contact thermometers are used and you did not have physical contact with an individual, you do not need to change gloves before the next check. If non-contact thermometers are used, you should clean and disinfect them according to manufacturer's instructions and facility policies.
  - After each screening, remove and discard PPE and wash hands with soap and water for at least 20 seconds or use hand sanitizer with at least 60% alcohol.

While temperature checks are likely an acceptable option during a pandemic, there are issues associated with the practice of doing them across the board with all employees and visitors:

- An employee can be infected with COVID-19 and not run a fever.
- The least invasive thermometers (infrared sensor devices) appear to be unreliable used outside a medical environment, according to some medical experts. Other thermometers may be more reliable, but also more invasive. Employees may not appreciate having their temperature taken outside of a medical environment.
- Visitors to city facilities may refuse to cooperate, and if the city cannot screen visitors, then screening employees may not be worth the effort.
- Data practices laws remain in play during a pandemic. Thus, privacy issues associated with temperature checks of co-workers must be considered and worked through to ensure compliance with the Minnesota Government Data Practices Act and the Americans With Disabilities Act (ADA).
- The time associated with taking a temperature check may cause long lines outside the city facility.

A somewhat easier and more controlled practice may be to ask visitors and employees to complete a short medical questionnaire each day. The League has provided a sample for cities who wish to consider using this practice.

[—View the Model Health Screening Questionnaire \(doc\) \(https://www.lmc.org/health-screening-questionnaire-for-city-hall-employees-and-visitors/\)](https://www.lmc.org/health-screening-questionnaire-for-city-hall-employees-and-visitors/)

The city will also want to consider the [U.S. Equal Employment Opportunity Commission's \(EEOC\) guidance on COVID-19 \(https://www.eeoc.gov/eeoc/newsroom/wysk/wysk\\_ada\\_rehabilitaion\\_act\\_coronavirus.cfm\)](https://www.eeoc.gov/eeoc/newsroom/wysk/wysk_ada_rehabilitaion_act_coronavirus.cfm). If your city decides to conduct any type of medical questionnaire (or temperature checks) of all employees and visitors entering the building, you will want to consider the following in addition to the EEOC guidance above:

- Find an accurate method for measuring and use that method consistently with all employees and all visitors every day; if you are conducting temperature checks, make sure you can purchase a sufficient supply of the thermometers before making the decision to move forward.
- Develop a protocol and train the employee who will be administering the checks or hire a third-party provider to do it.
  - Make sure you can obtain personal protective equipment required in order to do the checks, such as masks, gloves, and sanitizer.
- Ensure that privacy issues are addressed; you will be collecting medical data on employees and visitors. Information should not be maintained in a single logbook because medical records of individual employees will be comingled with those of others. Compliance with data practices laws and the ADA remains a requirement during a pandemic.
- Find an objective way to measure the medical information or temperature cutoff, such as the Centers for Disease Control and Prevention (CDC) [Definitions of Symptoms \(https://www.cdc.gov/quarantine/air/reporting-deaths-illness/definitions-symptoms-reportable-illnesses.html\)](https://www.cdc.gov/quarantine/air/reporting-deaths-illness/definitions-symptoms-reportable-illnesses.html).
- Check with your legal counsel on all procedures, especially whether the city can legally exclude visitors.
- Be consistent with practices of sending employees home or rejecting visitors; if you make exceptions, it undermines the reasons for conducting the program.



- Have a plan for assisting visitors who are not allowed into the building. This could be a flyer with contact information for city departments or taking the visitor's contact information and having staff reach out to them.

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### Q3. How will we know when our employees are ready to return to the worksite, both practically and psychologically?

A3. Employees will have a variety of concerns and issues to address before returning to work, such as the following:

- **Childcare issues.** Even once most schools and day cares have reopened, many employees may have trouble finding appropriate childcare. Some may have gone out of business or delayed reopening or become too expensive.
- **Underlying conditions.** Employees over a certain age or with underlying conditions, such as asthma, high blood pressure, or immunity issues, will have special concerns, and the city may need to consider a reasonable accommodation, such as a request for continued telework, special protective gear, or the ability to work hours when social distancing is easier. [Executive Order 20-55](https://mn.gov/governor/assets/EO%2020-55%20Final_tcm1055-431920.pdf) ([https://mn.gov/governor/assets/EO%2020-55%20Final\\_tcm1055-431920.pdf](https://mn.gov/governor/assets/EO%2020-55%20Final_tcm1055-431920.pdf)) encourages people in high-risk categories to stay at home or in their place of residence except to engage in necessary activities, and those who can work from home must do so. Thus, a city should strongly consider these requests and engage in interactive discussions if it cannot outright grant the request. A great resource document is from the EEOC: "[Pandemic Preparedness in the Workplace and the Americans with Disabilities Act](https://www.eeoc.gov/laws/guidance/pandemic-preparedness-workplace-and-americans-disabilities-act)." (<https://www.eeoc.gov/laws/guidance/pandemic-preparedness-workplace-and-americans-disabilities-act>)"
- **Fear of exposure without underlying conditions.** People have different levels of tolerance for disease exposure. What can your city do to ensure they are comfortable re-entering the workspace? Actively listen to employees and ask about their specific concerns to determine if they are reasonable.

One way to assess your employees' readiness is to do a brief online employee survey to find out where they are at — both psychologically and practically — and what will help them feel more secure about returning to the worksite.

—View Sample Employee Survey (doc) (<https://www.lmc.org/employee-readiness-to-return-to-worksite-survey/>)

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### Q4. What kinds of precautionary safety measures do we need to take before returning more employees to the same worksite?

A4. The governor's Executive Order 20-33 has asked Minnesotans not working in critical sectors to continue to stay at home through May 4, 2020, to slow the spread of COVID-19. (This stay-at-home order was extended until May 18, 2020.) On May 13, 2020, [Executive Order 20-56](https://mn.gov/governor/assets/EO%2020-56%20Final_tcm1055-431921.pdf) ([https://mn.gov/governor/assets/EO%2020-56%20Final\\_tcm1055-431921.pdf](https://mn.gov/governor/assets/EO%2020-56%20Final_tcm1055-431921.pdf)) was issued, stating any workers who can work from home must do so and non-critical businesses choosing to open or remain open must establish and implement a COVID-19 Preparedness Plan. Each Plan must provide for the business's implementation of Minnesota OSHA Standards and MDH and CDC

<https://lms.gd/eylhbGciOjI1UzI1Ni9.eylidWxsZXRpbl9saW5rX2lkIjoxMDAsInVyaSI6ImJwMjpbGljaW5lcmJ1bGxldGluX2lkIjoIMjAyMDA0MjAuMjAzNzE>  
 ) Guidelines in their workplaces. To make the development of such a plan easier on employers, the Department of Labor and Industry (DLI) has built a [template plan](https://www.dli.mn.gov/updates) (<https://www.dli.mn.gov/updates>) that any employer could feel free to use, if helpful. DLI would like to get public feedback on that template and have opened it up for public comment on the [DLI website](https://lms.gd/eylhbGciOjI1UzI1Ni9.eylidWxsZXRpbl9saW5rX2lkIjoxMDAsInVyaSI6ImJwMjpbGljaW5lcmJ1bGxldGluX2lkIjoIMjAyMDA0MjAuMjAzNzE) (<https://lms.gd/eylhbGciOjI1UzI1Ni9.eylidWxsZXRpbl9saW5rX2lkIjoxMDAsInVyaSI6ImJwMjpbGljaW5lcmJ1bGxldGluX2lkIjoIMjAyMDA0MjAuMjAzNzE>) — please send feedback through a [survey](https://mn.gov/deed/newscenter/covid/safework/) (<https://mn.gov/deed/newscenter/covid/safework/>).

It is unclear if city halls already open prior to May 18 are required by DEED to adopt a preparedness plan. LMC suggests adopting a plan as a best practice to make employees and visitors have confidence in the safety of the workplace. Further, the DEED model is a great one to also meet OSHA, MDH and CDC standards. If cities operate other entities, such as a Driver and Vehicle Services office, the state has said a preparedness plan must be completed before cities can resume these activities.

DEED's guidelines are based on MDH and CDC guidance and offer the basis for an employer's plan to return employees to a worksite. They continue to recommend that if workers can work from home, they should be allowed to work from home and to make sure sick employees stay home. However, for those employers that need to return workers to the job site, they offer the following guidance:

1. Establish health screening protocols for employees at start of shift, e.g., temperature taking, health screening survey. (See [Q2 \(#Q2\)](#).)
2. Identify and isolate employees with COVID-19 symptoms, and those that have been exposed.
3. Establish communication protocols when employees have been potentially exposed.
4. Establish worker sickness reporting protocols.
5. Evaluate and adjust sick leave policies to reflect need for isolation and incentivize workers who are sick to stay home.
6. Clearly communicate sick leave policies to all employees.

**Increase social distancing.** Employees should be at least 6 feet away from each other and from customers. A few ways to accomplish this include:

1. Stagger shifts and breaks; create additional shifts.
2. Evaluate traffic patterns to reduce crowding at entrances, in hallways.
3. Limit gatherings of employees.
4. Ensure physical distance in workplaces, including workstations, production lines, etc.
5. Maximize the use of telecommuting.
6. Limit non-essential employee interaction across floors, buildings, campuses, work sites.
7. Increase physical space between employees and customers, e.g., drive-thru, partitions.

**Facilitate employee hygiene and source control** by doing the following:

1. Ensure employees regularly wash hands. Ensure hand washing and/or hand sanitizer facilities are readily available and stocked.
2. Provide necessary protective equipment, e.g., masks, gloves, disinfectant, shields, etc.
3. Post hand washing and cover your cough signs. The CDC offers several posters. (<https://www.cdc.gov/coronavirus/2019-ncov/communication/print-resources.html?Sort=Date%3A%3Adesc&Audience=Community%20Settings>)
4. Encourage use of source control masks. The CDC recommends wearing cloth face coverings (<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover.html>) in public settings where other social distancing measures are difficult to maintain especially in areas of significant community-based transmission. The CDC offers a poster (<https://www.cdc.gov/coronavirus/2019-ncov/communication/print-resources.html?Sort=Date%3A%3Adesc&Audience=Community%20Settings>).
5. Prohibit on-site food preparation and sharing.

**Establish cleaning and disinfection protocols.** While there is still a lot that is unknown about how long COVID-19 remains active on various surfaces, it is best to disinfect frequently touched objects and surfaces at least daily and more often if possible. While virus viability periods will vary under various temperatures, humidity levels, ventilation, and the amount of virus deposited, it can be helpful to consider the following when establishing cleaning protocols.

In a New England Journal of Medicine study, it was found the virus is viable for up to:

- 72 hours on plastics.
- 48 hours on stainless steel.
- 24 hours on cardboard.
- 4 hours on copper.

It is also detectable in the air for three hours or longer.

Source: HUB Report on COVID-19 Lifespan on Surfaces (<https://hub.jhu.edu/2020/03/20/sars-cov-2-survive-on-surfaces/>)

The CDC notes it is unlikely the virus is spread from domestic or international mail, products or packaging. However, it may be possible that people can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or possibly their eyes. Learn more about safe handling of deliveries and mail from the CDC website (<https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/essential-goods-services.html>).

Cleaning and disinfection protocols should include the following:

1. Routinely clean and disinfect all areas such as offices, bathrooms, common areas, shared electronic equipment, machinery, tools, and controls.
2. Do minimal daily cleaning of all doorknobs, surfaces, and other areas touched by hands.
3. Ensure availability of hand sanitizer and approved cleaning products. Also consider providing employees with a bottle of disinfectant on the EPA recommended list ([go.ncsu.edu/epacovid-19](https://www.epa.gov/epacovid-19)) and gloves to disinfect their work spaces multiple times throughout the day.
4. Decontaminate workplace if a worker becomes ill with COVID-19.

Management and employees should be trained in these protocols.

Here is additional detail on some of the items listed above:

- **Personal Protective Equipment (PPE).** Policy should address wearing masks and gloves, use of hand sanitizer, cough and sneeze etiquette, to name a few. The policy should define what the city will provide and what the employee is expected to provide themselves. If cloth face masks are used in the workplace, consider posting this CDC resource on the proper use of cloth face coverings (<https://www.cdc.gov/coronavirus/2019-ncov/downloads/cloth-face-covering.pdf>). On May 7, 2020, MNOSHA



advised the League no medical evaluation nor written respiratory protection program would be necessary for requiring cloth masks in the workplace. For more information, read this post on the League's Pipeline blog: [Understanding the Difference Between Alternative Masks and Respirators \(https://lmcpipeline.blogspot.com/2020/05/understanding-difference-between.html\)](https://lmcpipeline.blogspot.com/2020/05/understanding-difference-between.html).

- **Cleaning and sanitizing procedures.** Define what the city will do as far as extra cleaning of the worksite and individual workstations versus what the employees are expected to do with their own work areas and with shared electronic equipment. Think through how quickly your supply of cleaning materials will last. Will there be a protocol around touching door handles of bathrooms for example? Consider posting hand washing posters in bathrooms.
- **Extra cleaning after an exposure.** The CDC has guidance for precautionary measures to take when someone in the workplace has been exposed or diagnosed with COVID-19. See [CDC — Disinfecting Guidelines \(https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html\)](https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html) for more information.
- **Social distancing.** Other considerations:
  - Staggered work schedules (e.g., 7-3; 9-5, etc.).
  - Seating in every other cube.
  - Open workspaces and cafeterias measured off in six-foot increments.
  - How will the city handle this for restrooms? Some cities are restricting public access to employee use restrooms and incorporating visual measures like signage on an outside restroom door so others know when spaces are occupied.
  - This information regarding social distancing to protect municipal liquor store employees may also be helpful: [Protecting Your Liquor Store Employees \(http://lmcpipeline.blogspot.com/2020/04/protecting-your-liquor-store-employees.html\)](http://lmcpipeline.blogspot.com/2020/04/protecting-your-liquor-store-employees.html).
  - [Read more about social distancing and infection prevention control measures \(doc\) \(https://www.lmc.org/social-distancing-ideas/\)](https://www.lmc.org/social-distancing-ideas/).
- **Visitors and deliveries.** Contact-free food delivery, limits on visitors, limits on cash handling for business transactions. Make sure it's clear the city will make alternate arrangements to provide services to individuals denied access.
- **Face-to-face meetings.** Eliminate face-to-face meetings or ease back into them with mandatory social distancing.
- **Travel and external meeting restrictions.** Ensure employees know the policy on employee travel and external meetings.
- **Mandatory reporting of exposure/illness.** Require employees to report if they've had an exposure to COVID-19 as defined by the CDC guidance or if they themselves become ill.

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## Q5. How should we communicate our decision to return to the worksite with our employees?

**A5.** The city will want to share the information in a way that reassures employees you have carefully thought through the decision and have taken all the necessary precautions for their safety. Specifically, communicate:

- The time frame for return and who will return in what order.
- Changes in scheduling.
- Policy changes (see [Q4 \(#Q4\)](#)).
- Emphasis on sanitizing and cleaning measures and PPE available.
- What has NOT changed; what policies are still in effect (e.g., policies on staying home/leaving work if sick, health benefits, paid leave opportunities, EAP, ability to speak with supervisor or HR about concerns, etc.).

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## Q6. What are we obligated to share if someone becomes ill?

**A6.** The city cannot identify the infected worker's name. Please see Question 10 of [City Employment Issues During COVID-19 Pandemic \(https://www.lmc.org/resources/city-employment-issues-covid/\)](https://www.lmc.org/resources/city-employment-issues-covid/) for more information on what and how to share.

While COVID-19 testing remains limited, the city may want to treat a "presumptive positive" diagnosis, where an employee has consulted a healthcare provider and been advised to self-isolate, the same as an actual diagnosis.

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## Q7. Are there any other miscellaneous legal issues to think about?

**A7.** Yes. Here are a few:

- While scheduling the workforce is generally a management right, other terms and conditions related to how a policy impacts employees is generally negotiable; for example, some unions have begun asking for hazard pay associated with working during the pandemic. See [Labor Relations Issues During COVID-19 Pandemic \(https://www.lmc.org/resources/labor-relations-issues-during-covid-19-pandemic/\)](https://www.lmc.org/resources/labor-relations-issues-during-covid-19-pandemic/) for more information.

- The Families First Coronavirus Response Act (FFCRA) is now in effect; make sure the mandatory posting ([https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA\\_Poster\\_WH1422\\_Non-Federal.pdf](https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA_Poster_WH1422_Non-Federal.pdf)) has occurred at the worksite.
- It is possible employees of Asian descent or other persons of color will be discriminated against or harassed; the city may want to remind employees that discrimination and harassment will not be tolerated.
- Legal experts caution that returning employees to the worksite in a manner that discriminates against a protected class will likely be problematic (e.g., older workers and pregnant employees mandated to stay home). Instead, they recommend beginning the return to the worksite process voluntarily, by allowing employees the choice of returning to work or not. This also aids in keeping a smaller number of employees in the building, allowing for greater social distancing.

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## Q8. What should our city be thinking about as we start to plan — beyond the short-term logistical issues?

A8. There are several issues to keep in mind, including:

- **Financial issues.** Cities will have extra expenses and reduced revenues before, during and after the COVID-19 pandemic. Some will be relatively easy to quantify. Other costs may be more difficult to quantify, such as:
  - Sending public works crews out in separate vehicles to maintain social distancing.
  - Technology needed to maintain remote operations.
  - Additional PPE costs.
  - Overtime due to absences of other staff.
  - Impacts of the workers' compensation presumption for first responders. See Insurance Trust Coverage Response During COVID-19 Pandemic (<https://www.lmc.org/insurance-trust/coverages/lmcit-coverage-covid/>) for more information.

—Read about financial considerations during the pandemic (<https://www.lmc.org/resources/financial-considerations-covid/>)

—Read about layoffs and HR cost-saving measures (<https://www.lmc.org/resources/layoffs-and-hr-cost-saving-measures/>)

- **Extended or long-term telework.** It is likely a significant portion of the workforce will have adapted to telework and will push harder for a policy to allow this, in addition to greater flexibility around work schedules. If the city has not had widespread telework opportunities prior to the pandemic but now anticipates that changing, it will want to develop a policy on remote work and address things like what technology the city will and will not provide, ergonomic issues, timekeeping, etc.
- **Travel and training.** If the city cuts back on conferences and in-person training opportunities for staff due to financial constraints, it may want to increase online opportunities. Many vendors offer group pricing contracts. The League also has some offerings in this area and is continuing to explore additional member opportunities. Read more about the League's online learning opportunities. (<https://www.lmc.org/learning-events/learnings/>)
- **Labor relations issues.** As employees return to worksites or to their daily "new normal" routines, some labor relations issues may crop up. While many policy issues are in the realm of "management rights," even those often need to be negotiated as to the impact. At the national level, at least one major union leader has stated publicly that workers should not go back to their jobs unless federal regulators put new safety measures in place to safeguard against the spread of COVID-19. Read Layoffs and HR Cost-Saving Measures (pdf) (<https://www.lmc.org/resources/layoffs-and-hr-cost-saving-measures/>)
- **Medical and Mental Health Issues.** Once a vaccine is available to prevent COVID-19, the city may want to consider the following options:
  - Paid time off to get the shot.
  - Provide the shot free to employees.
  - Host a clinic.

There may be mental health issues associated with COVID-19. Employees may have co-workers, friends, and family who have died, experienced severe illness, or lost jobs. Promote use of the employee assistance program (EAP) or other resources to employees.

- **Returning employees after a layoff.** The amount of time the city laid off an employee may impact what the city needs to do in order to rehire that person. For example, if the employee remained on benefits and it was a shorter duration (for example, less than six months), the city may not have to repeat the entire hiring process to bring the employee back. Some things to consider:
  - Were vacation or other termination benefits paid out?
  - Form I-9 documentation; as a general rule, if you rehire an employee within three years of completion of a previous I-9, you can either complete a new I-9 or Section 3 of the previously completed Form I-9. See U.S. Citizen and Immigration Services Reverification and Rehire (<https://www.uscis.gov/i-9-central/complete-correct-form-i-9/completing-section-3-reverification-and-rehires>).
  - Was the layoff labeled as "temporary," "indefinite," or "permanent"?
  - Have the duties changed significantly, and will the changes impact their exempt versus non-exempt status with regard to overtime eligibility?

- In other cases, for example for a Department of Transportation (DOT) driver, specific rules regarding drug and alcohol testing must be addressed prior to having the worker perform safety sensitive functions. For example, according to [Federal Motor Carrier Safety Administration regulations \(https://www.fmcsa.dot.gov/regulations/title49/section/382.301\)](https://www.fmcsa.dot.gov/regulations/title49/section/382.301), if a driver is considered to be an employee of the city during the extended (layoff) period, a pre-employment test would not be required so long as the driver has been included in the city's random testing program during the layoff period. However, if the driver was not considered to be an employee of the city at any point during the layoff period, was not covered by a program, or was not covered for more than 30 days, then a pre-employment test would be required upon a call back.
- **Leadership issues and communication.** As always, it will be important for top leadership to create a positive and hopeful environment. Employees will likely be mourning the loss of the "old days" with co-workers, as well as disrupted friendships and routines.

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## Q9. What employment issues should our city start thinking about for the longer term?

A9. Here are some longer-term issues your city should consider:

- **Workforce planning.** Experts are saying COVID-19 will have many financial and psychological affects that may impact the retirement plans of Baby Boomers. Senior staff may delay retirements due to investment losses, resulting in Gen X middle managers seeing fewer opportunities to move up. Keeping your employees motivated and working well together may be even more challenging in the post-COVID world.
- **Future pay structures.** In the short term, cities may be able to negotiate wage concessions or at least "hold-the-line" contracts, but in the post-COVID-19 future, what will employees want most when it comes to pay and benefits? The security of a really strong health insurance plan? More contributions to deferred compensation to rebuild their investments? A secure and stable step-based pay plan? While it's still too early to tell for sure, cities should start thinking about possible changes to pay and benefits post-COVID.
- **Efficiencies associated with streamlined processes.** As the city's workforce has adapted to telework, will the city see increased efficiencies as outdated paperwork processes are required to be updated? How will these efficiencies affect staffing needs?
- **Reputation as an employer post-COVID-19.** While Boomer retirements may be delayed due to COVID-19, they will eventually come, and most likely there will still be workforce shortages and competition for talent at some point. Some human resources experts are predicting that job seekers in the post-COVID world will be researching prospective employers to find out how their employees were treated during the COVID-19 pandemic.

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[—Access more COVID-19 News and Resources \(https://www.lmc.org/resources/covid-19-resources/\)](https://www.lmc.org/resources/covid-19-resources/)

Your LMC Resource

### HR & Benefits Department

(651) 281-1200 or (800) 925-1122

[hrbenefits@lmc.org](mailto:hrbenefits@lmc.org)

COVID-19 resources [here](#). License exams remain canceled.  
Unemployment questions? Visit [www.uimn.org](http://www.uimn.org).

## UPDATES RELATED TO COVID-19

- *New:* COVID-19 Preparedness Plan template and instructions for bars, restaurants and other services (May 20, 2020) – Word document | PDF
  - State of Minnesota Industry Guidance
- COVID-19 Preparedness Plan template and instructions (English versions updated May 13, 2020; translations posted April 30, 2020, to be updated):
  - Word document – English | Hmong | Somali | Spanish
  - PDF – English | Hmong | Somali | Spanish

The completed business preparedness plan is not required to be submitted to DLI for approval, but needs to be made available upon request.

Non-Critical Sector industrial and office-based businesses that are non-customer facing are allowed to reopen as long as they have created a COVID-19 Preparedness Plan.

Businesses that were included on the Critical Sector list are required to comply with Centers for Disease Control and Prevention (CDC) and Minnesota Department of Health (MDH) COVID-19 guidelines and OSHA standards, but they are not at this time required to have a written COVID-19 Preparedness Plan.

- Checklist guidelines for creating a COVID-19 Preparedness Plan (English versions updated May 13, 2020; translations posted April 30, 2020, to be updated):
  - Word document – English | Hmong | Somali | Spanish
  - PDF – English | Hmong | Somali | Spanish
- Frequently asked questions for employers and employees related to COVID-19 (April 27, 2020)
  - What should I do if an employee is suspected or confirmed to have COVID-19?
- Minnesota OSHA printable handouts and resources related to COVID-19
- Minnesota worker resource guide for employees in processing and manufacturing plants (May 1, 2020)
- Worker protections related to COVID-19 – English | Hmong | Somali | Spanish
- Workers' compensation bill: Bill language | Bill summary | Frequently asked questions (updated April 14, 2020)

Legislation creates a presumption for workers' comp coverage for first responders and certain health and child care workers who contract COVID-19. View related information from MWCIA.

- **Unemployment insurance:** Visit [www.uimn.org](http://www.uimn.org). Labor and Industry does not oversee this area. Inquiries must go to the Minnesota Department of Employment and Economic Development.

- **No walk-in customers or visitors at offices:** Labor and Industry is no longer allowing walk-in customers and visitors at our office locations until further notice. For assistance, contact our staff members via phone or email from 8 a.m. to 4:30 p.m. weekdays. Hmong | Somali | Spanish

## **Labor Standards**

- Frequently asked questions for employers and employees related to COVID-19 (April 27, 2020)

## **Construction trades information, exams and licenses**

- **DLI license exams:** All exams are suspended indefinitely. Learn more.
- **Continuing education:** Deadlines have been extended 90 days for licenses that expire in March, April, May and June 2020.
  - License renewals must still be submitted prior to the current expiration date. Late fees will apply to renewals submitted after the expiration date. Renew a license here.
- **License applications:** Until further notice, we are unable to process applications that are dropped off or mailed. Apply or renew online for the fastest processing.
- Construction inspection requirements for municipalities and help for contractors.
- **Building and plumbing plan review:** Electronic plans and paper plans submitted prior to March 27, 2020, will continue to be reviewed. Paper plans submitted after March 27, 2020, will not be processed until the Stay at Home order is lifted. For the quickest review, submit plans online.

- **Inspections and permits:** Updates for electrical, high-pressure piping, boiler, manufactured structures, building and plumbing permits and inspections:
  - Online permits will continue to be issued. No paper permit applications will be processed until the Stay at Home order is lifted.
  - Inspections to critical sectors exempt from the Stay at Home order will continue. These include residential and non-residential building construction.
- **Plumbing:** Guidance about flushing building water systems after periods of low or no water use.
- **Building official training:** Building official limited and accessibility training courses in June are canceled and will be rescheduled.
- Board and council meeting cancellations and updates.
- 2020 National Electrical Code adoption delayed.

## **Apprenticeship**

- Event postponements.
- For apprenticeship program sponsors: Guidelines for suspending or postponing training operations.
- Apprenticeship Advisory Board cancellations.

## **Minnesota OSHA**

- The May 19 Construction Seminar, Cranes in construction, has been rescheduled to Sept. 22.
- The Excavation Safety Stand-down has been moved to June 15 through 19, 2020.

## **Workers' compensation**

- **Administrative conferences, mediations:** As of Monday, March 23, 2020, the Department of Labor and Industry will conduct administrative conferences and mediations remotely by telephone or video conference. Parties also have the option of rescheduling events to a later date. Contact us at [dli.workcomp@state.mn.us](mailto:dli.workcomp@state.mn.us) or 651-284-5032, or contact your assigned mediator, for more information.
- **Copy file review:** DLI's Copy File Review team will be contacting citizens who have appointments scheduled to look at their workers' compensation files, so they can reschedule their appointment 30 days or more in the future. If it is imperative they see their file at their scheduled appointment time, DLI will limit the individual's access to a singular room and the Copy File Review team will ensure social-distancing practices are followed.
- **Emailing documents:** Emailing of certain documents temporarily allowed
- **Rehabilitation consultations:** Until further notice, the Department of Labor and Industry (DLI) will not take any enforcement action under Minnesota Rules 5220.0130 against any qualified rehabilitation consultant (QRC) who conducts a rehabilitation consultation with an injured worker by telephone or video, rather than in person. DLI encourages QRCs to limit in-person meetings and implement social-distancing measures when providing a rehabilitation consultation and other rehabilitation services to injured workers. Placement vendors and their staff members, who meet with injured workers, are also encouraged to conduct meetings by phone or video.



- **Work Comp Campus:** The Workers' Compensation Modernization Program (WCMP) will continue to work on implementing Work Comp Campus as scheduled. We remain available to address questions you have at [dli.wcmp@state.mn.us](mailto:dli.wcmp@state.mn.us).
- **Workers' compensation bill:** Bill language | Bill summary | Frequently asked questions (updated April 14, 2020)  
Legislation creates a presumption for workers' comp coverage for first responders and certain health and child care workers who contract COVID-19. View related information from MWCIA.

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Phone: 651-284-5005  
Toll-free: 800-342-5354



Disclaimer

# COVID-19 Preparedness Plan template and instructions for bars, restaurants and other services

Under Gov. Tim Walz's executive orders, identified businesses that are in operation during the peacetime emergency are required to establish a COVID-19 Preparedness Plan.

A business's COVID-19 Preparedness Plan shall establish and explain the policies, practices and conditions the business will implement to meet the State of Minnesota Industry Guidance for the business, Centers for Disease Control and Prevention (CDC) guidelines, federal Occupational Safety and Health Administration (OSHA) standards and applicable executive orders related to worker, visitor and customer safety and health while in their workplaces. The plan should have the strong commitment of management and be developed and implemented with the participation of workers. Plans must be provided to workers prior to beginning work and posted at the workplace in a manner that is accessible for workers to review. The Minnesota Department of Labor and Industry (DLI), in consultation with the Minnesota Department of Health (MDH), has the authority to determine whether a plan is adequate.

Your COVID-19 Preparedness Plan must include and describe how your business will implement, at a minimum, the following, in compliance with the industry guidance, CDC guidelines and OSHA standards above:

1. policies and procedures that assist in the identification of sick workers and ensure sick workers stay home;
2. implementation of engineering and administrative protocols for social distancing;
3. worker hygiene and source controls;
4. workplace building and ventilation protocols;
5. workplace cleaning and disinfecting protections and protocols;
6. drop-off, pick-up and delivery protections and protocols; and
7. communications, training and supervision protocols.

For businesses that engage with customers and clients, the COVID-19 Preparedness Plan must include and describe how your business will implement, at a minimum, the following, in compliance with the industry guidance, CDC guidelines and OSHA standards above:

8. what customers and clients can do to minimize transmission;
9. additional protections and protocols for receiving and exchanging payment;
10. additional protections and protocols for managing occupancy;
11. additional protections and protocols to limit face-to-face interactions; and
12. additional protection and protocols for distancing and barriers.

This document includes a template that may be used by businesses to develop a COVID-19 Preparedness Plan that includes the components listed above. A business' plan should be **developed to fit the business and the risks of transmission that are present in the business' workplace(s). This template should be used with the State of Minnesota Industry Guidance developed by MDH and DLI for businesses required to create a COVID-19 Preparedness Plan. The State of Minnesota Industry Guidance is available at <http://mn.gov/deed/guidance>.**

Businesses are not required to use this template. However, all plans developed by businesses must address the components included in the State of Minnesota Industry Guidance developed for the type of business.

# COVID-19 Preparedness Plan for [Company name]

[Company name] is committed to providing a safe and healthy workplace for all our workers **[and customers]**. To ensure we have as safe and healthy workplace, we have developed the following COVID-19 Preparedness Plan in response to the COVID-19 pandemic. Managers and workers are all responsible for implementing this plan. Our goal is to mitigate the potential for transmission of COVID-19 in our workplaces and communities, and that requires full cooperation among our workers **[and]** management **[customers and clients]**. Only through this cooperative effort can we establish and maintain the safety and health of all persons in our workplaces.

Management and workers are responsible for implementing and complying with all aspects of this COVID-19 Preparedness Plan. **[Company name]** managers and supervisors have our full support in enforcing the provisions of this policy and we encourage our workers to ask questions, raise safety and health concerns and offer suggestions related to the plan and its implementation.

Our workers are our most important assets. We are serious about safety and health and keeping our workers working at **[company name]**. Worker involvement is essential in developing and implementing a successful COVID-19 Preparedness Plan. We have involved our workers in this process by **[Describe how worker concerns have been addressed, how worker suggestions and feedback have been requested, and how such suggestions have been integrated into developing the plan]**. Our COVID-19 Preparedness Plan follows State of Minnesota Industry Guidance for our business, Centers for Disease Control and Prevention (CDC) Guidelines, federal Occupational Safety and Health Administration (OSHA) standards related to safety and health precautions required in response to COVID-19 and applicable executive orders. The plan addresses the following:

1. policies and procedures that assist in the identification of sick workers and ensure sick workers stay home;
2. implementation of engineering and administrative controls for social distancing;
3. worker hygiene and source controls;
4. workplace building and ventilation protocols;
5. workplace cleaning and disinfecting protocols;
6. drop-off, pick-up and delivery practices and protocols; and
7. communications, training and supervision practices and protocols.

**[For businesses that engage with customers and clients, your COVID-19 Preparedness Plan must include and describe how your business will implement the following additional requirements:]**

8. what customers and clients can do to minimize transmission;
9. additional protections and protocols for receiving and exchanging payment;
10. additional protections and protocols for managing occupancy;
11. additional protections and protocols to limit face-to-face interactions; and
12. additional protection and protocols for distancing and barriers.

## **1. Policies and procedures that assist in the identification of sick workers and ensure sick workers stay home**

Workers have been informed of and encouraged to self-monitor for signs and symptoms of COVID-19. The following policies and procedures are being implemented to assess workers' health status prior to entering the workplace and for workers to report when they are sick or experiencing symptoms. **[Describe how you address the requirements included in the State of Minnesota Industry Guidance for your business, including how you will address health screening, how workers will communicate with the business if they are sick or experiencing symptoms while at home, how workers report they are sick or experiencing symptoms while at work and how workers will be isolated in the workplace until they can be sent home.]**

**[Company name]** has implemented leave policies that promote workers staying at home when they are sick, when household members are sick, or when they are required to isolate or quarantine themselves or a member of their household. **[Describe your sick leave, Family Medical Leave Act (FMLA) leave and other policies addressing these situations.]** Accommodations for workers with underlying medical conditions or who have household members with underlying health conditions have been implemented. **[Describe policy.]**

**[Company name]** has also implemented a policy for informing workers if they have been exposed to a person with COVID-19 at their workplace and requiring them to quarantine for the required amount of time. **[Describe policy.]** In addition, a policy has been implemented to protect the privacy of workers' health status and health information. **[Describe policy.]**

## **2. Social distancing – maintaining six feet of physical distancing**

Social distancing of six feet will be implemented and maintained between workers in the workplace through the following engineering and administrative protocols: **[Describe how you address the requirements included in the State of Minnesota Industry Guidance applicable to your business, including how social distancing will be implemented, maintained and communicated to workers in your workplace].**

Social distancing of six feet will be implemented and maintained between workers and customers or clients in the workplace through the following engineering and administrative protocols: **[Describe protocols]. [If your business engages with customers or clients, your COVID-19 Preparedness Plan must also describe how your business will implement the additional requirements included in the State of Minnesota Industry Guidance applicable to your business, including how social distancing will be maintained and monitored and number of occupants will not exceed the limit on percentage of occupant capacity.]**

## **3. Worker hygiene and source controls**

Worker hygiene and source controls are being implemented at our workplaces at all times. **[Describe how you are addressing the requirements for worker hygiene and source control, including the use of source control face coverings, other protective equipment and hand hygiene included in the State of Minnesota Industry Guidance for your business.]**

## **4. Workplace building and ventilation protocols**

Reopening the workplace includes necessary sanitation, assessment and maintenance of building systems including water, plumbing, electrical and HVAC systems. **[Describe how you are addressing the building and ventilation protocols included in the State of Minnesota Industry Guidance for your business.]**

## **5. Workplace cleaning and disinfection protocols**

Regular housekeeping practices are being implemented, including routine sanitizing of the workplace and frequent sanitizing of high-touch areas. Workers have been instructed that personal equipment and tools should not be shared and, if shared, should be disinfected between users. **[Describe how you are addressing the workplace cleaning and disinfection protocols included in the State of Minnesota Industry Guidance for your business.]**

Appropriate and effective cleaning and disinfectant supplies have been purchased and are available for use in accordance with product labels, safety data sheets and manufacturer specifications, and are being used with required personal protective equipment for the product. **[Describe how you are addressing the requirements included in the State of Minnesota Industry Guidance applicable to your business, including cleaning and disinfecting supplies that have been procured, for what purpose they should be used and how they should be used, including if personal protective equipment is required.]**

## **6. Drop-off, pick-up and delivery practices and protocols**

**[Describe how you are addressing the drop-off, pick-up and delivery protocols included in the State of Minnesota Industry Guidance for your business.]**

## **7. Communications, training and supervision practices and protocols**

This COVID-19 Preparedness Plan was communicated **[explain how]** to all workers **[date]** and necessary training was provided. **[Describe how you are addressing the communications, training and supervision practices and protocols included in the State of Minnesota Industry Guidance for your business.]** Managers and supervisors are to monitor how effective the program has been implemented by **[explain how]**. Management and workers are to work through this new program together and update the training as necessary. This COVID-19 Preparedness Plan has been certified by **[Company name]** management and was posted throughout the workplace **[date]**. It will be updated as necessary.

**For businesses that engage with customers and clients, your COVID-19 Preparedness Plan must include and describe how your business will implement components seven through 11 (below) in compliance with the State of Minnesota Industry Guidance for your business.**

## **8. What customers and clients can do to minimize transmission of COVID-19**

[Describe how you are addressing the requirements included in the State of Minnesota Industry Guidance for your business about what customers and clients can do to minimize transmission of COVID-19.]

## **9. Additional protections and protocols for receiving and exchanging payment**

[Describe how you are addressing the additional protections and protocols for receiving and exchanging payment included in the State of Minnesota Industry Guidance for your business.]

## **10. Additional protections and protocols for managing occupancy**

[Describe how you are addressing the additional protections and protocol for managing occupancy included in the State of Minnesota Industry Guidance for your business.]

## **11. Additional protections and protocols to limit face-to-face interactions**

[Describe how you are addressing the additional protections and protocol to limit face-to-face interactions included in the State of Minnesota Industry Guidance for your business.]

## **12. Additional protection and protocols for distancing and barriers**

[Describe how you are addressing the additional protections and protocol for distancing and barriers included in the State of Minnesota Industry Guidance for your business.]

Certified by:

[Signature]

[Title of management official]

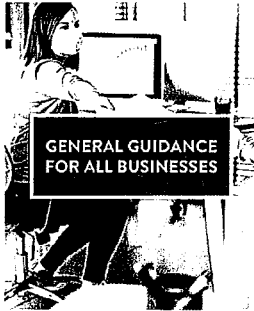
## Guidance on Safely Reopening Minnesota Businesses

Non-Critical Sector businesses and employers must develop and implement a COVID-19 Preparedness Plan prior to reopening. Businesses must ensure the Plan is evaluated, monitored, executed, and updated under the supervision of a designated Plan Administrator. Employers must ensure the Plan is posted at all of the business's workplaces in readily accessible locations that will allow for the Plan to be readily reviewed by all workers, as required.

- **COVID-19 Preparedness Plan template - MS Word**  
[http://www.dli.mn.gov/sites/default/files/doc/COVID\\_19\\_business\\_plan\\_template\\_services.docx](http://www.dli.mn.gov/sites/default/files/doc/COVID_19_business_plan_template_services.docx) |  
**PDF**  
[http://www.dli.mn.gov/sites/default/files/pdf/COVID\\_19\\_business\\_plan\\_template\\_services.pdf](http://www.dli.mn.gov/sites/default/files/pdf/COVID_19_business_plan_template_services.pdf)
- **Checklist guidelines for creating a COVID-19 Preparedness Plan - MS Word**  
[http://www.dli.mn.gov/sites/default/files/doc/employer\\_preparedness\\_plan\\_requirements\\_checklist.docx](http://www.dli.mn.gov/sites/default/files/doc/employer_preparedness_plan_requirements_checklist.docx) |  
**PDF**  
[http://www.dli.mn.gov/sites/default/files/pdf/employer\\_preparedness\\_plan\\_requirements\\_checklist.pdf](http://www.dli.mn.gov/sites/default/files/pdf/employer_preparedness_plan_requirements_checklist.pdf)

Below are industry-specific guidance documents for businesses to aide in the development of its COVID-19 Preparedness Plan. For additional information or assistance in developing a plan, businesses can contact MNOSHA Workplace Safety Consultation at 651-284-5060 or [OSHA.consultation@state.mn.us](mailto:OSHA.consultation@state.mn.us) (<mailto:OSHA.consultation@state.mn.us>).

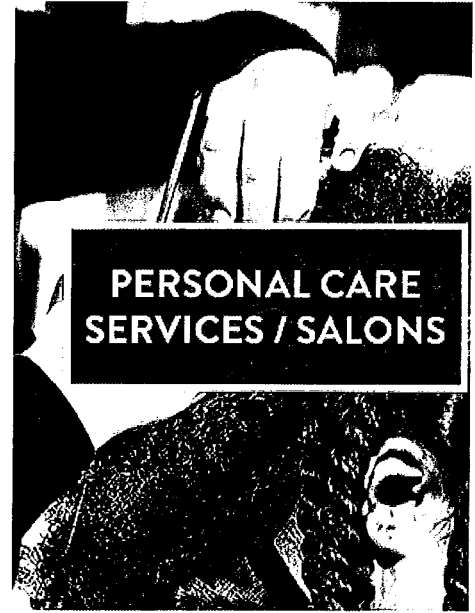
## Industry Guidance for Safely Reopening



[https://deed/assets/general-industry-guidance-ACC\\_tcm1045-432880.pdf](https://deed/assets/general-industry-guidance-ACC_tcm1045-432880.pdf)



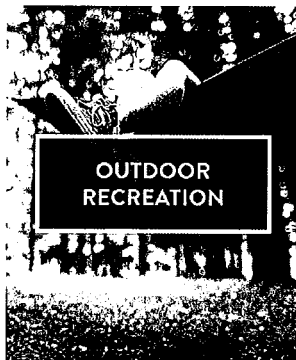
[https://deed/assets/restaurant-bar-industry-guidance-ACC\\_tcm1045-432897.pdf](https://deed/assets/restaurant-bar-industry-guidance-ACC_tcm1045-432897.pdf)



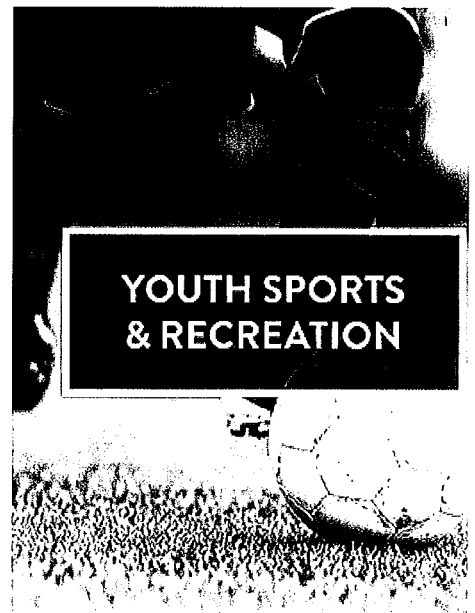
[https://deed/assets/personal-care-industry-guidance-ACC\\_tcm1045-432904.pdf](https://deed/assets/personal-care-industry-guidance-ACC_tcm1045-432904.pdf)



[https://mn.gov/deed/assets/reopening-minnesotas-consumer-facing-businesses\\_tcm1045-431883.pdf](https://mn.gov/deed/assets/reopening-minnesotas-consumer-facing-businesses_tcm1045-431883.pdf)



<https://www.dnr.state.mn.us/aboutdnr/safely-opening-outdoor-recreation.html>



<https://www.health.state.mn.us/diseases/coronavirus/schools/you>

## Guidance Coming in Future Phases





# Employer Preparedness Plan requirements checklist

Employers must develop and implement a plan that addresses the following components and post it publicly.

## Worker protections and protocols for all workplaces

### Make sure sick workers stay home

1. Establish health screening protocols for workers at the start of each shift, such as temperature taking or a health screening survey.
2. Identify and isolate workers with COVID-19 symptoms and those who have been exposed, and send them home.
3. Establish communication protocols when workers have been potentially exposed.
4. Establish worker sickness reporting protocols.
5. Evaluate and adjust sick leave policies to reflect the need for isolation and incentivize workers who are sick to stay home.
6. Provide accommodations for vulnerable populations.
7. Clearly communicate sick leave policies to all workers.

### Social distancing – Workers should be at least six feet away from each other

1. Maximize the use of telecommuting; workers who are able to work from home must work from home.
2. Stagger shifts and breaks; create additional shifts.
3. Evaluate traffic patterns to reduce crowding at entrances, in hallways, etc.
4. Limit gatherings of workers.
5. Ensure physical distancing in workplaces, including at workstations, production lines, etc.
6. Limit non-essential worker interaction across floors, buildings, campuses, worksites, etc.
7. Increase physical space between workers and customers, such as using a drive-thru or partitions.

### Worker hygiene and source controls

1. Ensure workers regularly wash their hands. Ensure handwashing and/or hand-sanitizer facilities are readily available and stocked.
2. Provide recommended protective supplies, such as non-medical cloth masks, gloves, disinfectant, guards, shields, etc.
3. Post handwashing and “cover your cough” signs.
4. Encourage use of source control masks, such as non-medical cloth masks.
5. Prohibit on-site food preparation and sharing.
6. Provide tissues for proper cough/sneeze etiquette and no-touch disposal receptacles.

## **Workplace cleaning, disinfection and ventilation protocols**

1. Routinely clean and disinfect all areas, such as offices, restrooms, locker and changing rooms, common areas, shared electronic equipment, machinery, tools, controls, etc.
2. Frequently clean all high-touch items, such as door knobs, countertops, railings, handles, light switches and other surfaces.
3. Personal equipment, tools and phones should not be shared or, if shared, should be disinfected after each use.
4. Implement routine cleaning and disinfecting of the workplace if a worker, customer or visitor becomes ill with COVID-19.
5. Select appropriate and ensure the needed supply of disinfectants – consider effectiveness and safety. The U.S. Environmental Protection Agency (EPA) has developed a list of products that meet EPA's criteria for use against SARS-CoV-2.
6. Review product labels and material safety data sheets, follow manufacturer specifications, and use required personal protective equipment for the product.
7. Maximize fresh air into the workplace, limit air recirculation, and properly use and maintain ventilation systems.
8. Take steps to minimize air flow from units blowing across people and consider the use of portable HEPA filter units.

## **Additional protections and protocols for drop-off, pick-up and delivery:**

1. Drop-off, pick-up or delivery of goods should be made using means that allow for at least six feet of distance between the worker and customer.
2. Order verification must also be made using means that allow for at least six feet of distance or a complete barrier between the worker and customer.
3. Contactless payment should be used whenever possible. If contactless payment is not possible, payment must be made in a manner that allows for at least six feet of distance between the worker and customer.
4. Customers should pre-order goods or pre-arrange the maintenance or repair of goods or pet grooming services before traveling to the business.
5. Timing of outdoor drop-off, pick-up and delivery should be pre-arranged and arrival at the drop-off, pick-up or delivery location should be communicated through voice, text or email messaging.
6. Customers should be asked to wear cloth face masks.
7. Drop-off and pick-up locations should allow for six feet of social distance between customers and minimize contact with car surfaces.

## **Additional protections and protocols for in-store shopping**

1. Workers and customers must maintain physical distancing of six feet and store occupancy shall not exceed 50%.
2. At checkouts, space between checkout stations and between the customer and worker must allow for physical distancing of six feet or a physical barrier or flexible plastic divider should be installed.
3. Provide for use of changing rooms that allows for disinfection between customers.



4. Provide hand sanitizer at the entrance, point of purchase and prominent locations for customers.
5. Contactless payment should be used whenever possible.
6. Checkout and areas of congestion should be marked to provide for social distancing of six feet, including floor markers for distance, lane lines and marking of adjacent areas where customers may be waiting for store access.
7. Space, configuration and flow of the store should be evaluated to allow for physical distancing of six feet.
8. Merchandise return policies should accommodate cleaning and/or delay of product return to shelves.
9. Customers should be encouraged to wear cloth face coverings.
10. Communications to educate customers about the steps being taken for their protection to mitigate the spread of COVID-19 is encouraged.
11. Posting of instructions for customers at entrances is encouraged and should inform customers: that they should not enter if they are experiencing symptoms; that they are encouraged to wear cloth face-coverings; about the store's occupancy limits; and that customers are asked to adhere to hygiene and social distancing instructions, signage and markings.

## **Additional protections and protocols for malls**

1. Mall capacity must be limited to 50% or less of mall occupancy requirements.
2. Occupancy must be controlled based on vehicle counts, digital tracking and/or monitoring entrances and exits.
3. Traffic flow must be monitored and managed by mall staff inside and outside of the facility.
4. All communal seating, eating areas, play areas, stroller rentals and other areas where people may gather must be closed off.
5. Regular announcements should be made over the property's audio system reminding customers of the importance of the Centers for Disease Control and Prevention's (CDC's) stated best practices for hygiene and physical distancing.
6. Assistance should be provided to mall tenants in establishing physical distancing for any customer lines that may be needed outside of tenant store entrances.
7. No large events and activities that result in people congregating may be held.
8. Frequently clean and disinfect common areas and particularly busy locations, such as restrooms.
9. Have hand hygiene products at a minimum at entrances and available next to water stations with instructions for users to perform hand hygiene upon entry and before and after using the station.
10. Provide for physical distancing in restrooms or limit restroom capacity, closing stalls and including marking areas outside of bathroom for customer waiting.
11. In elevators, post instruction that limit occupancy to one occupant or one family group.

## **Training about protocols**

Train all managers and employees about policies and procedures surrounding safety protocols and practices.

## **Appendix A – Guidance for developing an Employer Preparedness Plan**

### **General**

Centers for Disease Control and Prevention (CDC): Coronavirus (COVID-19) – [www.cdc.gov/coronavirus/2019-nCoV/](https://www.cdc.gov/coronavirus/2019-nCoV/)

Minnesota Department of Health (MDH): Coronavirus – [www.health.state.mn.us/diseases/coronavirus](https://www.health.state.mn.us/diseases/coronavirus)

State of Minnesota: COVID-19 response – <https://mn.gov/covid19>

### **Businesses**

CDC: Resources for businesses and employers – [www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html](https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html)

CDC: General business frequently asked questions – [www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html](https://www.cdc.gov/coronavirus/2019-ncov/community/general-business-faq.html)

CDC: Building/business ventilation – [www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html](https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html)

MDH: Businesses and employers: COVID-19 – [www.health.state.mn.us/diseases/coronavirus/businesses.html](https://www.health.state.mn.us/diseases/coronavirus/businesses.html)

MDH: Health screening checklist – [www.health.state.mn.us/diseases/coronavirus/facilityhlthscreen.pdf](https://www.health.state.mn.us/diseases/coronavirus/facilityhlthscreen.pdf)

MDH: Materials for businesses and employers – [www.health.state.mn.us/diseases/coronavirus/materials](https://www.health.state.mn.us/diseases/coronavirus/materials)

Minnesota Department of Employment and Economic Development (DEED): COVID-19 information and resources – <https://mn.gov/deed/newscenter/covid/>

Minnesota Department of Labor and Industry (DLI): Updates related to COVID-19 – [www.dli.mn.gov/updates](https://www.dli.mn.gov/updates)

Federal OSHA – [www.osha.gov](https://www.osha.gov)

### **Handwashing**

MDH: Handwashing video translated into multiple languages – [www.youtube.com/watch?v=LdQuPGVcceg](https://www.youtube.com/watch?v=LdQuPGVcceg)

### **Respiratory etiquette: Cover your cough or sneeze**

CDC: [www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html](https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html)

CDC: [www.cdc.gov/healthywater/hygiene/etiquette/coughing\\_sneezing.html](https://www.cdc.gov/healthywater/hygiene/etiquette/coughing_sneezing.html)

MDH: [www.health.state.mn.us/diseases/coronavirus/prevention.html](https://www.health.state.mn.us/diseases/coronavirus/prevention.html)



## **Social distancing**

CDC: [www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html](http://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html)

MDH: [www.health.state.mn.us/diseases/coronavirus/businesses.html](http://www.health.state.mn.us/diseases/coronavirus/businesses.html)

## **Housekeeping**

CDC: [www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html](http://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html)

CDC: [www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/disinfecting-your-home.html](http://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/disinfecting-your-home.html)

CDC: [www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html](http://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html)

Environmental Protection Agency (EPA): [www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2](http://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2)

## **Employees exhibiting signs and symptoms of COVID-19**

CDC: [www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html](http://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html)

MDH: [www.health.state.mn.us/diseases/coronavirus/basics.html](http://www.health.state.mn.us/diseases/coronavirus/basics.html)

MDH: [www.health.state.mn.us/diseases/coronavirus/facilityhlthscreen.pdf](http://www.health.state.mn.us/diseases/coronavirus/facilityhlthscreen.pdf)

MDH: [www.health.state.mn.us/diseases/coronavirus/returntowork.pdf](http://www.health.state.mn.us/diseases/coronavirus/returntowork.pdf)

State of Minnesota – <https://mn.gov/covid19/for-minnesotans/if-sick/get-tested/index.jsp>

## **Training**

CDC: [www.cdc.gov/coronavirus/2019-ncov/community/guidance-small-business.html](http://www.cdc.gov/coronavirus/2019-ncov/community/guidance-small-business.html)

Federal OSHA: [www.osha.gov/Publications/OSHA3990.pdf](http://www.osha.gov/Publications/OSHA3990.pdf)

MDH: [www.health.state.mn.us/diseases/coronavirus/about.pdf](http://www.health.state.mn.us/diseases/coronavirus/about.pdf)

## Safely Returning to Work



Minnesota has made good progress on slowing the spread of COVID-19. As we continue the process of reopening our economy and returning more Minnesotans to work, we must continue social distancing practices to save lives and stay safe.

**New Industry Guidance Documents Are Available**  
**([/deed/newscenter/covid/safework/safe-reopening/index.jsp](https://deed.newscenter/covid/safework/safe-reopening/index.jsp))**

### **Additional Businesses Reopening Soon**

**Beginning on June 1, 2020**

**Restaurants and bars can reopen for outdoor service only** as long as they:

- Have adopted and implemented a COVID-19 Preparedness Plan
- Ensure a minimum of 6 feet of distance between tables
- Limit on-premises capacity to no more than 50 persons
- Limit table service to 4 persons, or 6 if part of one family unit
- Require reservations in advance
- Require workers to wear masks and strongly encourage masks be worn by customers

**Personal care services** (such as hair salons, barbershops and tattoo parlors) can reopen to provide services indoor as long as they:

- Have adopted and implemented a COVID-19 Preparedness Plan
- Limit number of clients inside the business at any time to ensure 6 feet of distance between persons except when providing services
- Reduce occupant capacity to no more than 25%
- See clients by appointment only; do not allow walk-ins

- Require workers and clients to wear masks at all times; do not provide services that cannot be performed without masks

**Executive Order 20-56** ([https://mn.gov/governor/assets/EO%2020-56%20Final\\_tcm1055-431921.pdf](https://mn.gov/governor/assets/EO%2020-56%20Final_tcm1055-431921.pdf))

allowed all retail stores, malls and other businesses that sell, rent, maintain and repair goods to open beginning on Monday, May 18 as long as they have adopted and implemented a COVID-19 Preparedness Plan including social distancing guidelines for workers and customers, and allow no more than 50% of the establishment's occupant capacity at any time.

All businesses that have been allowed to reopen under previous Executive Orders, including Critical Sector businesses and non-Critical Sector industrial and office-based businesses, can continue operations as previously allowed. Further guidance on what businesses and activities are currently allowed can be found here (</deed/newscenter/covid/safework/non-critical/index.jsp>).

**All workers who have previously been working from home must continue doing so** under Executive Order 20-56 ([https://mn.gov/governor/assets/EO%2020-56%20Final\\_tcm1055-431921.pdf](https://mn.gov/governor/assets/EO%2020-56%20Final_tcm1055-431921.pdf)).

We must continue to protect public health as we turn the dials and allow more Minnesotans to safely return to work. The state continues to monitor a number of factors when allowing business to reopen, including sustained control of the rate of new infections and hospitalizations, enhanced ability to test and trace, sufficient health care capacity to handle resurgence, and best practices for social distancing that minimize the amount of time that people spend in close proximity to others.

Input from businesses, workers and community members is essential in making sure we do this right. Please provide your input or feedback about safely returning to work (<https://forms.office.com/Pages/ResponsePage.aspx?id=RrAU68QkGUWPJricIVmCjAe36uNFd8dBjM2UwugNbyJUOUIQRjVJOTdKUKfQRTVCSUpZSUdHRURMMMy4u>).

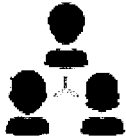
We have prepared a number of Frequently Asked Questions, which can be found on the Business and Worker pages below. If you have additional questions about Safely Returning to Work, please use this form (</deed/newscenter/covid/safework/returning/index.jsp>).

## Join the Conversation

DEED's Commissioner Steve Grove, DNR's Commissioner Sarah Strommen, DLI's Commissioner Nancy Leppink, MDH's Assistant Commissioner Daniel Huff, and DEED's Chief of Staff Anna Peterson, will be on hand Thursday, May 21 from 11:00 to 11:45 a.m. to answer questions about Industry Guidance on Safely Returning to Work. Join them via Teams. ([https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YzQzYTgxZGUtNzg4Mi00OGU2LTkwNTEtOTQ0ZDI3YzI5Mzgy%40thread.v2/0?context=%7b%22Tid%22%3a%22eb14b046-24c4-4519-8f26-b89c2159828c%22%2c%22Oid%22%3a%22c12ffd5a-578e-4694-8892-612bdf2e732b%22%2c%22IsBroadcastMeeting%22%3a%22true%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzQzYTgxZGUtNzg4Mi00OGU2LTkwNTEtOTQ0ZDI3YzI5Mzgy%40thread.v2/0?context=%7b%22Tid%22%3a%22eb14b046-24c4-4519-8f26-b89c2159828c%22%2c%22Oid%22%3a%22c12ffd5a-578e-4694-8892-612bdf2e732b%22%2c%22IsBroadcastMeeting%22%3a%22true%7d))

## Additional Resources

- [State of Minnesota COVID-19 Response \(https://mn.gov/covid19/\)](https://mn.gov/covid19/)
- [Department of Health COVID-19 Information for Businesses and Employers \(https://www.health.state.mn.us/diseases/coronavirus/businesses.html\)](https://www.health.state.mn.us/diseases/coronavirus/businesses.html)
- [Department of Labor & Industry COVID-19 Guidance \(https://www.dli.mn.gov/updates\)](https://www.dli.mn.gov/updates)
- [COVID-19 Outdoor Recreation, Facilities and Public Guidelines \(https://www.dnr.state.mn.us/aboutdnr/covid-19-outdoor-recreation-guidelines.html\)](https://www.dnr.state.mn.us/aboutdnr/covid-19-outdoor-recreation-guidelines.html) [MN DNR]



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### **For Businesses: Safely Returning to Work**

**(/deed/newscenter/covid/safework/business/index.jsp)**



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### **For Workers: Safely Returning to Work**

**(/deed/newscenter/covid/safework/workers/index.jsp)**



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### **Guidance on Safely Reopening Minnesota Businesses**

**(/deed/newscenter/covid/safework/safe-reopening/index.jsp)**



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**Related Executive Orders and Other Informational Resources**  
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**Additional Questions?**

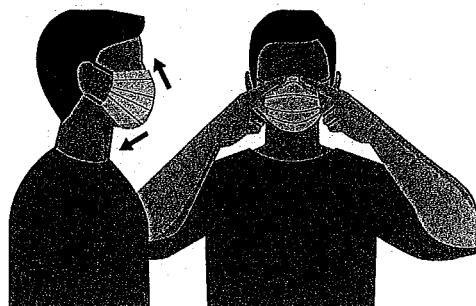
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# How to Safely Wear and Take Off a Cloth Face Covering

Accessible: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>

## WEAR YOUR FACE COVERING CORRECTLY

- Wash your hands before putting on your face covering
- Put it over your nose and mouth and secure it under your chin
- Try to fit it snugly against the sides of your face
- Make sure you can breathe easily
- Do not place a mask on a child younger than 2

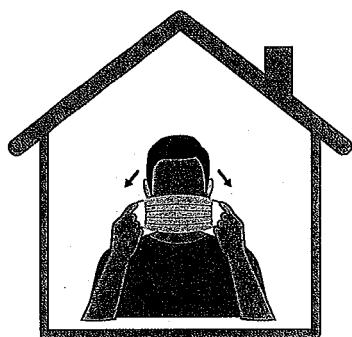


## USE THE FACE COVERING TO PROTECT OTHERS

- Wear a face covering to protect others in case you're infected but don't have symptoms
- Keep the covering on your face the entire time you're in public
- Don't put the covering around your neck or up on your forehead
- Don't touch the face covering, and, if you do, clean your hands

## FOLLOW EVERYDAY HEALTH HABITS

- Stay at least 6 feet away from others
- Avoid contact with people who are sick
- Wash your hands often, with soap and water, for at least 20 seconds each time
- Use hand sanitizer if soap and water are not available



## TAKE OFF YOUR CLOTH FACE COVERING CAREFULLY, WHEN YOU'RE HOME

- Untie the strings behind your head or stretch the ear loops
- Handle only by the ear loops or ties
- Fold outside corners together
- Place covering in the washing machine
- Wash your hands with soap and water



Cloth face coverings are not surgical masks or N-95 respirators, both of which should be saved for health care workers and other medical first responders.

For instructions on making a cloth face covering, see:

**[cdc.gov/coronavirus](https://www.cdc.gov/coronavirus)**

# Cleaning And Disinfecting Your Facility

## Everyday Steps, Steps When Someone is Sick, and Considerations for Employers

### How to clean and disinfect

**Wear disposable gloves** to clean and disinfect.

#### Clean

- **Clean surfaces using soap and water.** Practice routine cleaning of frequently touched surfaces.

#### High touch surfaces include:

Tables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, sinks, etc.

#### Disinfect

- Clean the area or item with soap and water or another detergent if it is dirty. Then, use a household disinfectant.
- **Recommend use of EPA-registered household disinfectant.** **Follow the instructions on the label** to ensure safe and effective use of the product.

Many products recommend:

- Keeping surface wet for a period of time (see product label).
- Precautions such as wearing gloves and making sure you have good ventilation during use of the product.



- **Diluted household bleach solutions may also be used** if appropriate for the surface. Check to ensure the product is not past its expiration date. Unexpired household bleach will be effective against coronaviruses when properly diluted.

**Follow manufacturer's instructions** for application and proper ventilation. Never mix household bleach with ammonia or any other cleanser.

**Leave solution** on the surface for **at least 1 minute**

Bleach solutions will be **effective** for disinfection **up to 24 hours**.

**To make a bleach solution, mix:**

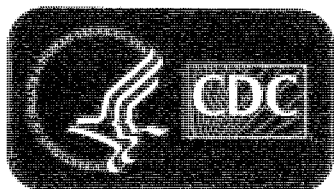
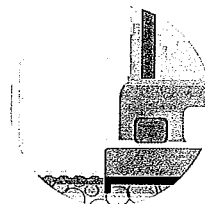
- 5 tablespoons (1/3rd cup) bleach per gallon of water
- OR
- 4 teaspoons bleach per quart of water

- **Alcohol solutions with at least 70% alcohol.**

### Soft surfaces

For soft surfaces such as **carpeted floor, rugs, and drapes**

- **Clean the surface using soap and water** or with cleaners appropriate for use on these surfaces.



[cdc.gov/coronavirus](https://www.cdc.gov/coronavirus)

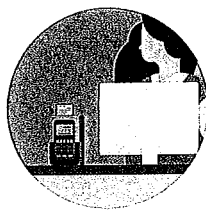
- **Laundry items** (if possible) according to the manufacturer's instructions. Use the warmest appropriate water setting and dry items completely.

OR

- **Disinfect with an EPA-registered household disinfectant.** These disinfectants meet EPA's criteria for use against COVID-19.

## Electronics

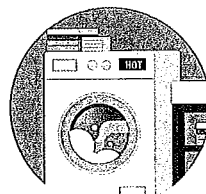
- For electronics, such as **tablets, touch screens, keyboards, remote controls, and ATM machines**
- Consider putting a **wipeable** cover on electronics.
- **Follow manufacturer's instruction** for cleaning and disinfecting.
  - If no guidance, **use alcohol-based wipes or sprays containing at least 70% alcohol.** Dry surface thoroughly.



## Laundry

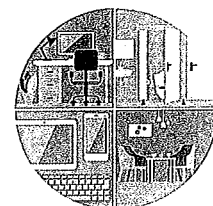
For clothing, towels, linens and other items

- Laundry items according to the manufacturer's instructions. Use the **warmest appropriate water setting** and dry items completely.
- **Wear disposable gloves** when handling dirty laundry from a person who is sick.
- Dirty laundry from a person who is sick **can be washed with other people's items.**
- **Do not shake** dirty laundry.
- Clean and **disinfect clothes hampers** according to guidance above for surfaces.
- **Remove gloves**, and wash hands right away.



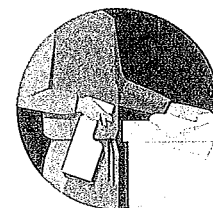
## Cleaning and disinfecting your building or facility if someone is sick

- **Close off areas** used by the person who is sick.
- **Open outside doors and windows** to increase air circulation in the area. **Wait 24 hours** before you clean or disinfect. If 24 hours is not feasible, wait as long as possible.
- Clean and disinfect **all areas used by the person who is sick**, such as offices, bathrooms, common areas, shared electronic equipment like tablets, touch screens, keyboards, remote controls, and ATM machines.
- If **more than 7 days** since the person who is sick visited or used the facility, additional cleaning and disinfection is not necessary.
  - Continue routine cleaning and disinfection.



## When cleaning

- **Wear disposable gloves and gowns for all tasks in the cleaning process, including handling trash.**
  - Additional personal protective equipment (PPE) might be required based on the cleaning/disinfectant products being used and whether there is a risk of splash.
  - Gloves and gowns should be removed carefully to avoid contamination of the wearer and the surrounding area.
- **Wash your hands often** with soap and water for 20 seconds.
  - Always wash immediately after removing gloves and after contact with a person who is sick.

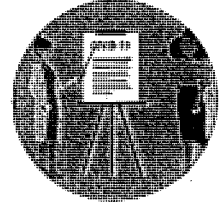


- Hand sanitizer: If soap and water are not available and hands are not visibly dirty, an alcohol-based hand sanitizer that contains at least 60% alcohol may be used. However, if hands are visibly dirty, always wash hands with soap and water.

- **Additional key times to wash hands** include:

- After blowing one's nose, coughing, or sneezing.
- After using the restroom.
- Before eating or preparing food.
- After contact with animals or pets.
- Before and after providing routine care for another person who needs assistance (e.g., a child).

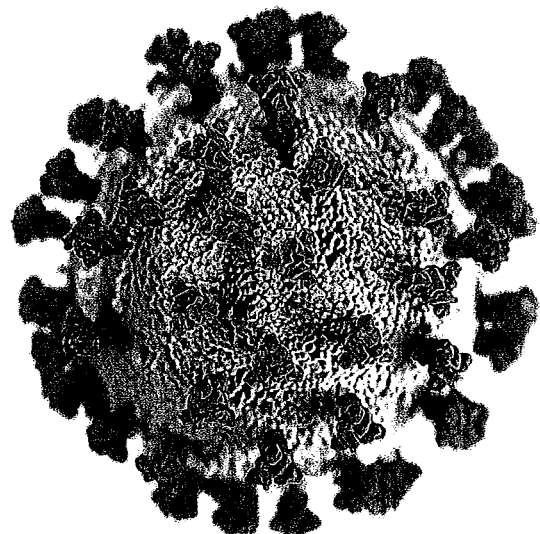
## Additional Considerations for Employers



- **Educate workers** performing cleaning, laundry, and trash pick-up to recognize the symptoms of COVID-19.
- Provide instructions **on what to do if they develop symptoms within 14 days** after their last possible exposure to the virus.
- Develop **policies for worker protection and provide training** to all cleaning staff on site prior to providing cleaning tasks.
  - Training should include when to use PPE, what PPE is necessary, how to properly don (put on), use, and doff (take off) PPE, and how to properly dispose of PPE.
- Ensure workers are **trained on the hazards of the cleaning chemicals** used in the workplace in accordance with OSHA's Hazard Communication standard (29 CFR 1910.1200).
- **Comply** with OSHA's standards on Bloodborne Pathogens (29 CFR 1910.1030), including proper disposal of regulated waste, and PPE (29 CFR 1910.132).

## For facilities that house people overnight:

- Follow CDC's guidance for colleges and universities. Work with state and local health officials to determine the best way to isolate people who are sick and if temporary housing is needed.
- For guidance on cleaning and disinfecting the bedroom/bathroom for someone who is sick, review CDC's guidance on disinfecting your home if someone is sick.



Q + A

# HOW LONG CAN THE VIRUS THAT CAUSES COVID-19 LIVE ON SURFACES?

*Carolyn Machamer, a cell biologist who specializes in coronaviruses, discusses the latest research on the virus that causes COVID-19*

**Samuel Volkin** /  March 20

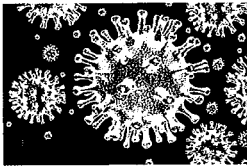
According to a recent study published in the *New England Journal of Medicine*, SARS-CoV-2, the virus that causes COVID-19, can live in the air and on surfaces between several hours and several days. The study found that the virus is viable for up to 72 hours on plastics, 48 hours on stainless steel, 24 hours on cardboard, and 4 hours on copper. It is also detectable in the air for three hours.



Carolyn Machamer, a professor of cell biology whose lab at the Johns Hopkins School of Medicine has studied the basic biology of coronaviruses for years, joined Johns Hopkins MPH/MBA candidate Samuel Volkin for a brief discussion of these findings and what they mean for efforts to protect against spread of the virus. The conversation has been edited for length and clarity.

**Volkin: According to this report, it sounds like the COVID-19 virus is potentially living on surfaces for days. How worried should we be about our risk of becoming infected simply by touching something an infected person was in contact with days ago?**

**Machamer:** What's getting a lot of press and is presented out of context is that the virus can last on plastic for 72 hours—which sounds really scary. But what's more important is the amount of the virus that remains. It's less than 0.1% of the starting virus material. Infection is theoretically possible but unlikely at the levels remaining after a few days. People need to know this.



#### WHAT YOU NEED TO KNOW

##### **COVID-19 information center**

Resources and updates for the Johns Hopkins community, including travel guidance, information on university operations, and tips for preventing the spread of illness

While the *New England Journal of Medicine* study found that the COVID virus can be detected in the air for 3 hours, in nature, respiratory droplets sink to the ground faster than the aerosols produced in this study. The experimental aerosols used in labs are smaller than what comes out of a cough or sneeze, so they remain in the air at face-level longer than heavier particles would in nature.

#### **What is the best way I can protect myself, knowing that the virus that causes COVID-19 lives on surfaces?**

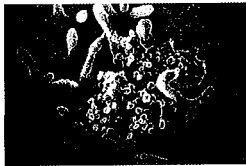
You are more likely to catch the infection through the air if you are next to someone infected than off of a surface. Cleaning surfaces with disinfectant or soap is very effective because once the oily surface coat of the virus is disabled, there is no way the virus can infect a host cell. However, there cannot be an overabundance of caution. Nothing like this has ever happened before.

The CDC guidelines on how to protect yourself include:

- Clean and disinfect surfaces that many people come in contact with. These include tables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, and sinks. Avoid touching high-contact surfaces in public.

- Wash your hands often with soap and water for at least 20 seconds immediately when you return home from a public place such as the bank or grocery store.
- When in a public space, put a distance of six feet between yourself and others.
- Most importantly, stay home if you are sick and contact your doctor.

**There has been speculation that once the summer season arrives and the weather warms up, the virus won't survive, but we don't yet know if that is true. Does the weather or indoor temperature affect the survival of the COVID-19 virus on surfaces?**



### **Johns Hopkins responds to COVID-19**

Coverage of how the COVID-19 pandemic is affecting operations at JHU and how Hopkins experts and scientists are responding to the outbreak

There is no evidence one way or the other. The virus's viability in exposure to heat or cold has not been studied. But it does bear pointing out that the *New England Journal of Medicine* study was performed at about room temperature, 21-23 degrees Celsius.

**How does the virus that causes COVID-19 compare with other coronaviruses, and why are we seeing so many more cases?**

SARS-CoV-2 behaves like a typical respiratory coronavirus in the basic mechanisms of infection and replication. But several mutations allow it to bind tighter to its host receptor and increase its transmissibility, which is thought to make it more infectious.

The *New England Journal of Medicine* study suggests that the stability of SARS-CoV-2 is very similar to that of SARS-CoV1, the virus that caused the 2002-2003 SARS global outbreak. But, researchers believe people can carry high viral loads of the SARS-CoV-2 in the upper respiratory tract without recognizing any symptoms, allowing them to shed and transmit the virus while asymptomatic.

*Posted in Health, Science+Technology*

*Tagged q+a, cell biology, coronavirus*

### **COMMENTS**

#### **Community guidelines**

Editor's note: We welcome your comments; all we ask is that you keep it civil and on-topic, and don't break any laws. We reserve the right to remove any inappropriate comments.

# COVID-19 Resource Newsletter

Current as of 5/22/2020

## Executive Orders

[FAQs about Stay Safe MN \(GOV\)](#)

[Executive Orders from Governor Walz \(GOV\)](#)  
listing and links to all EOs.

## Businesses

[Guidance on Safely Reopening MN Businesses \(MN DEED\)](#) Includes: General guidance for all businesses, restaurants and bars, personal care services/salons, retail, outdoor recreation. In the future, this page will include guidance for future phases of business re-openings, including: gyms, studios, and fitness centers, places of worship, youth sports and recreation, and entertainment.

[NEW Restaurants, bars, and other services Preparedness Plan \(DLI\)](#) template and instructions

Sector-specific guidance (DLI):

Construction Preparedness Plan

- [Personal protective equipment and face-coverings](#)
- [Planning communication and training](#)
- [Sanitation and hygiene](#)
- [Social separation, distancing](#)
- [Wellness and exposure-incident management](#)

[Convenience Stores Preparedness Plan](#)

[Public-Sector Administrative Facilities Guidance](#)

[Manufacturing Preparedness Plan Guidance](#)

(More sector-specific guides can be found on the MN DLI [webpages](#).)

## Youth Sports

[Guidance for Social Distancing in Youth Sports \(MDH\)](#) Provides practical application of prevention strategies to reduce the spread of COVID-19 among sports activities.

## Parades/Vehicle Gatherings

[Vehicle Gatherings/Parades Guidance \(MDH\)](#)

Provides parameters for organizing a vehicle parade or parking lot gathering (e.g., car parade, parking lot ceremony) outside the home.

## Reminders

**CICT:** Slides and FAQs about the Long Term Expansion Plan for case investigation and contact tracing (CICT) are available on [Sharepoint](#).

**Executive Order Violations:** Violation of executive orders can be filed with the Attorney General.

[COVID-19 Complaint Form](#)

Phone: 800-657-3787

**State Agency Websites:** To search all state websites for information, enter the topic you're searching for in the search bar. On the "Your Search" page, select "all state websites" and sort by "date". This will provide you a list of the most recent documents posted on that topic on all state websites.

**Translated Materials:** Links to COVID-19 information in other languages are located on lower right sidebar on the MDH Coronavirus Disease 2019 web pages. New videos, print materials, and translated documents are being added often.

## Faith Community

[Guidance for Faith-Based Communities](#)

[Considering In-Person Services \(MDH\)](#) This guidance is meant to provide faith-based communities with considerations to find new ways to gather while COVID-19 continues to move through our state.

## Congregate Care

[Guidance for Employees and Residents of Licensed Group Homes \(MDH\)](#) Interim guidance for providers delivering 245-D licensed residential services in adult foster care homes, community residential settings, supervised living facilities, and intermediate care facilities.



## COVID-19 RESOURCES AND INFORMATION

### Housing

Housing Support and Suspending Evictions  
(GOV)

Guidance for Building Managers in Congregate  
and High-Rise Housing (MDH)

### Mental Well-Being

Supporting Mental Well-Being During COVID-19  
(MDH)

Find Your Happy Place: Tips to Reduce COVID-  
19 Anxiety (MDH)

### Antibody Testing

Antibody Testing for COVID-19 (MDH)

Information about what antibody (or serology)  
tests are, how they work, and what the test  
results mean (and don't mean).

### Immunizations

Got Your Shots? (MDH) Special edition  
newsletter about continuing pediatric  
vaccination during COVID-19

Pediatric Vaccination during COVID-19 (MDH)

Includes additional resources for providers.

Decline in Child Vaccination Coverage Report  
(CDC) Morbidity and Mortality Weekly Report  
Early Release

### Disaster Shelters

General Population Disaster Shelters (CDC)

Interim guidance to reduce the risk of  
introducing and transmitting COVID-19 in  
general population disaster shelters before,  
during, or after a disaster.

### Epi Corner

As of May 22, there are 12,696 patients no  
longer needing isolation. "Patients no longer  
needing isolation" on the MDH situation  
update page represents individuals with  
confirmed COVID-19 who no longer need to  
self-isolate.

As of May 18, "patients no longer needing  
isolation" does not include those who have  
died.

The situational update and more information  
on COVID-19 counts can be found at:

[https://www.health.state.mn.us/diseases/cor  
onavirus/situation.html#noiso1](https://www.health.state.mn.us/diseases/coronavirus/situation.html#noiso1)

## Stay Safe MN Information for Cities

Published: May 18, 2020

(Updated May 22, 2020)

On May 18, 2020, Minnesota's Stay at Home order expires, and [Emergency Executive Order 20-56](https://mn.gov/covid19/for-minnesotans/stay-safe-mn/stay-safe-mn.jsp?utm_medium=email&utm_source=govdelivery) goes into effect for the remainder of the month of May. The most significant change is that this order allows non-critical businesses to resume some operations. These businesses must have a COVID-19 Preparedness Plan for employee and customer safety and may have to limit the volume of customers in their establishments at one time. Individuals are still encouraged to stay home when possible, keep a social distance with others, and wear cloth face masks when in public settings that make social distancing difficult.

- [Read Emergency Executive Order 20-56: Safely Reopening Minnesota's Economy and Ensuring Safe Non-Work Activities during the COVID-19 Peacetime Emergency \(pdf\)](https://mn.gov/covid19/for-minnesotans/stay-safe-mn/stay-safe-mn.jsp?utm_medium=email&utm_source=govdelivery)
- [Learn more about the Stay Safe MN plan from the State of Minnesota website](https://mn.gov/covid19/for-minnesotans/stay-safe-mn/stay-safe-mn.jsp?utm_medium=email&utm_source=govdelivery)

### Get answers to frequently asked questions (FAQs) regarding the Stay Safe MN Executive Order:

[Q1. If the Stay at Home order is over, should we still be allowing employees to work from home? \(#Q1\)](#)

[Q2. Are there penalties associated with violating the order? \(#Q2\)](#)

[Q3. Can golf courses be open for use? \(#Q3\)](#)

[Q4. Can we open our city campground? \(#Q4\)](#) (Updated May 22, 2020)

[Q5. Are drive-in church services permitted? \(#Q5\)](#)

[Q6. What types of businesses must still be closed? \(#Q6\)](#)

[Q7. Can people get together with friends and family now? \(#Q7\)](#)

[Q8. Should city playgrounds be open to the public? \(#Q8\)](#) (Added May 22, 2020)

#### Q1. If the Stay at Home order is over, should we still be allowing employees to work from home?

A1. Yes, the order says, "Any worker who can work from home must do so." Whether the position allows an employee to work from home would be up to the employer to determine.

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#### Q2. Are there penalties associated with violating the order?

A2. Violation of an executive order is a misdemeanor, and upon conviction must be punished by a fine not to exceed \$1,000 or by imprisonment for not more than 90 days. Nothing in the executive order is intended to encourage or allow law enforcement to transgress individual constitutional rights.

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#### Q3. Can golf courses be open for use?

A3. Starting April 18, 2020, public and private golf courses may be open but must adhere to certain social distance protocols and more advanced cleaning regimens if allowing the use of facilities like restrooms. Any food service would still need to be for off-premises consumption only.

[Get more information on the DNR's Outdoor Recreation Guidelines](https://www.dnr.state.mn.us/aboutdnr/covid-19-outdoor-recreation-guidelines.html)

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#### Q4. Can we open our city campground?

**A4.** Currently, all public and private campgrounds must remain closed to recreational camping. If the city regularly has individuals that are using the campground as their residence, maybe while doing road construction in the area, this may be a valid reason to have your campground open to those users. Please work with your city attorney when making a determination. Remote and dispersed camping sites are allowed to be open.

Beginning June 1, campgrounds following state guidance can open for recreational camping.

- [Read the DNR's Industry Guidance for Safely Reopening Campgrounds \(https://www.dnr.state.mn.us/aboutdnr/safely-opening-outdoor-recreation.html\)](https://www.dnr.state.mn.us/aboutdnr/safely-opening-outdoor-recreation.html)
- [Get more information on the DNR's Outdoor Recreation Guidelines \(https://www.dnr.state.mn.us/aboutdnr/covid-19-outdoor-recreation-guidelines.html\)](https://www.dnr.state.mn.us/aboutdnr/covid-19-outdoor-recreation-guidelines.html)

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#### Q5. Are drive-in church services permitted?

**A5.** Yes. To enable safe congregation of more than 10 people, drive-in gatherings are permitted, provided that all participants remain within their own vehicles and follow [guidelines provided by MDH \(https://www.health.state.mn.us/diseases/coronavirus/\)](https://www.health.state.mn.us/diseases/coronavirus/).

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#### Q6. What types of businesses must still be closed?

**A6.** Bars, restaurants, gyms, salons/spas, and other places of public accommodation are closed until at least June 1, 2020.

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#### Q7. Can people get together with friends and family now?

**A7.** Under this order, gatherings of 10 people or less are permitted. Social distancing from others not in your household is still encouraged when gathering.

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#### Q8. Should city playgrounds be open to the public?

**A8.** The decision to be open or closed is for the city to make. If the playground equipment is open for use, a best practice is for the city to have a regular schedule for cleaning and sanitizing the play surfaces and/or post signs that warn users of the risk because the playground is not sanitized.

[—For examples of playground signs, check out this blog \(https://lmcpipeline.blogspot.com/2020/05/playground-equipment-sanitizing-and.html\)](https://lmcpipeline.blogspot.com/2020/05/playground-equipment-sanitizing-and.html)

[Return to top of page \(#top\)](#)

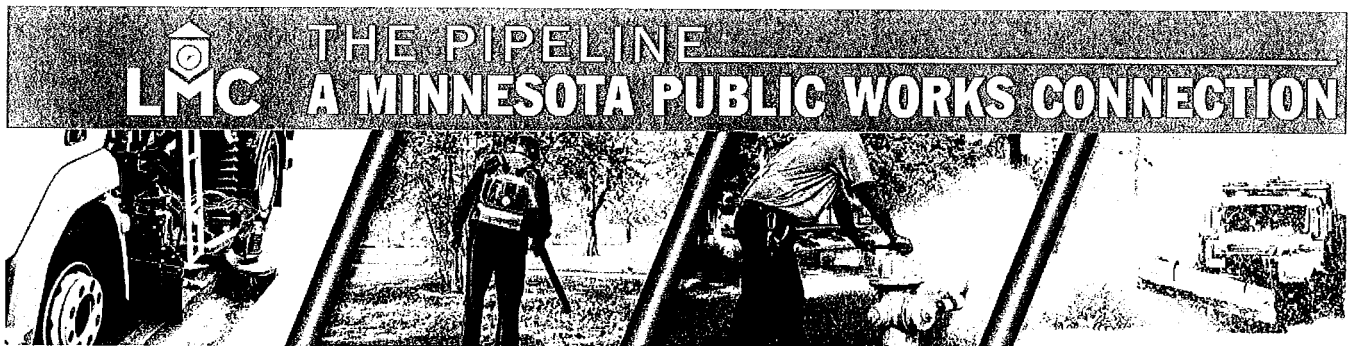
[—Access more COVID-19 News and Resources \(https://www.lmc.org/resources/covid-19-resources/\)](https://www.lmc.org/resources/covid-19-resources/)

#### Your LMC Resource

Research & Information Service staff members are ready to help you apply their broad knowledge to the issues you're dealing with today.

[Access online form to submit a question \(https://www.lmc.org/contact/submit-a-question/\)](https://www.lmc.org/contact/submit-a-question/), or call us: (651) 281-1200 or (800) 925-1122





Home Author Bios

MONDAY, MAY 18, 2020

## Playground Equipment Sanitizing and Signage

As parks begin to reopen, we still need to take precautionary measures to keep the public safe during the COVID-19 pandemic. Posting signs is one way the city can provide additional information on how to reduce the risk of contracting or transmitting the virus.

Regardless of whether the equipment is sanitized or not, a sign posted onsite where it can be easily seen by visitors is appropriate. The sign should simply state:

"Equipment is not/is sanitized.

Play at own risk."

Even if the city is disinfecting the equipment, it's not a guarantee the equipment is safe. Consider adding an informational reference about coronavirus on your sign for visitors to review, such as <http://www.cdc.gov/coronavirus> or <https://mn.gov/covid19/>.

You may also want to consider translation of these simple messages into any languages that may better serve your community.

If your city is sanitizing your playground equipment, follow the CDC guidelines on cleaning the equipment prior to disinfecting as a best practice. The League has a blog on Sanitizing your Playground Equipment During COVID-19 for additional guidance. If there is a concern of damaging the playground equipment, refer to the manufacturer for guidance and warranty information.

If you need design or production assistance, check with your local businesses for a sign company that can offer a template or who can make one for your city. There are also free templates available online. If you have additional questions, please reach out to your city's loss control consultant.

Minnesota Department of Health signs and graphics:  
<https://www.health.state.mn.us/diseases/coronavirus/materials/index.html#posters>

Submitted by: Julie Jelen, Loss Control Consultant

Posted by LMC Pipeline at 7:42 PM

No comments:

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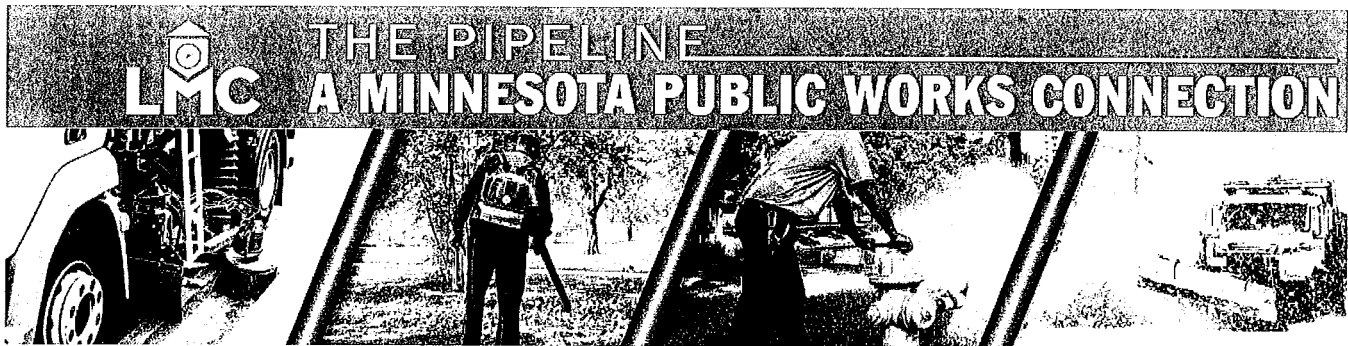
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Photo Credit: Sarah Soucie Eyberg


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TUESDAY, MARCH 31, 2020

## Sanitizing Your Playground Equipment During COVID-19

On March 27th 2020, Minnesota Governor Tim Walz announced the "Stay-at-Home Emergency Executive Order" during the COVID-19 pandemic, which acknowledges the decision to close playgrounds is for each local jurisdiction. This event made many cities wonder what to do if they decide to keep them open and how to sanitize playground equipment.



Studies from the National Institute of Health (NIH) have shown the Coronavirus can live up to 2-3 days on plastics and metal. While cleaning, frequent washing of hands, and not touching faces may help keep most people safe, children play on equipment with their whole bodies, including their faces. The risk of the spread of the virus is increased. Completely closing playgrounds is a difficult task. Some cities are choosing to post signs with messaging that the equipment is not

sanitized, or playground is closed, and some are fencing the area.

If cities do allow playgrounds to remain open, it is recommended that they follow the CDC's guidance on the cleaning of facilities and surfaces, as the best practice. For playground equipment, the CDC suggests:

- If surfaces are dirty, they should be cleaned using a detergent or soap and water prior to disinfection.
- For disinfection, most common EPA-registered household disinfectants should be effective.
  - A list of products that are EPA-approved for use against the virus that causes COVID-19 is available [here](#). Follow the manufacturer's instructions for all cleaning and disinfection products for concentration, application method and contact time, etc.
  - Additionally, diluted household bleach solutions (at least 1000ppm sodium hypochlorite) can be used if appropriate for the surface. Follow manufacturer's instructions for application, ensuring a contact time of at least 1 minute, and allowing proper ventilation during and after application. Check to ensure the product is not past its expiration date. Never mix household bleach with ammonia or any other cleanser. Unexpired household bleach will be effective against coronaviruses when properly diluted.
    - Prepare a bleach solution by mixing:
      - 5 tablespoons (1/3 cup) bleach per gallon of water or
      - 4 teaspoons bleach per quart of water

City employees also need to ensure their own safety and comply with OSHA's standard of

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Sanitizing Your Playground Equipment During COVID-...

Simple ergonomic tips for working from home

COVID-19 and Public Restrooms

Bloodborne Pathogens by wearing the appropriate Personal Protective Equipment (PPE) while cleaning, including the handling of trash.

Submitted by: Julie Jelen, Loss Control Consultant

Posted by LMC Pipeline at 7:58 PM

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# Guidance for Cities on Expanding Outdoor Service at Bars and Restaurants

Published: May 21, 2020

*(Updated May 22, 2020)*

On May 20, 2020, the state outlined plans, as mentioned in [Executive Order 20-56](https://mn.gov/governor/assets/EO%2020-56%20Final_tcm1055-431921.pdf) ([https://mn.gov/governor/assets/EO%2020-56%20Final\\_tcm1055-431921.pdf](https://mn.gov/governor/assets/EO%2020-56%20Final_tcm1055-431921.pdf)), for bars and restaurants to open on June 1 for outdoor service so long as certain conditions, including social distancing, are maintained to prevent the spread of COVID-19. The Minnesota Department of Public Safety (DPS) Alcohol and Gambling Enforcement Division worked with the League to provide the following guidance.

## Get answers to frequently asked questions (FAQs) regarding outdoor service at restaurants and bars:

[Q1. Do cities need to change their regulations? \(#Q1\)](#)*(Updated May 22, 2020)*

[Q2. Can the city allow businesses to expand their outdoor areas? \(#Q2\)](#)

[Q3. Can the city grant catering permits as a way for businesses to expand their outdoor service? \(#Q3\)](#)

[Q4. Do municipal on-sale liquor establishments have to follow the same rules as other businesses if they want to expand their outdoor service? \(#Q4\)](#) *(Updated May 22, 2020)*

[Q5. Can bars and restaurants that are open on June 1 have restrooms inside available for use? \(#Q5\)](#)*(Added May 22, 2020)*

[Q6. Can our charitable gambling organizations operate outdoors at their normal bar/restaurant starting June 1? \(#Q6\)](#)*(Added May 22, 2020)*

[Q7. Can golf courses serve liquor now? \(#Q7\)](#)*(Added May 22, 2020)*

[Q8. Do bars and restaurants need to get additional licenses, fees, or approvals to sell food outdoors \(if they don't normally sell outside\)? \(#Q8\)](#)*(Added May 22, 2020)*

[Q9. Are bars and restaurants in the Metropolitan Council region that are expanding their premises to allow for outdoor seating subject to additional Sewer Availability Charges \(SAC\)? \(#Q9\)](#)*(Added May 22, 2020)*

## Q1. Do cities need to change their regulations?

**A1.** Cities may need to make changes to current regulations to assist businesses requesting to have additional outdoor seating. The outdoor expansion requests may include areas like sidewalks, some parking spaces, or undeveloped outdoor areas adjacent to their buildings. Cities are taking different approaches to how they will allow for this. Some have changed ordinances that require the business to apply for a permit for this temporary increase in size. Others have approved resolutions. The benefit of having a permit process is the option to make this an administrative process that does not require council approval. It is important to work with the city attorney in developing this process.

Some important considerations for cities:

- The retailer must provide the city with proof that their liquor liability insurance covers alcohol sales in any expanded outdoor spaces which, under Minnesota law, must be "compact and contiguous" to the main structure. Proof of liquor liability insurance must also be provided for onsite catered events.
- The city will need to approve a map of expanded service areas. Note that [guidance from the Minnesota Department of Employment and Economic Development \(DEED\)](https://mn.gov/deed/newscenter/covid/safework/safe-reopening/) (<https://mn.gov/deed/newscenter/covid/safework/safe-reopening/>) limits bars and restaurants to 50 guests with reservations for the entire outdoor service area.
- Cities may want to consider noise and traffic concerns.
- Local zoning and building codes would apply to any physical expansions such as new or modified patios and decks. This may include the type of materials for fencing required to have a compact and continuous new space.

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## Q2. Can the city allow businesses to expand their outdoor areas?

**A2.** Minnesota Statutes, section 340A.410, subdivision 7 (<https://www.revisor.mn.gov/statutes/cite/340A.410>) requires retail alcoholic beverage licensed premises to be compact and contiguous. Minnesota Rules 7515.0430, subpart 2 (<https://www.revisor.mn.gov/rules/7515.0430/>) defines the types of additions license holders can make as part of their licensed premises to include physically connected attachments to the main structure such as patios, decks, or pavilions. The space would have to be owned and/or leased and be a part of the business. The city would have to approve any compact and contiguous additions to the licensed premises and include such additions in the license files and on documentation defining the licensed premises.

Sidewalk seating or other types of city-controlled public space that would normally not be used for expanded seating could be used at the city's discretion as it would for sidewalk table seating under normal circumstances. The city would have to allow the license holder use of the space and include it as retail licensed premises patio space.

Use of a parking lot would have to constitute a compact and contiguous additional patio space.

The Minnesota Department of Transportation is preparing guidance on the use of parking lots and areas traditionally used as right of ways. A link to that guidance will be provided here when available.

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## Q3. Can the city grant catering permits as a way for businesses to expand their outdoor service?

**A3.** If the parking lot or other expansion space is not contiguous to the original licensed premises, another option would be for the business to apply and qualify for an alcohol catering permit to enable alcohol incidental to food service for events (see Minnesota Statutes, section 340A.404, subdivision 12 (<https://www.revisor.mn.gov/statutes/cite/340A.404>)). An event is not daily bar service, but could be weekend parties or music events, etc.

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## Q4. Do municipal on-sale liquor establishments have to follow the same rules as other businesses if they want to expand their outdoor service?

**A4.** Cities that operate an on-sale liquor establishment need to have:

- City approval for expanded outdoor spaces,
- Updated liquor liability insurance, and
- An updated premises map.

Cities also need to follow DEED guidance on reopening measures (<https://mn.gov/deed/newscenter/covid/safework/safe-reopening/>), including requiring employees who provide food and drink service to wear masks.

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## Q5. Can bars and restaurants that are open on June 1 have restrooms inside available for use?

**A5:** Yes. The establishment should have a preparedness plan in place that specifies access and sanitation practices.

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## Q6. Can our charitable gambling organizations operate outdoors at their normal bar/restaurant starting June 1?

**A6.** Yes. Pull tabs and other lawful gambling can be conducted outdoors where food and alcohol are allowed to be served. See guidance from the Gambling Control Board (<https://mn.gov/gcb/>).

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## Q7. Can golf courses serve liquor now?

**A7.** Starting June 1, bars and restaurants can serve food and liquor for consumption on premises in designated outdoor seating. Guidance specific to golf courses, including whether there can be mobile food/drink sales on the golf course, are not yet available, but we have made requests for clarification.

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## Q8. Do bars and restaurants need to get additional licenses, fees, or approvals to sell food outdoors (if they don't normally sell outside)?

**A8.** Sometimes. Additional approvals would likely not be required for additional service stations supporting the outdoor food service of an existing kitchen. It would be a best practice for establishments to share their plans and questions with their Minnesota Department of Health (MDH) inspector or their locally delegated public health agency. MDH has an Additional Food Service fee category that is occasionally applied in addition to the Category 1/2/3 fee for the main kitchen, but they plan to address how to apply that on a case-by-case basis. New construction and remodels would also require plan review. See the [Minnesota State and Local Food, Pools, and Lodging Contacts](https://www.health.state.mn.us/communities/environment/food/docs/license/locals.pdf) (<https://www.health.state.mn.us/communities/environment/food/docs/license/locals.pdf>) to get contact information for all areas of the state.

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## Q9. Are bars and restaurants in the Metropolitan Council region that are expanding their premises to allow for outdoor seating subject to additional Sewer Availability Charges (SAC)?

**A9.** No. Metropolitan Council Environmental Services will not adjust or charge SAC (<http://www.metrocouncil.org/SACprogram>) during the order, given that these operations would be within current capacity and within the current statutory guidance. Specifically, there will be no SAC due for restaurants that temporarily set up or expand outdoor seating due to the governor's order. This is in compliance with the SAC statute because there is no additional capacity demanded on the system given the governor's order of no indoor seating and a limit of 50 people outside.

Instead, Environmental Services will set up a tracking form for each city, where the city will report to the Council the name, address, and new or expanded outdoor square footage for each restaurant that sets up temporary facilities. These can be reported as the applications come in, weekly or at least monthly. Once the restriction is lifted, Environmental Services staff will send the list back to the cities and ask them to confirm that each restaurant is closing their outdoor facility or making it permanent. If permanent, the normal SAC determination process will be followed.

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[—Access more COVID-19 News and Resources \(https://www.lmc.org/resources/covid-19-resources/\)](https://www.lmc.org/resources/covid-19-resources/)

## Your LMC Resource

Research & Information Service staff members are ready to help you apply their broad knowledge to the issues you're dealing with today.

[Access online form to submit a question \(https://www.lmc.org/contact/submit-a-question/\)](https://www.lmc.org/contact/submit-a-question/), or call us: (651) 281-1200 or (800) 925-1122





an fyi

U.S. Department of Labor Wage and Hour Division

## TEEN DRIVING ON THE JOB

Employees 16 years of age and under **MAY NOT DRIVE** motor vehicles on public roads as part of their jobs - even if they possess a valid state drivers license.

Employees 17 years of age may drive cars and small trucks on public roads as part of their jobs **ONLY** in limited circumstances.

17 year-olds may drive on the job **ONLY** if all of the following requirements are met:

1. The driving is limited to daylight hours;
2. The 17 year-old holds a state license valid for the type of driving involved in the job performed;
3. The 17 year-old has successfully completed a State approved driver education course and has no record of any moving violation at the time of hire;
4. The automobile or truck is equipped with a seat belt for the driver and any passengers and the employer has instructed the youth that the seat belts must be used when driving the vehicle;
5. The automobile or truck does not exceed 6,000 pounds gross vehicle weight; AND
6. Such driving is only occasional and incidental to the 17 year-old's employment. This means that the youth may spend no more than 1/3 of the work time in any workday and no more than 20% of the work time in any workweek driving.

Driving by 17 year-olds as part of their jobs **MAY NOT** involve:

- Towing vehicles
- Route deliveries or route sales
- Transportation for hire of property, goods, or passengers
- Urgent, time-sensitive deliveries (such as pizza deliveries)
- Transporting more than 3 passengers including employees of the employer
- Driving beyond a 30 mile radius of the teen's place of employment
- More than 2 trips away from the primary place of employment in any single day to deliver the employer's goods to a customer
- More than 2 trips away from the primary place of employment in any single day to transport passengers other than employees of the employer

Additional information about YouthRules! can be found at [www.youthrules.dol.gov](http://www.youthrules.dol.gov). For information about the laws administered by the Wage and Hour Division, log on to the Internet at [www.wagehour.dol.gov](http://www.wagehour.dol.gov) or call the Department of Labor's toll-free help line at 1-866-4USWAGE.



**MINNESOTA TEAMSTERS PUBLIC & LAW ENFORCEMENT EMPLOYEES' UNION,  
LOCAL NO. 320, STATE OF MINNESOTA**



AFFILIATED WITH  
**International Brotherhood of Teamsters**

**Brian Aldes**  
*Secretary-Treasurer*

**Sami Gabriel**  
*President*

**Curt Swenson**  
*Vice President*

**Erik Skoog**  
*Recording Secretary*

**Jill Nitke**  
*Trustee*

**Brett Ohnstad**  
*Trustee*

**Sara Parcels**  
*Trustee*

May 20, 2020

Dear Teamster Local 320 Employer,

Teamsters Local 320's top priority is the safety of its membership and the communities its members serve. While we all transition to a less restrictive environment and begin to return to our workplaces, we know we will face challenges regarding our members and the public's safety.

The leadership of Teamsters Local 320 is requesting that you contact the Exclusive Representative (Business Agent) assigned to you to discuss/bargain the return to work conditions. These may include, but aren't limited to items such as social distancing, PPE supplies and wearing, customer/client/co-worker interactions, continued accommodations for vulnerable and/or high risk employees and child care issues.

We appreciate the opportunity to meet with you-in person or remotely and reach agreement on how best to continue to keep everyone safe during this continued pandemic.

Sincerely,  
**TEAMSTERS LOCAL 320**

Brian Aldes  
Secretary-Treasurer

BA/kcz OPEIU12