



## **HUDSON RIVER-BLACK RIVER REGULATING DISTRICT CONTINUITY OF OPERATIONS PLAN FOR A STATE DISASTER EMERGENCY INVOLVING A COMMUNICABLE DISEASE**

### **Purpose**

To ensure the continuation of services provided by the State of New York and the health and safety of the public sector workforce, each New York State agency and authority prepared a plan for the continuation of operations in the event that the Governor declares a state disaster emergency involving a communicable disease. These plans were finalized and posted by April 1, 2021.

Applicable agencies and authorities must remain prepared for future disasters involving a communicable disease. This includes maintaining an up-to-date plan that must be reviewed and updated as necessary, and reposted annually in May with the most recent date clearly marked. These plans must be posted in (1) a clear and conspicuous location (e.g., bulletin boards or other similar location where employees normally view information posted by the employer), (2) in their employee handbook if they have one, and (3) on either their intranet or internet website.

### **Continuity of Operations Plan for a Disaster Emergency Involving a Communicable Disease**

Individual(s) Responsible for Maintaining this Plan:

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### **Date of Posting:**

May 1, 2022

### **Statutory Elements of the Plan:**

A list and description of the types of positions considered essential in the event of a state-ordered reduction of in-person workforce.

"Essential" shall refer to a designation made by the employer that an employee is required to be physically present at a worksite to perform their job. Such designation may be changed at any time in the sole discretion of the employer.

A description of protocols the employer will follow for non-essential employees to telecommute including, but not limited to, facilitating or requesting the procurement, distribution,



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downloading and installation of any needed technology, including software, data, and the transferring of office phone lines to work or personal cell phones as practicable or applicable to the workplace, and any devices.

"Non-essential" shall refer to a designation made by the employer that an employee is not required to be physically present at a work site to perform his or her job. Such designation may be changed at any time in the sole discretion of the employer.

A description of how the employer will, to the extent possible, stagger work shifts of essential employees in order to reduce overcrowding on public transportation systems and at worksites.

A description of the protocol that the employer will implement in order to procure the appropriate personal protective equipment for essential employees, based upon the various tasks and needs of such employees, in a quantity sufficient to provide personal protective equipment to each essential employee during any given work shift. Such description shall also include a plan for storage of such equipment to prevent degradation and permit immediate access in the event of an emergency declaration.

A description of the protocol in the event an employee is exposed to a known case of the communicable disease that is the subject of the state disaster emergency, exhibits symptoms of such disease, or tests positive for such disease in order to prevent the spread or contraction of such disease in the workplace. Such protocol shall also detail actions to be taken to immediately and thoroughly disinfect the work area of any employee known or suspected to be infected with the communicable disease as well as any common area surface and shared equipment such employee may have touched, and the employer policy on available leave in the event of the need of an employee to receive testing, treatment, isolation, or quarantine. Such protocol shall not involve any action that would violate any existing federal, state, or local law, including regarding sick leave or health information privacy.

A protocol for documenting hours and work locations, including off-site visits, for essential employees. Such protocol shall be designed only to aid in tracking of the disease and to identify the population of exposed employees in order to facilitate the provision of any benefits which may be available to certain employees on that basis.

A protocol for how the public employer will work with such employer's locality to identify sites for emergency housing for essential employees in order to further contain the spread of the communicable disease that is the subject of the declared emergency, to the extent applicable to the needs of the workplace.

Any other public health requirements determined by the New York State Department of Health (DOH) that are designed to reduce transmission of infectious diseases, such as face coverings, contact tracing, diagnostic testing, social distancing, hand and respiratory hygiene, and cleaning and disinfection protocols.



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### A. Essential Personnel

What are the positions your agency or authority considers essential in the event of a state-ordered reduction of your in-person workforce? As applicable, please provide a list and description of the types of positions.

The following positions require the employee to be physically present at a work location to perform his or her duties: Maintenance Specialist, Assistant Foreman, Foreman, Field Assistant, Senior Field Assistant, Plant Operator, Principal Plant Operator, Laborer, Engineering Assistant, and Resident Gate Operator. These positions are located in the Hudson River Area and Black River Area and specific reporting locations include the Sacandaga Field Office in Mayfield, Fulton County, the Conklingville Dam in Hadley, Saratoga County, the Black River Field Office in Webb, Herkimer County, and the Indian Lake Dam in Indian Lake, Hamilton County. These positions are engaged in operations and maintenance activities for structures and facilities under the Regulating District's jurisdiction.

### B. Telecommuting

In the event of a future state disaster emergency involving a communicable disease, the agency/authority may receive direction from the Office of Employee Relations (OER) on the rules and guidelines applicable to telecommuting but may take steps in order to implement and operationalize any telecommuting program, where applicable, for the agency/authority. For the COVID-19 pandemic, OER established a Statewide, uniform pilot telecommuting program which outlines how agencies/authorities manage telecommuting.

Agencies shall periodically assess their technology needs for telecommuting in consultation with the Office of Information Technology Services (ITS) to ensure that appropriate information technology resources are available.

- Subject to additional emergency guidance from OER, what are the protocols your agency or authority will follow for non-essential employees to telecommute including, but not limited to, facilitating, or requesting the procurement, distribution, downloading and installation of any needed technology, including software, data, and the transferring of office phone lines to work or personal cell phones as practicable or applicable to the workplace, and any devices? Please provide a description of these protocols as follows:
- Protocol for telecommuting;
  - For the current COVID-19 pandemic, the Office of Employee Relations (OER) has established a Statewide, uniform, pilot telecommuting program which outlines how agencies/authorities manage telecommuting. In the event of a future state



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disaster emergency involving a communicable disease, the agency/authority will receive direction from OER on the rules and guidelines applicable to telecommuting but will take these steps in order to implement and operationalize any telecommuting program, where applicable, for the agency/authority.

- Protocol for procurement, distribution, downloading and installation of needed technology
  - HRBRRD has worked with its Managed Service Provider (MSP) Logical Net to establish VPNs for all workstations affording access to HRBRRD's network. This capability has been rolled out and all personnel who do not need to be physically present to perform their duties has been suitably equipped. Laptops, cell phones, and software is currently available to maintain required work activities with staff who have the ability to telework.
- Protocol for phone coverage and transfer of office phone lines to work or personal cell phones.
  - HRBRRD's Compliance Officer has been designated to transfer HRBRRD's office phone numbers for personnel who do not need to be physically present to perform their duties to work cell phones or personal cell phones for off-site phone answering coverage.

### C. Work Shifts/Schedules

How will your agency or authority, to the extent possible, stagger work shifts or adjust work hours of essential employees in order to reduce overcrowding on public transportation systems and at worksites? Consider the following in developing your work shift/schedule adjustments, if applicable:

- Will you need to alter working hours/shifts/schedules of essential employees?
  - To the extent practicable, HRBRRD will initiate alternate work schedules equaling 37.5 hours per work week or 75 hours per pay period to reduce same-day density at work locations and decrease per-work week/ per-pay period commuting cycles.
- Will you need to split shifts or change operations to different days of the week?
  - Given the limited staffing at HRBRRD's remote locations, and the necessity of having at least two people to safely perform certain tasks, split shifts are not envisioned.



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- How will you manage engagement between employees and any clients and/or visitors at the worksite, accounting for physical distancing requirements, as applicable?
  - Visitors to the Sacandaga Field Office will be required to wear a face covering prior to entering the lobby area. Hand sanitizer will be available in the vestibule. The public restroom accessible from the vestibule will be closed to the public for at least the initial month of reopening.
  - A Plexiglas shield has been installed above the counter. Interaction with SFO staff will be from the other side of the shield. Members of the public will not be admitted into the inner office area, and SFO staff will not enter the lobby when visitors are present. A different door will be designated for exiting the lobby so that visitors maintain social distancing even if arriving and departing at the same time.
  
- How will you promote physical/social distancing in this type of operation or work setting?
  - We have implemented a plexiglass barrier at the SFO location for employee to client interaction.
  - We have developed an online payment system for permit transactions, reducing the need for customers to visit the Sacandaga Field Office for permit transactions.
  - Occupancy in the kitchen/ break room at Sacandaga Field Office will be limited to one employee at a time and the lunch table and chairs will be removed. The door opening to the rest of the office will be designated for entrance only, and the door opening to the porch used for exiting – eliminating the potential for physical proximity between employees entering and exiting at once.
  - The conference rooms in Albany & Mayfield will not be utilized unless absolutely necessary. If absolutely necessary, occupancy will be limited to 3 people in Albany and 4 people in Mayfield. If more than one person is present in a conference room, face coverings must be worn by all individuals in the room.
  - Board meetings will be held virtually. Occupancy of any HRBRRD room used to participate in a board meeting will be limited to no more than two people.
  
- What common situations that may not readily allow for 6 feet of distance between individuals exist at the worksite (including employees, clients and essential visitors)?
  - For multiple employees working together in a boat, use of masks will be required and maximum practical distancing enforced. For each boat, no more than one employee can remove his or her mask temporarily for communication purposes but must wear mask at all other times.



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- For multiple employees working together in a gatehouse, other confined area at a dam or other facility, or workshop...use of masks will be required and maximum practical distancing enforced. For each such space, no more than one employee can remove his or her mask temporarily for communication purposes but must wear mask at all other times.
- For each common space occupancy will be limited to one employee at a time.
- At the Sacandaga Field Office, uni-directional flow will be implemented with entrance-only and exit-only doors designated.
- For vehicle use, occupancy in vehicles will be limited to two people with the passenger in the back seat, and face covering worn by both occupants.

### **D. Personal Protective Equipment**

What is the protocol your agency or authority will implement in order to procure the appropriate personal protective equipment (PPE) for essential employees, based upon Department of Health (DOH) and/or Centers for Disease Control and Prevention (CDC) guidance and the various tasks and needs of such employees, in a quantity sufficient to provide personal protective equipment to each essential employee during any given work shift? You should consider different job groupings or responsibilities (e.g., patient/direct care, public-facing positions) when describing the protocol. Also, consider the following in developing your protocol:

- What is your plan for storage of such PPE to prevent degradation and permit immediate access in the event of an emergency declaration?
  - PPE will be storage in a designated cool, dry place at each HRBRRD work location.
- What will be your protocol for cleaning and/or disposal of PPE, to the extent applicable?
  - Employees will be reminded to properly care for, clean and (if applicable) dispose of PPE during all hands calls and directly by supervisors.
- How will you train employees on how to put on, take off, clean and disinfect (as applicable) and discard PPE?
  - Employees will be trained annually at scheduled, all-hands training. Virtual participation will be possible for employees in remote locations.
- What is your plan for posting signage to remind employees of appropriate use of PPE?
  - Signs will be posted at each HRBRRD work location where employees normally report in a visible location in a common area.
- Identify the position(s) responsible for ensuring PPE needs are met as outlined above.
  - The Compliance Officer will lead the effort related to procuring appropriate PPE. The Senior Administrative Assistant at each office location will be responsible for ordering the supplies as needed.



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### **E. Exposure Protocol**

What is the protocol in the event an employee is exposed to a known case of the communicable disease that is the subject of the state disaster emergency, exhibits symptoms of such disease, or tests positive for such disease in order to prevent the spread or contraction of such disease in the workplace?

Requirements and lessons learned under the COVID-19 disaster emergency, as follows, should be taken into account in the description of your protocol:

- Ensure agency/authority is following all screening, testing, and tracing procedures as outlined in the applicable DOH guidance, including instructions to employees on when to return home and when to return to work.
- Implement mandatory remote or in-person health screenings at a frequency determined by the Department of Health in consultation with OER for communicable disease contact or symptoms (e.g., questionnaire, temperature check) for in-person employees at or near the beginning of each workday.

Coordinate screening to prevent employees from intermingling in close contact with each other prior to completion of the screening.

- Ensure screening staff are trained supervisory-level employees or health care professionals, wearing appropriate personal protective equipment as recommended by DOH guidance, including at least a face covering and gloves, if the screening involves contact.
- Maintain a record of all staff who are screened, as well as if screening was passed or if the staff member was instructed to return home, provided no other health information is recorded or maintained. Record must be reviewed and secured on a daily basis.
- Designate a worksite-level safety monitor whose responsibilities include continuous compliance with all aspects of the site safety plan.
- Where practicable, maintain a log of every person, including employees and visitors, who may have close contact with other individuals at the worksite or area, excluding deliveries that are performed with appropriate PPE or through contactless means.
- Utilize engineering controls, safe work practices and PPE in order to minimize exposure in a future state disaster emergency caused by a communicable disease. These controls and practices will be dependent on the communicable disease that causes such disaster emergency.



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- Provide periodic updates to employees, as information becomes available, on the communicable disease and its transmission as part of its exposure protocols in order to assist with reducing transmission.

HRBRRD will follow the protocols DOL has put into place. Activation of this plan in the event of a communicable disease will result in the implementation of screening and exposure protocols similar to those in place for COVID-19. Employees will be communicated with regularly to promote a safe and healthy workplace.

Telephone/ text screenings (temperature and check of symptoms) will be implemented before employee enters the workplace through a remote, self-administered process.

- Prior to arrival at the office, individuals must take their own temperature check, and ensure their condition results in a NO to any of the following:
- A temperature equal to or greater than 100.0 degrees Fahrenheit;
- Symptoms consistent with COVID-19, including cough, shortness of breath, troubled breathing, or a combination of chills, muscle pain, headache, sore throat, or new loss of taste or smell;
- Any known close contact with a person confirmed or suspected to have COVID-19 in the past 14 days.

If at the conclusion of the self-assessment, the employee cannot answer NO to all of the above, he or she will not report to work, and will notify HRBRRD's designated plan implementation owner of his/ her condition.

If at the conclusion of the self-assessment, the employee can answer NO to all of the above, he or she may report to work, and must notify the HRBRRD's designated plan implementation owner within 30 minutes of arrival by telephone, text, or email.

The HRBRRD's designated plan implementation owner will maintain a daily (Mon-Fri) log of each employee's check-in, and by 10 am each day will report to the Executive Director whether any employee's self-assessment has precluded his/ her reporting to work.

Supervisors will continue to monitor employee health/ symptoms even on non-working days via telephone and text for required daily reporting.





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Further, agencies/authorities and staff must abide by all additional directives from the Director of State Operations which may include cleaning and disinfecting protocols, as well as notification to health officials and potential employee contacts.

- What actions will be taken to immediately and thoroughly disinfect the work area of any employee known or suspected to be infected with the communicable disease as well as any common area surface and shared equipment such employee may have touched?
  - Any area occupied or touched by infected employee will be thoroughly cleaned and disinfected by staff or, depending on the location and availability of personnel, a qualified contractor.
  - Sacandaga Field Office will undergo deep cleaning every day, with restrooms cleaned twice per day.
  - Spaces where two or fewer people report will undergo deep cleaning every week, with restrooms cleaned once per day.
  - Employees in spaces leased from a private sector or public sector third party will be responsible for wiping down/ cleaning their own work area once per week, and any shared objects once per day.
  - Employees will be required to clean and disinfect shared objects before and after use.
- How will work areas be isolated when there is an exposure until such area can be cleaned?
  - Supervisors will ensure the employee work station and/or immediate work area remains vacant until the area can be cleaned. Impacted staff will be notified immediately.
- What specific actions are necessary to adjust to the needs of field employees?
  - Field Staff will be notified in a timely manner to reduce the risk of exposure to other field staff and the public. Field Staff will be provided with necessary PPE to safely conduct field work.
- What is your policy on available leave in the event of the need of an employee to receive testing, treatment, isolation, or quarantine?
  - While the amount and types of leave available to an employee will be dependent on the particular disaster emergency that has been declared and any provisions of law that provide for leave under such circumstances, during the COVID-19 pandemic an employee's leave options included OER quarantine leave, other applicable State policy, leave provided under the Families First Coronavirus



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Response Act and an employee's own leave accruals. Policy on available leaves will be established by the Department of Civil Service and/or OER who shall provide guidance to the agencies/authorities on how to instruct employees about available leaves.

### **F. Protocol for Documenting Work Hours/Locations**

How will your agency or authority document hours and work locations, including off-site visits, for essential employees? Your protocol shall be designed only to aid in tracking of the disease and to identify the population of exposed employees in order to facilitate the provision of any benefits which may be available to certain employees on that basis. You should also consider the following questions in describing your protocol:

- How will these records be maintained?
  - Logs are maintained at remote locations, and time and attendance records are submitted to supervisors and ultimately to payroll. For telecommuting or administrative leave, these are designated on time and attendance records. Telecommuting Pilot Program records for participating employees are maintained by the Executive Director in Albany.
- Who is responsible for maintaining these records?
  - The Executive Director is responsible for maintaining these records.
- Who will be in charge of accessing these records for the purposes of disease tracking and identifying potential exposures?
  - The Executive Director.
- If these records are in paper form, what are your protocols for preserving these records?
  - These records are maintained in electronic form in a network file accessible remotely via VPN which has been established.

### **G. Protocol for Identifying Emergency Housing for Essential Employees**

How will you work with local officials or other state agencies to identify sites for emergency housing for essential employees in order to further contain the spread of the communicable disease that is the subject of the declared emergency, to the extent applicable to the needs of the workplace?

To the extent needed, your agency's/authority's Director for Administration (DFA) (or in the case of facility operations the local equivalent) will be the point of contact for the identification of emergency housing for essential employees. The DFA or local equivalent will be responsible for contacting county and local elected officials, owners/operators of local hotels and similar establishments, and local college and university officials (both public and private) to develop information about the local availability of emergency housing for essential employees.



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Emergency housing opportunities, once developed, will be communicated to employees who may be in need of such housing.

- HRBRRD has sufficient space and accommodations to provide temporary housing at its facilities including the Black River Field Office, the Sacandaga Field Office, the Conklingville Dam, and Indian Lake Dam.

### **H. Other Requirements Determined by the NYS DOH**

DOH may determine other requirements and guidelines based on the specific communicable disease, severity and longevity. Agencies/authorities must have internally identified key points of contact including but not limited to site safety monitors, individuals responsible for monitoring compliance with this plan and central points of contact who will coordinate efforts to notify appropriate health authorities of positive cases and assist with required contact tracing.

For example, DOH guidelines for COVID-19 included the following steps, which may also be applicable during future emergencies related to a communicable diseases and should be considered in planning efforts:

- Ensure applicable social distancing is maintained among employees at all times, unless safety of the core activity requires a shorter distance (e.g., moving and lifting equipment). Any time an employee must come within a distance less than applicable of another person, the employee and person should wear acceptable face coverings.
- When distancing is not feasible between workstations or areas, provide and require the use of face coverings or erect physical barriers, such as plastic shielding walls, in lieu of face coverings in areas where they would not affect air flow, heating, cooling, or ventilation.
- Tightly confined spaces should be occupied by only one individual at a time, unless all occupants are wearing face coverings. If occupied by more than one person, occupancy will be kept under 50% of maximum capacity.
- Social distancing markers should be posted around the workplace using tape or signs that indicate appropriate spacing in commonly used areas and any areas in which lines are commonly formed or people may congregate (e.g., clock in/out stations, health screening stations, break rooms, water coolers, etc.). Further, bi-directional foot traffic should be reduced by using tape or signs with arrows in narrow aisles, hallways or spaces.
- Post signs, consistent with the DOH signage requirements, to remind employees about social distancing, hand hygiene, PPE, and cleaning guidelines.
- Limit employee travel for work to only essential travel.



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- Hygiene and sanitation requirements from the Centers for Disease Control and Prevention (CDC) and DOH must be followed, and cleaning logs that include the date, time, and scope of cleaning must be maintained.
- Hand hygiene stations, including handwashing with soap, water, and disposable paper towels, as well as NYS Clean hand sanitizer or a hand sanitizer containing 60% or more alcohol for areas where handwashing facilities may not be available or practical, must be provided and maintained for personnel.
- Appropriate cleaning/disinfection supplies for shared and frequently touched surfaces must be provided, and employees must use these supplies before and after use of these surfaces, followed by hand hygiene.
- Regular cleaning and disinfection of the office location must be undertaken. More frequent cleaning and disinfection must be undertaken for high risk areas used by many individuals and for frequently touched surfaces, at least after each shift, daily, or more frequently as needed, and align with DOH's guidance.
- Exposed areas must be cleaned and disinfected in the event of an employee testing positive for the communicable disease. Such cleaning should include, at a minimum, all heavy transit areas and high-touch surfaces (e.g., vending machines, handrails, bathrooms, doorknobs, etc.).
- CDC guidelines on "Cleaning and Disinfecting Your Facility" should be complied with if someone in your facility is suspected or confirmed to have the communicable disease.

The Executive Director is responsible for maintaining this plan. The Compliance Officer is the designated plan manager and serves as the key point of contact.

HRBRRD will rely on all guidance provided by DOH and will comply with all regulations related to a communicable disease emergency.

### **I. Return to Normal Operations**

During plan development and updates, agencies and authorities should determine how to transition from the procedures and protocols listed in Sections A-F above to non-emergency operations. The timing and degree of return to normal operations is dependent upon the type and severity of an outbreak and will be directed by guidance from but not limited to DOH, State Operations, and OER.

Who from your operation will be tasked with assembling a Return to Normal Operations plan reflecting timing and guidance provided?



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The Executive Director and Compliance Officer will assemble a Return to Normal Operations plan.

How do you plan on communicating the plan to employees?

As circumstances of the emergency situation modify, employees will be notified in a similar manner to the activation notification.

What position(s) will be responsible for ensuring any physical preparations that may be needed, such as deep cleaning or installation of barriers, are accomplished?

The Executive Director and Staff Supervisors will make the determination as to which employees would put in place any physical preparations needed in the event of a communicable disease emergency.