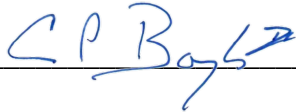


CITY MANAGER EXECUTIVE ORDER AND PUBLIC SAFETY ORDER

ESTABLISHING WORKPLACE RULES REQUIRING THE WEARING OF MASKS TO PROVIDE MITIGATION OF THE EFFECTS OF COVID-19 IN CITY WORKPLACES AND IN CITY BUILDINGS OR CITY PROPERTY

Effective Date: May 28, 2021

City Manager Signature:  _____

1.0 PURPOSE and EFFECTIVE DATES

The purpose of this Executive Order is to mitigate the effects of the COVID-19 virus in the workplace by providing occupational protection to employees in accordance with the most recent guidance from the Governor of Virginia, the Commonwealth of Virginia and the Virginia Department of Health (VDH), and the United States Centers for Disease Control and Prevention (CDC).

The City continues to be concerned about the transmission of the COVID-19 virus within the organization and among members of the City of Charlottesville community. A COVID-19 vaccination is recommended by both the CDC and VDH as being both a safe and effective means of reducing the risk of COVID-19 community spread. The CDC recently released new guidance lifting the masking recommendation for fully vaccinated individuals; however, current vaccination rates within the City of Charlottesville—while high—demonstrate that approximately half of individuals within the Charlottesville community are not yet fully vaccinated and members of the City workplace remain unvaccinated. This policy provides guidance on how City employees shall conduct themselves within the City workplace on and after the effective date of this Executive Order.

Effective Dates: the requirements of this Executive Order shall be in effect on the date given above and shall continue for so long as the Governor’s Statewide Declared State of Emergency remains in affect (until at least June 30, 2021) and thereafter, for so long as the City’s Local State of Emergency continues in effect (until City Council specifically takes action concluding the local emergency). On the effective date of a City Council action terminating the local state of emergency, this policy shall expire automatically.

2.0 WORKPLACE MASK AND DISTANCING REQUIREMENTS

A. **Outdoor Activities:** where at least two weeks have passed since an employee received the second COVID vaccination (Pfizer or Moderna) or the single vaccination (Johnson & Johnson) (i.e., “fully-vaccinated employee”) fully-vaccinated employees are not required to practice social distancing or wear masks while engaged in performance of their City job duties within an outdoor City workplace.

- B. **Indoor Activities:** all City employees, including fully vaccinated employees, while engaged in performance of their City job duties, are required to wear masks covering their mouth and nose (i) while driving or riding in public transit vehicles; (ii) while driving or riding in City vehicles transporting members of the public, or other City employees who have not volunteered information that they are fully vaccinated; and (iii) within common areas of a City workplace (such as publicly accessible hallways, stairwells, bathrooms and break rooms, or other indoor workplace spaces where employees may be interacting with the public without protective barriers and/or physical distancing). City employees may not ask other employees or members of the public to disclose whether or not they are vaccinated.
- C. **Individual Employees Who are Not Fully Vaccinated:** All employees who are not fully vaccinated are required to wear a mask covering their mouth and nose at all times when performing City job duties in an indoor City workplace; in common areas of a City workplace (such as publicly accessible hallways, bathrooms and break rooms or where employees may be interacting with the public without protective barriers and/or physical distancing); and in outdoor City workplaces where such unvaccinated employees will be interacting with members of the public or are performing job duties that will preclude them from remaining at least 6 feet distant from other City employees. In accordance with the Governor's May 28, 2021 Executive Order 79, unvaccinated employees must continue to take precautions when off-duty or outside a City workplace, such as avoiding gatherings with anyone outside their household, continuing to practice hand sanitation, maintaining proper physical distance from others, staying home when possible, and wearing masks.
- D. **Outdoor Social Distancing Requirements:** Physical/social distancing and capacity restrictions will be lifted for members of the public participating in the City Farmer's Market and other City programs, events and activities that are offered in outdoor settings. City employees performing job duties at such City programs, events and activities conducted outdoors shall follow the requirements of 2(A) and 2(C), above.
- E. **Indoor Social Distancing Requirements:** Occupancy limits at indoor City workplaces and City buildings or facilities that are open to the public shall remain in place and social distancing practices shall continue in those spaces, in accordance with the Governor's/ Commonwealth of Virginia's best practices guidance. Public Works is directed to provide clear communication and signage for physical distancing in areas where individuals may congregate, especially at entrances, in seating areas, and in lines for service. City employees performing job duties in these spaces, or using indoor meeting rooms, conference rooms and break rooms in City buildings, will adhere to posted occupancy standards, and to the requirements of 2(A) through 2(C), above.

3.0 **Additional Requirements**

- A. Any employee who chooses to wear a mask in the office setting shall be allowed to do so, even if that employee is not required to do so. Department Directors may impose additional masking requirements to meet operational necessity and to address employee interactions in areas where all employees are not fully vaccinated.
- B. In- person meetings may take place within indoor City workplaces, if attendance is limited to City employees (whether within the same department or with other City employees from other departments and buildings). All such meetings shall comply with posted room occupancy limits. Managers should limit in-person work-related gatherings and trainings and should avoid making attendance at in-person meetings, gatherings and trainings mandatory. In-person meetings should be kept as short as possible, and all employees attending in person shall comply with the requirements of 2(A) through 2(C), above.
- C. Department directors and managers shall continue to encourage and facilitate telework consistent with operational needs. For departments where telework is not feasible, those departments shall continue to provide socially distant workstations, provide plexiglass barriers where possible, and shall stagger shifts to the extent feasible.
- D. All department directors and managers will continue to encourage all employees to receive a COVID vaccine and remind all employees that the Moderna (2 doses), Pfizer (2 doses), and Johnson and Johnson (single dose) vaccines are all available free of charge. Any employees who have not yet received the COVID vaccine and who would like to receive a vaccine, still have many opportunities to receive a vaccine. Please contact Human Resources to facilitate scheduling your appointment or utilize the numerous walk-in options available at local pharmacies and other vaccination sites.
- E. In accordance with the Commonwealth of Virginia's Final Permanent Standard for Infectious Disease Prevention under 16VAC25-220, the City of Charlottesville will continue to conduct employee and position-specific risk assessments and file such assessments in accordance with the existing COVID-19 Emergency Standard Risk Assessment procedures previously established by the City Manager.
- F. Temperature screening shall be conducted on employees, prior to commencement of a shift on a scheduled workday in accordance with the COVID-19 Employee Self-Monitoring Procedure previously established by the City Manager. Employees will continue to self-monitor their symptoms by taking their own temperature to check for fever and completing the daily City survey for the purposes of compliance with state regulations. The City follows the CDC standard, which considers a person to have a fever when they have a measured temperature of 100.4° F (38° C) or greater.
- G. Employees shall not report to work, and shall self-quarantine at home, if they are ill in a manner that presents any of the symptoms of COVID-19. If an employee presents signs

of illness while in the City workplace, the employee's supervisor shall request that the employee return home.

- H. The City's COVID sick leave policy shall continue in effect, to ensure that employees presenting with COVID-19 or symptoms of infection do not come to a City workplace or interact with other employees or members of the public. This leave allows employees to stay home if they are sick with COVID-19, if they have a positive diagnostic test for the virus that causes COVID-19, if they need to self-quarantine due to exposure, or if they need to care for a sick family member.
- I. Employees who are at higher risk for severe illness from COVID-19, including vulnerable employees with underlying medical conditions, shall be encouraged to self-identify and to request reasonable accommodations.

4.0 **Workplace Discrimination in Employment Prohibited; Confidentiality**

- A. Whenever feasible, department directors and managers should make efforts to offer duties to vulnerable employees that will minimize contact with members of the public and other employees. No employee is required to accept such duties if the employee does not wish to do so.
- B. Department directors and managers will make every effort to protect employees at higher risk for severe illness by supporting and encouraging options to telework where feasible or by allowing the employee to take their accrued leave.
- C. In order to safely and respectfully comply with privacy laws and regulations, requests for reasonable accommodation should be referred to Jamie Valencia, valenciaj@charlottesville.gov within the Department of Human Resources. All City employees, including all department directors and managers, must enforce and respect employees' personal medical information and information regarding employees' disabilities or health conditions.
- D. The City will manage any COVID-19 related leave in accordance with the protections provided by the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Age Discrimination Act.