



## POLICY MEMORANDUM

**EFFECTIVE DATE:** November 17, 2021  
**DATE ISSUED:** November 17, 2021  
**SUBJECT:** Employee Notice of Required Health Screening

### COVID-19 Pandemic Response Directive

Whereas, the public health emergency regarding COVID-19 and the facts underlying the actions taken on the federal, state and local level continue to warrant action by New Kent County to protect and preserve public health, safety, life, and property, the following directives are issued by the County Administrator.

In the interest of maintaining the health and safety of our workforce, employees present in the workplace which begin to, or are currently experiencing symptoms, or exhibiting signs of COVID-19, may jeopardize the health and safety standards that New Kent County has implemented, and place other employees, as well as the general public, at a greater risk for COVID-19 transmission.

Therefore, consistent with reasonable workplace safety standards applicable to all employees, all employees must complete a daily health screening. The screening process may be updated intermittently to account for enhanced or improved processes or procedure.

As an employee of New Kent County, you have an obligation to complete a daily screening. As such, any employee that experiences change in health or circumstance, exhibits signs, or is experiencing symptoms of COVID-19, must report the change to a supervisor immediately. Additionally, employees who may have been exposed to a COVID-19 positive individual must report the exposure immediately. Employees must adhere to issued reporting, and return to work procedures and policy when applicable.

**This policy shall supersede any previously issued guidance by New Kent County regarding health screenings. Employee failure to comply with this policy shall be deemed non-compliant, and the employee may be subject to disciplinary action.**

*Signs and symptomatic shall be defined as found in §16VAC25-220, Emergency Permanent Standard, or any revision thereafter.*

- “**Signs**” of COVID-19 are medical conditions that can be objectively observed and may include fever, cough, shortness of breath or trouble breathing, vomiting, new confusion, inability to wake or stay awake, pale, gray, or blue-colored skin, lips, or nail beds, depending on skin tone, etc



- “*Symptoms*” of COVID-19 are medical conditions that are subjective to the person and not observable to others and may include chills, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea, or diarrhea, etc.
- “*Symptomatic*” means a person is experiencing signs or symptoms attributed to COVID-19. A person may become symptomatic two to 14 days after exposure to the SARS-CoV-2 virus.

County Administrator  
Rodney A. Hathaway

11-9-2021

Date



## POLICY MEMORANDUM

**EFFECTIVE DATE:** November 17, 2021  
**DATE ISSUED:** November 17, 2021  
**SUBJECT:** Employee Use of Face Coverings

### COVID-19 Pandemic Response Directive

Whereas, the public health emergency regarding COVID-19 and the facts underlying the actions taken on the federal, state, and local level continue to warrant action by New Kent County to protect and preserve public health, safety, life, and property, the following directives are issued by the County Administrator.

In the interest of maintaining the health and safety of our workforce, employees present in the workplace and not wearing face covering during times of substantial or high community transmission of COVID-19, may jeopardize the health and safety standards that New Kent County has implemented, and place other employees, as well as the general public, at a greater risk for COVID-19 transmission.

Therefore, consistent with reasonable workplace safety standards applicable to all employees, during the times that the Virginia Department of Health declares that New Kent County is in a state of substantial or high community transmission of COVID-19, employees must adhere to the following requirements on when face coverings must be worn.

**This policy shall supersede any previously issued guidance by New Kent County regarding the use of face coverings and masks in the workplace. Employee failure to comply with this policy shall be deemed non-compliant, and the employee may be subject to disciplinary action.**

### Required Face Coverings:

Employees that are (1) not fully vaccinated, (2) fully vaccinated employees in areas of substantial or high community transmission, and (3) otherwise at-risk employees (because of a prior transplant or other medical condition) are required to wear face coverings or surgical masks while indoors, unless their work task requires a respirator or other PPE. Such employees shall wear a face covering or surgical mask that covers the nose and mouth to contain the wearer's respiratory droplets and help protect others and potentially themselves.

This policy does not apply to fully vaccinated employees in areas of low to moderate community transmission as classified by the Virginia Department of Health, and except as otherwise noted.

*"Face covering"* means an item made of two or more layers of washable, breathable fabric that fits snugly against the sides of the face without any gaps, completely covering the nose and mouth and fitting securely under the chin. Neck gaiters made of two or more layers of washable, breathable fabric, or folded to make two such layers are considered acceptable face coverings. Nonmedical disposable masks for single use that

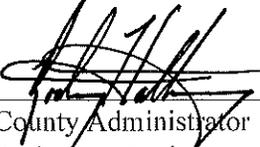


otherwise meet the definition of "face covering" in this chapter, with the exception that they are not washable, are permissible to use as face coverings. Face coverings shall not have exhalation valves or vents, which allow virus particles to escape, and shall not be made of material that makes it hard to breathe, such as vinyl.

### Exceptions:

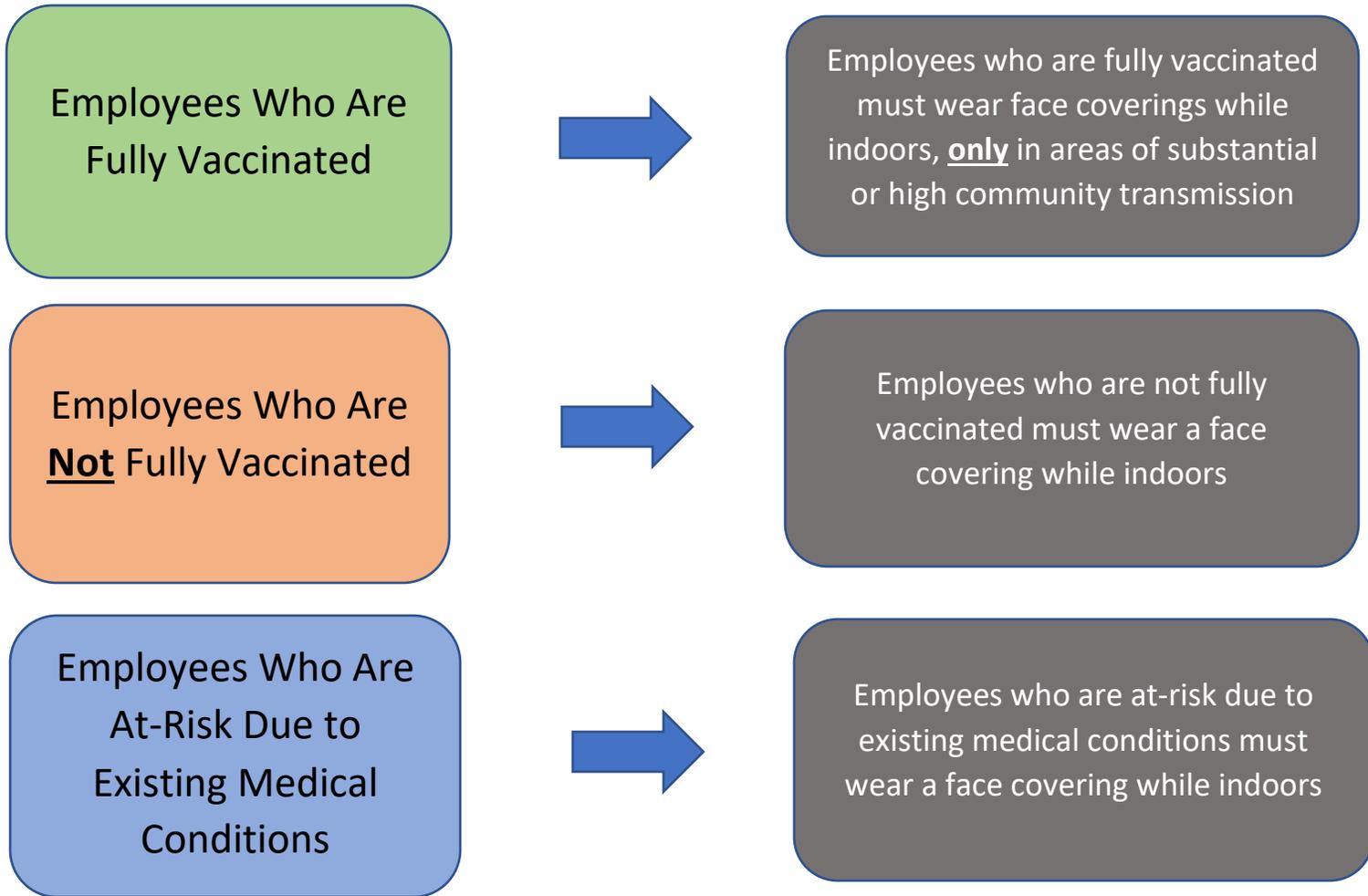
The following are exceptions to the requirements for face coverings, facemasks or surgical masks for employees that are not fully vaccinated and fully vaccinated employees in areas of substantial or high community transmission:

1. When an employee is alone in a room.
2. When an employee is at their desk, and can remain physically distanced by staying six feet from other persons. Physically distanced means that a six-foot travel distance can be maintained around the employee from others, or that physical separation by means of a solid floor to ceiling barrier can be implemented.
3. While an employee is eating and drinking at the workplace, provided each employee who is not fully vaccinated is at least six feet away from any other person, or separated from other people by a physical barrier.
4. When employees are wearing respiratory protection in accordance with 16VAC25-90- 1910.134 or the standard.
5. When it is important to see a person's mouth (e.g., communicating with an individual who is deaf or hard of hearing) and the conditions do not permit a facemask that is constructed of clear plastic or includes a clear plastic window. In such situations, an employee must wear an alternative to protect the employee, such as a face shield, if the conditions permit it.
6. When employees cannot wear facemasks due to a medical necessity, medical condition, or disability as defined in the Americans with Disabilities Act (ADA) (42 USC § 12101 et seq.), or due to a religious belief.
7. When the employer can demonstrate that the use of a facemask presents a hazard to an employee of serious injury or death (e.g., arc flash, heat stress, interfering with the safe operation of equipment).
8. Where a face shield is required to comply with this subsection or is otherwise required by the employer, the employer must ensure that face shields are cleaned at least daily and are not damaged. When an employee provides a face shield that meets the definition of that term in 16VAC25-220-30, the employer may allow the employee to use it and is not required to reimburse the employee for that face shield.

  
County Administrator  
Rodney A. Hathaway

11-9-2021  
Date

# When Do I Need to Wear a Face Covering?



**Exceptions To the Above Do Apply.** Please review the Policy Memorandum to review all exceptions

A "Face covering" generally means an item made of two or more layers of washable, breathable fabric that fits snugly against the sides of the face without any gaps, completely covering the nose and mouth and fitting securely under the chin. Neck gaiters made of two or more layers of washable, breathable fabric, or folded to make two such layers are considered acceptable face coverings.



## POLICY MEMORANDUM

**EFFECTIVE DATE:** November 17, 2021  
**DATE ISSUED:** November 17, 2021  
**SUBJECT:** Employee Reporting  
Return to Work for Known or Suspected Cases

### COVID-19 Pandemic Response Directive

Whereas, the public health emergency regarding COVID-19 and the facts underlying the actions taken on the federal, state and local level continue to warrant action by New Kent County to protect and preserve public health, safety, life, and property, the following directives are issued by the County Administrator.

In the interest of maintaining the health and safety of our workforce, employees present in the workplace which begin to, or are currently experiencing symptoms, or exhibiting signs of COVID-19, may jeopardize the health and safety standards that New Kent County has implemented, and place other employees, as well as the general public, at a greater risk for COVID-19 transmission.

Therefore, consistent with reasonable workplace safety standards applicable to all employees, those employees who are experiencing symptoms, or exhibiting signs of COVID-19 exposure, must adhere to the following reporting, dismissal, and return to work procedures.

**This policy shall supersede any previously issued guidance by New Kent County regarding reporting or dismissal due to experiencing symptoms, or exhibiting signs of COVID-19. Employee failure to comply with this policy shall be deemed non-compliant, and the employee may be subject to disciplinary action.**

*Signs, Symptoms, and Symptomatic shall be defined as found in §16VAC25-220, or any revision thereafter.*

- **“Signs”** of COVID-19 " are medical conditions that can be objectively observed and may include fever, cough, shortness of breath or trouble breathing, vomiting, new confusion, inability to wake or stay awake, pale, gray, or blue-colored skin, lips, or nail beds, depending on skin tone, etc.
- **“Symptoms”** of COVID-19 are medical conditions that are subjective to the person and not observable to others and may include chills, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea, or diarrhea, etc.
- **“Symptomatic”** means a person is experiencing signs or symptoms attributed to COVID-19. A person may become symptomatic two to 14 days after exposure to the SARS-CoV-2 virus.



### **Employee Reporting:**

Any employee experiencing symptoms or exhibiting signs as defined, and where no alternative diagnosis has been made, shall immediately notify their direct supervisor and the Human Resources Department, to provide notification in regards to the employee's condition. In addition, any employee who feels they may have been exposed to an individual who has tested positive for COVID-19, shall follow the same reporting process. Both vaccinated and unvaccinated employees must report when experiencing signs or symptoms, or after having been exposed.

During consultation with the Human Resources Department, employees will be either instructed to remain in the workplace, or be dismissed from the workplace immediately. Employees instructed to be dismissed will be given information in relation to available employee assistance and medical programs. Such employees dismissed due to experiencing symptoms, exhibiting signs, or being exposed shall be designated as "suspected COVID-19", as defined in §16VAC25-220-30. Employees identified as suspected COVID-19 shall not be permitted to report to the workplace, remain in the workplace, or engage at any offsite work location with other employees or the public, until cleared for return to work.

Upon dismissal of any employee from the workplace, the Human Resources Department shall notify the immediate supervisor and the General Services Department, to ensure that the employees immediate work area is thoroughly disinfected, and all shared items properly sanitized, including employee assigned vehicles and equipment.

Approval of the County Administrator must be obtained prior to the development and offering of any special employee work isolation accommodations, to ensure the safety of all other employees.

### **Alternative Diagnosis**

In the instance an alternative diagnosis has been made by a licensed health care provider, written notification from the provider must be submitted to the Human Resources Department. The written notification must include the date the employee is cleared to return to the workplace, and that an alternative diagnosis aside from COVID-19 has been made. Documentation submitted does not need to be specific as to what the alternative diagnosis is, or contain any other medical information in regard to employee health.

### **Return to Work Guidelines – Known or Suspected Cases**

For any employee who has been identified as known or suspected of being positive for COVID-19 and removed from the workplace, regardless of their vaccination status, one of the below option criteria must be satisfied before the employee may return to the workplace.

1. An employee may return to work after a COVID-19 related workplace removal by completing COVID-19 polymerase chain reaction (PCR) testing.

(a) If the test results are negative, the employee may return to work immediately. A copy of the negative test must be submitted to Human Resources.



(b) If the test results are positive, the employee must comply with number two (2) below.

2. An employee may return to work after a COVID-19-related workplace removal in accordance with written guidance or directives from a licensed health care provider, or a VDH public health professional. Written clearance from the health care professional for an employee's return to work must be submitted to Human Resources.
3. If an employee has a known exposure to someone positive with COVID-19, the employee must follow any written testing or quarantine guidance provided by a VDH public health professional. Written clearance from the health care professional for an employee's return to work must be submitted to Human Resources.

**Notifications:**

In accordance with 16VAC25-220-40.B.7., New Kent County has establish a system to receive reports of positive COVID-19 tests by employees, subcontractors, contract employees, and temporary employees present at the place of employment within two days prior to symptom onset (or positive test if the employee is asymptomatic) until 10 days after onset (or positive test).

All reports of positive tests shall be submitted to the County Administrator of New Kent. Upon a review to ensure the identity of the individual will be kept confidential, and information to be distributed is in full compliance with applicable federal and Virginia laws and regulations, including the Health Insurance Portability and Accountability Act (HIPPA) and the American with Disabilities Act (ADA), the County Administrator, or his/her designee shall notify:

1. Employees who may have been exposed, within 24 hours of discovery of their possible exposure.
2. Other employers whose employees were present at the work site during the same time period.
3. The building or facility owner. This notification will allow the owner to take the necessary steps to clean the common areas of the building. In addition, the building or facility owner will notify all employer tenants in the building that one or more cases have been discovered and the floor or work area where the case was located.
4. The Virginia Department of Health within 24 hours when the work site has had two or more confirmed cases of COVID-19 of its own employees present at the place of employment within a 14-day period testing positive for COVID-19 during that 14-day time period.
5. The Virginia Department of Labor and Industry within 24 hours of the discovery of two or more of its own employees present at the place of employment within a 14-day period testing positive for COVID-19 during that 14-day time period.

  
County Administrator  
Rodney A. Hathaway

11-9-2021  
Date

# When Do I Need to Report My Individual Symptoms, Signs, or Possible Exposure to COVID-19?

Both Vaccinated and Unvaccinated employees possibly being exposed, experiencing symptoms or exhibiting signs, and where no alternative diagnosis has been made, shall **immediately** notify their direct supervisor and the Human Resources Department

After notification and consultation with the Human Resources Department, an employee may be asked to leave the workplace. Employees asked to leave the workplace due to experiencing symptoms, exhibiting signs, or being exposed shall not be permitted to report back to the workplace until one of the below criteria has been satisfied

## Option 1

An employee may return to work after a COVID-19 related workplace removal by completing COVID-19 polymerase chain reaction (PCR) testing:

- (a) If the test results are negative, the employee may return to work immediately
- (b) If the test results are positive, the employee must comply with the second option

## Option 2

An employee may return to work after a COVID-19-related workplace removal in accordance with written guidance or directives from a licensed health care provider, a VDH public health professional, or CDC's "Isolation Guidance"; and CDC's "Return to Work Healthcare Guidance"

## Exposure

If an employee has a known exposure to someone positive with COVID-19, the employee must follow any written testing or quarantine guidance provided by a VDH public health professional

Written documentation from a licensed healthcare provider must be submitted to the Human Resources Department when an employee is returning to the workplace under direction from a licensed health care provider, or when an alternative diagnosis has been made. Documentation submitted for an alternative diagnosis must include the date the employee may return to the workplace, and that an alternative diagnosis aside from COVID-19 has been made. Submitted documentation does not need to be specific as to what the alternative diagnosis is, or contain any other medical information in regard to employee health.

# Is Physical Distancing Still Required?

Employees who are not fully vaccinated and otherwise at-risk employees must observe physical distancing while on the job and during paid breaks on County property.

What does this mean  
for New Kent?

- Verbal announcements, signage, or visual cues will be posted to promote physical distancing
- Decreased worksite density by limiting non-employee access to certain workplace areas
- Observance of posted occupancy limits contained any applicable Virginia Executive Order or order of public health emergency
- Access to common areas, breakrooms, or lunchrooms will be controlled as needed

# Occupying Vehicles with One or More Employees for Work Purposes

When an employee is occupying a vehicle or other form of transportation with one or more employees or other persons for work purposes, a hierarchy of hazard controls to mitigate the hazards associated with SARS-CoV-2 and COVID-19 to prevent employee exposures shall be used in the following order:

1. Eliminate the need for employees to share work vehicles or other transportation and arrange for alternative means for additional employees to travel to work sites.

2. Provide access to fresh air ventilation (e.g., windows). Do not recirculate cabin air.

3. When physical distancing cannot be maintained, establish procedures to maximize separation between employees as well as other persons during travel (e.g., setting occupancy limits, sitting in alternate seats, etc.).

4. When an employee who is not fully vaccinated must share a work vehicle or other transportation with one or more employees or other persons because no other alternatives are available, such employees shall wear a face covering. When an employee who is fully vaccinated must share work vehicles or other transportation with one or more employees or other persons in areas of substantial or high community transmission because no other alternatives are available, such employees shall wear face coverings.

The above does not apply to fully vaccinated employees in areas of low to moderate community transmission or as otherwise noted