

## **EAPC**

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## **COBRA**

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Date: 7/8/20

To: Gary Maestas, Superintendent

From: EAPC and COBRA

Reason: MGL ch. 150E Initial Request for Information and Demand to Bargain

The EAPC and COBRA are concerned about the health and safety of the faculty, the students and their transportation, the school community, and the public relative to the COVID-19 pandemic. That said, the Associations are hereby using collective bargaining law as a vehicle to negotiate decisions and the impact of decisions that relate to the employees we represent. Pursuant to the provisions of Mass. Gen. Law ch. 150E the Association is issuing a request for information on employee's hours, wages and other terms and conditions of employment relative to the COVID-19 pandemic. In addition, the Associations request to bargain over all such issues.

**MGL 150E Information Gathering** The information request is organized using a Hierarchy of Controls model. The information request includes questions about how people will be protected using administrative controls (changing the way people work), engineering controls (isolating people from the hazard), and Personal Protective Equipment (PPE devices to protect people).

The following is a list of information requests:

### **Administrative Controls:**

Provide any and all COVID-19 safety protocols and policies affecting staff, the students, and the public, including but not limited to the Emergency Operation Plan (EOP). If available, provide the Infectious Disease and Emergency Response Plan for COVID-19, also include any COVID-19 Risk Assessment. If applicable provide this information by building. What federal, state, or local guidance documents were used to create these plans? How will this information get disseminated to staff, students and transportation contractors of students?

What CDC community transmission phase does the district consider itself falling into? Provide the last four (4) weeks of transmission data in the community to support this position. Include the time frame. Also provide the source of that information.



Who is your local Department of Public Health (DPH) contact person for the development of the EOP and/or other COVID-19 safety protocols? Please provide the DPH contact information. Provide the documents shared with the local Health Department officials. When do you plan to meet next with the local health official? Do you consider these meetings open?

Provide information on what testing protocols are planned. How will testing interface with surveillance, contact tracing, and isolation of those suspected of infection and individuals quarantined? Will any employee or student who exhibits symptoms of COVID-19 be tested for an active infection? When will testing be required, will testing be provided upon request and free of charge? What is the policy on serological testing? Will serological testing be made available and how? If and when it becomes available, will any protocols for vaccinating be provided.

What contact tracing protocols are planned by the institution or state agency? How will that information be communicated to staff? Who will provide the contact tracing services? Is the employer interested in training in-house contact tracers and rapid response resource coordinators? Provide information on COVID-19 tracing resources, techniques, and technologies.

Describe any social distancing protocols, including but not limited to increasing distance between desks, tables, in bathrooms, elevators, auditoriums, hallways, sidewalks, and school bus seating or other spaces. Include any plans for double sessions, staggered start times, working from home, remote learning, or similar administrative controls.

What criterion will be used for closing buildings? Will there be a building closure if an individual in a school building tests positive for COVID-19? What policies and procedures will take place in the event of a confirmed case of COVID-19 was on the premises? Will employees who come into contact with a confirmed COVID-19 infected individual (at work or outside of work) self-quarantine and will they be compensated if they are unable to come into work? If so, provide the personnel procedures that will impact their employment status.

In the case of a surge of COVID-19 infections in the community how will it be decided to close buildings and then re-open them? What are the actions and protocols necessary to reopen buildings or systems after they have been closed? Describe any emergency outbreak protocols.

In the case of a confirmed case, provide information on protocols to care for in house sick students and confirmed positive students without symptoms in schools and the protocols for sending them home. Is there a fully equipped isolation room(s)? How long will confirmed infected students and employees with or without symptoms be required to quarantine? How will the employer screen and identify employees and students for COVID-19? How will COVID-19 health status for infected students or staff be communicated to employees? Provide any COVID-19 community, student, staff, and parent communication



protocols. Describe any short-term dismissal standards and protocols in the event of an infected person is on the premises.

Provide information on any planned OSHA required training for staff relative to PPE, blood borne pathogens, removal of waste. Will cleaning staff be trained in the application and hazards of disinfectants and cleaning materials? Who will provide the training, will the training be on site and during the workday?

Will immune compromised employees, employees over 60 or other high-risk employees receive an accommodation and what accommodations are available? How does an employee or student apply for an accommodation? What are your work at home guidelines? Can employees who request to work from home because of health concerns do so at full pay?

Describe any safety administrative protocols being implemented including time for students and staff to wash their hands or use hand sanitizers during class or the school day?

Will students be eating lunch in their classrooms? What is the lunch schedule in PreK-12? What adjustments will be made to building Integrated Pest Management (IPM) plans?

Provide a description of psychosocial services that will be provided to students and staff relative to the COVID-19 pandemic?

### **Engineering Controls**

What is the condition of HVAC systems in each building? When was the air exchange system last evaluated? Provide the maintenance records (filter changes, inspection of AHU and exterior exhaust fans, AC units and the conditions of univents). What is the air exchange rate in each building? Has the condition of windows been evaluated, and are all windows operating properly?

What are the cleaning, sanitizing and dis-infecting methods and protocols? Provide the names of the guidance documents that will be followed. What disinfectants, tools, and application methods (i.e. spraying, electrostatic spray tools, fogging,) will be used? What is the schedule of cleaning, sanitizing, and dis-infecting when buildings are open and if they are closed? What products will be used to disinfect buildings and are they registered EPA disinfectants or approved for use? If disinfectants are not on the approved EPA list, what products will be used in each building? Is there a required re-entry waiting period after touch point disinfecting? Will cleaning products be made available to staff? Will a cleaning log be maintained and where will it be kept? Can the associations have access to the cleaning log? Will disinfectant wipes be provided to clean keyboards and remote controls?

Is isolation space (rooms or buildings) for infected persons provided? If so, please describe the space, location, and medical resources available.

Will hand sanitizers be provided by the employer at all building and where will they be located? At the entry to the building or at sanitizing stations? Will tissues be provided? Do all sinks have running water; will soap be available?

Will thermometers be provided to staff for screening? If so, what staff and what kind of thermometer? What are the protocols for taking and logging temperatures?

Will contaminated materials be disposed in accordance with OSHA 1910.1030 standards?

What medical provisions and medical devices be provided to nurses to deal with COVID-19? Will there be a triage room? What training have nurses received?

### **Personal Protective Equipment**

What personal protective equipment will be provided to staff including custodians, food handlers, staff, and nurses?

Will protective masks be provided by the employer to staff and healthcare workers (N95 or N99)? Will nitrile gloves, gowns and face shields be made available to staff free of charge?

Will employees be fit tested, and trained in the proper use of PPE including donning and doffing as required by OSHA?

Thank you in advance to your written response and consideration of this matter. If you have any questions, feel free to contact us.

Sincerely yours,



EAPC President



COBRA President