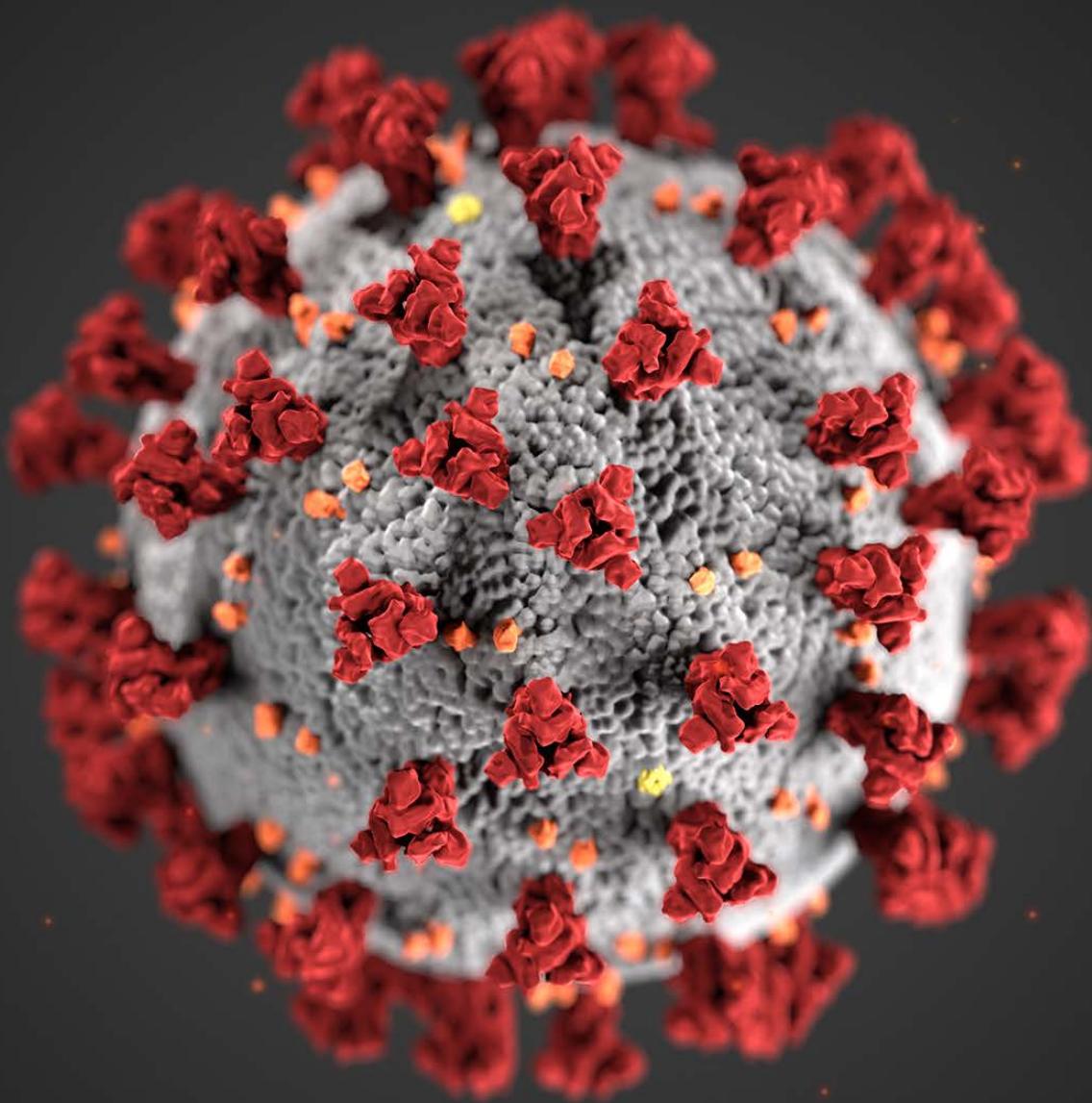


COVID-19 (CORONAVIRUS)

HEALTH AND SAFETY & GOVERNMENTAL BENEFIT GUIDANCE



ORANGE COUNTY
CALIFORNIA LAND SURVEYORS
ASSOCIATION



This document is not intended as and is not legal advice from any lawyer or company. Receipt of this document does not form any sort of attorney/client relationship. You may not rely on this memo for any form of legal advice. In making decisions regarding the statutes and regulations relating to any of these programs, an employer or employee should always consult their own attorney for legal advice.

Following is a summary of federal, California, and Safety programs Related to Covid-19. It is not exhaustive and is meant to be a summary only. For specifics, please go to the appropriate California or federal website for official information related to these programs.



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MEMORANDUM

Date: April 13, 2020

Re: Memo Regarding Help to Employers and Employees Re Covid-19 (Stimulus 2 and 3)

Please note that this is a summary of authorities collected over the past two weeks. Statutes and regulations continue to be amended and interpretations may vary.

Employers and employees should seek guidance from official governmental websites including, but not limited to, the State of California, Department of Industrial Relations, Employment Development Department (and other related sources), the U.S. Department of Labor, U.S. Department of Treasury (including the IRS), the U.S. Small Business Association (and other related federal government sources).

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Below is a summary of federal and California programs Related to Covid-19. It is not exhaustive and is meant to be a summary only. For specifics, please go to the appropriate California or federal website for official information related to these programs.

A. Stimulus 2 – Families First Coronavirus Response Act (“FFCRA”).

The FFCRA was the second stimulus package passed by the U.S. Congress and signed by Trump. Part of the FFCRA deals with extended sick leave for employees and expanded family and medical leave for specified reasons related to Covid-19. These provisions will apply from April 1, 2020 through December 31, 2020.¹ There is also a small business disaster loan available to some small businesses.

1. Paid Leave Entitlements Under FFCRA (EPSLA and EFMLEA).

a. Employers covered by the FFCRA must provide employees with:

¹ Information obtained from the United States Department of Labor, Wage and Hour Division, *Employee Rights – Paid Sick Leave and Expanded Family and Medical Leave Under the Families First Coronavirus Response Act* (WH1422 – Rev 03/20) available at www.dol.gov/agencies/whd



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1. Up to two (2) weeks (80 hours) or a part time employee's two week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:
 - a. 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,110 total;
 - b. 2/3 for qualifying reasons #4 and 6 below, up to \$200 daily and \$2,000 total; and
 - c. Up to 12 weeks of paid sick leave and expanded family and medical leave paid at 2/3 for qualifying reason #5 below for up to \$200 daily or \$12,000 total.²
 - d. These new paid sick leave and expanded family and medical leave requirements become operational on April 1, 2020, effective on April 2, 2020 and expire on December 31, 2020.³
 - e. **Emergency Paid Sick Leave Act (“EPSLA”)** entitles full-time covered employees up to 80 hours of paid sick leave, and generally entitles part time employees to up to the number of hours that they work on average over a two week period, although special rules may apply to part time employees with varying schedules.⁴
 1. EPSLA provides for paid sick leave at the greater of the employee's regular rate of pay or the applicable minimum wage (state, federal, local) up to \$511 per day and \$5,110 in the aggregate.⁵
 - a. A person who takes the leave because they are taking care of another person, the employee is entitled to two-thirds of that amount up to \$200 per day and \$2,000 in the aggregate.⁶

² *Id.*

³ Paid Leave Under the Families First Coronavirus Response Act, 85 Fed. Reg. 19326 (April 6, 2020).

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*



f. **Emergency Family and Medical Leave Expansion Act (“EFMLEA”)** requires employers to provide expanded paid family and medical leave to eligible employees who are unable to work because the employee is caring for his or her son or daughter whose school or place of care is closed or whose child care provider is unable, due to a public health emergency, defined as an emergency with respect to Covid-19.⁷

1. Private employers with fewer than 500 employees must comply with the EFMLEA.⁸
2. There are possible exemptions for small businesses under 50 employees from the EFMLEA’s requirements when compliance with the EFMLEA would “jeopardize the viability of the business as a going concern”.⁹
3. An employee is entitled to take up to twelve weeks of leave for the purpose described in the EFMLEA.¹⁰
 - a. The first two weeks of this leave are unpaid although an employee may substitute paid sick leave under the EPSLA or paid leave under the employer’s existing policies for these two weeks.¹¹
 - b. The total EFMLEA payment per employee for this ten week period is capped at \$200 per day and \$10,000 in the aggregate for a total of no more than \$12,000 when combined with two weeks of paid leave taken under the EPSLA.¹²

b. Eligible Employees.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*



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1. In general, employees of private sector employers with less than 500 employees, and certain public sector employees, are eligible for up to two (2) weeks of fully or partially paid sick leave for Covid-19 related reasons (see below).
2. **Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 below.¹³**
3. The U.S. Department of Labor's Wage and Hour Division ("WHD") has the authority to investigate and enforce compliance with the FFCRA. Employers may not discharge, discipline or otherwise discriminate against any employee who lawfully takes paid sick leave or expanded family and medical leave under the FFCRA, files a complaint or institutes a proceeding under or related to this the FFCRA. Employers in violation of the provisions of the FFCRA will be subject to penalties and enforcement by WHD.¹⁴

c. **Qualifying Reasons for Leave Related to Covid-19.**

1. Is subject to a Federal, State or local quarantine or isolation order related to Covid-19;
2. Has been advised by a health care provider to self-quarantine related to Covid-19;
3. Is experiencing Covid-19 symptoms and is seeking a medical diagnosis;
4. Is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. Is caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to Covid-19 related reasons; or
6. Is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services.
¹⁵

¹³ United States Department of Labor, Wage and Hour Division, *Employee Rights – Paid Sick Leave and Expanded Family and Medical Leave Under the Families First Coronavirus Response Act* (WH1422 – Rev 03/20) available at www.dol.gov/agencies/whd

¹⁴ *Id.*

¹⁵ *Id.*



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- d. Personal disability leave is available under California Disability Insurance. See **Section C** of this memo.
- e. Under the FFCRA, covered private employers qualify for reimbursement through refundable tax credits as administered by the Department of the Treasury, for all qualifying paid sick leave and qualifying family medical leave wages paid to an employee who takes leave under the FFCRA up to per diem and aggregate caps and for allocable costs related to the maintenance of health care coverage under any group health plan while the employee is on the leave provided by the FFCRA.¹⁶
 - 1. For information on tax credits, see www.irs.gov/forms-pubs/about-form-7200.¹⁷
- f. **Exemptions for Small Businesses Under 50 Employees – When does the small business exemption apply to exclude a small business from the provisions of the Emergency Paid Sick Leave Act and Emergency Family and Medical Leave Expansion Act?**
 - 1. An employer, including a religious and nonprofit organization, with fewer than 50 employees (small business) is exempt from providing:
 - a. Paid sick leave due to school or place of care closure or child care provider unavailability for Covid-19 reasons; and
 - b. Expanded family and medical leave due to school or place of care closures or child care provider unavailability for Covid-19 related reasons¹⁸
 - c. **When doing so would “jeopardize the viability of the small business as a going concern”.**¹⁹
 - 1. **According to 29 CFR 823.40, a small business may claim this exemption if an authorized officer of the business has determined that:**

¹⁶ Paid Leave Under the Families First Coronavirus Response Act, 85 Fed. Reg. 19326 (April 6, 2020).

¹⁷ *Id.*

¹⁸ www.dol.gov/agencies/whd/pandemic/ffcra-questions#58

¹⁹ Paid Leave Under the Families First Coronavirus Response Act, 85 Fed. Reg. 19326 (April 6, 2020).



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- a. Such leave would cause the small employer's expenses and financial obligations to exceed available business revenues and cause the small employer to cease operating at a minimal capacity.²⁰
- b. The absence of the employee or employees requesting such leave would pose a substantial risk to the financial health or operation capacity of the small employer because of their specialized skills, knowledge of the business or responsibilities; or²¹
- c. The small employer cannot find enough other workers who are able, willing, and qualified, and who will be available at the time and place needed, to perform the labor or services the employee or employees requesting leave provide, and these labor or services are needed for the small employer to operate at a minimal capacity.²²
- d. **See 29 CFR Part 823.40 for many more details.²³ See Exhibit A, complete copy of Federal Register on subject.**

2. **U.S. Small Business Administration – Economic Injury Disaster Loans (“EIDL”).**

- a. Pursuant to the California Declaration # 16332 (Disaster: CA-00313) for Covid-19, Economic Injury Disaster Loans (“EIDL”) provide working capital loans to small businesses, small agricultural cooperatives, small businesses engaged in aquaculture and most private non-profit organizations of all sizes to meet their ordinary and necessary financial obligations that cannot be met as a direct result of the disaster (Covid-19).

²⁰ *Id.* at pg. 19336.

²¹ *Id.*

²² *Id.*

²³ *Id.*



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- b. Applications for these loans can be completed online at disasterloan.sba.gov.ela²⁴
- c. Applicants must have a credit history acceptable to the SBA.
- d. Applicants must show the ability to repay the loan.
- e. Collateral is required for all EIDL loans over \$25,000.
- f. Interest will be no more than 3.75% and the loan term is a maximum of 30 years.
- g. Loans are limited to \$2 mil.
- h. If you obtain a Payroll Protection Program loan (see below), the EIDL loan will need to be incorporated into the PPP loan.²⁵

B. Stimulus 3 – Coronavirus Aid, Relief, and Economic Security Act (“CARES” Act).

The CARES Act provides for relief to small businesses (\$349 billion) that are undergoing extreme challenges stemming from Covid-19.²⁶ The CARES Act provides eligible businesses and expands the Small Business Administration’s (“SBA”) current loan program and eligibility requirements in order for businesses to pay employees and keep them on payroll during the current Covid-19 crisis.²⁷

1. **Paycheck Protection Program (“PPP”).** A good resource for this program can be found at Small Business Investor Alliance (“SBIA”) www.sbia.org. A copy of this summary is attached hereto as Exhibit C.

Borrowers.

- a. A copy of the application is attached hereto as Exhibit D.
- b. PPP will initially be administered by the existing network of approved SBA lenders, although other additional lenders may be approved to participate.²⁸

²⁴ See Exhibit B.

²⁵ All terms of the EIDL loan can be found at disasterloan.sba.gov.ela

²⁶ Information obtained from Manatt.com, *A Practical Guide for Small Businesses to Obtain a Paycheck* (March 30, 2020) available at www.manatt.com/Insights/Newsletters/Client-Alert.

²⁷ *Id.*

²⁸ *Id.*



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- c. There is a “lender match” tool that can be accessed at www.sba.gov/funding-programs/loans/lender-match.²⁹
- d. The application deadline is June 30, 2020 but apply as soon as possible.³⁰
- e. **Eligibility.**
 - 1. Any business concern, non-profit organization, veterans organization or tribal business concern (including a C Corporation, S Corporation, LLC, nonprofit or a franchisee, sole proprietor, independent contractor and certain self-employed individuals) that:
 - a. Was operating on February 15, 2020;
 - b. Had employees for whom it paid salaries and payroll taxes, or paid independent contractors;
 - c. Has 500 or fewer employees (part time employees count toward this total);
 - d. Has a physical place of business in the United States and transacts business in the United States; and
 - e. Has been substantially impacted by Covid-19. ³¹
 - 2. The SBA has delegated authority to lenders to make eligibility determinations without needing to go through SBA channels.³² There is still an approval process though – turn around time may be 7-10 days but this is only an estimate.³³
 - 3. Borrowers will be required to make a good faith certification that:
 - a. They have been affected by Covid-19;

²⁹ *Id.*

³⁰ *Id.*

³¹ *Id.* There are a few exceptions to the SBA criteria including those with a different SBA standard for number of employees and food services and accommodations. Affiliates may need to conduct a more complex analysis. See the SBA website for more guidance.

³² *Id.*

³³ *Id.*



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- b. They will use funds to retain workers and maintain payroll or make mortgage payments, lease payments, utility payments and interest payments on other debt obligations; and
- c. They do not have another application pending for the same type of loan and have not received the same type of loan.
 - 1. A borrower does not need to show it is unable to obtain credit elsewhere, which is usually a factor in obtaining an SBA loan.³⁴

f. **The maximum amount an eligible business may borrow** is the lesser of (i) the business's average total monthly payroll costs during the one year period prior to the loan be made multiplied by 2.5 plus the outstanding amount of an SBA disaster loan that was made between January 31, 2020, and the date that such loan is financed with a loan under the CARES Act; or \$1 mil.³⁵

- 1. Payroll costs include:
 - a. Salaries, wages, tips, commissions;
 - b. Payments for vacation, family, medical or sick leave;
 - c. Group health benefit insurance premiums;
 - d. Retirement benefits and separation payments;
 - e. State and local taxes assessed on the compensation of employees.³⁶
 - f. **NOTE:** Not included are payroll costs coming from compensation paid to individuals in excess of an annual salary of \$100,000, a prorated for the relevant period, or to individuals outside of the U.S.³⁷

g. **If a business borrowed money under the Economic Injury Disaster Loan ("EIDL") pursuant to the Stimulus 2 package (see above), this**

³⁴ *Id.*

³⁵ *Id.* See SBA website for requirements for businesses not in operation for a full year prior to February 15, 2020 and for seasonal businesses.

³⁶ *Id.*

³⁷ *Id.*



loan can be refinanced under the PPP.³⁸ There are some instances where both loans may be taken but not typically. See the SBA website for further information.

h. General terms of the PPP.

1. Maximum interest rate of 4% during the covered period (Feb. 15-June 30, 2020). It is unclear if the interest rate can be increased after the covered period.
2. Loan payments, including principal, interest and fees, will be deferred for a minimum of six months and up to a maximum of one year, starting at the origination of the loan.
3. There is a maximum loan term of 10 years from the date a borrower applies for loan forgiveness (see below).
4. The U.S. Government guarantees the loan at 100% through December 31, 2020 (after which time the guarantee reverts to 75% for loans exceeding \$150,000 and 85% for loans equal to or less than \$150,000).
5. Collateral requirements and personal guarantees are waived.
6. There are no SBA application fees.
7. The loan may be eligible for partial or total forgiveness (see below).
8. There are no pre-payment penalties.³⁹

i. The CARES Act provides for **forgiveness** of part or all of the money borrowed under the PPP. Loan forgiveness is available as follows:

1. Borrowers will be eligible to apply for forgiveness on a loan under the PPP in an amount equal to the amount spent by the borrower during the eight-week period after the origination date of the loan on:
 - a. Payroll costs;
 - b. Interest (not principal) payments on any mortgage existing prior to February 15, 2020;

³⁸ *Id.*

³⁹ *Id.*



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- c. Payment on any lease in force prior to February 15, 2020; and
 - d. payment on any utility for which service began before February 15, 2020.⁴⁰
2. While loan proceeds can be for other business-related expenses, such as inventory, **the portion of the loan used for such purpose will not be forgiven.**⁴¹
3. The amount forgiven may not exceed the principal amount of the loan.
 - a. If the full principal of the loan is forgiven, the borrower is not responsible for the interest accrued in the eight-week covered period.
 - b. The remainder of the loan that is not forgiven will operate according to the loan terms agreed upon by the borrower and the lender.⁴²
4. Any sick leave or family or medical leave pay for which the borrower receives loss forgiveness is not eligible for tax credits under the Families First Coronavirus Response Act (“FFCRA”) under the Stimulus 2 package.⁴³
5. Loan forgiveness must be applied for and approved by the lender.⁴⁴

j. Three are limits on what can be forgiven.

1. The amount forgiven is reduced in proportion to any reduction in the number of employees employed (a) during the period beginning February 15, 2019 through June 30, 2019, or (b) during the period beginning January 1, 2020 through February 29, 2020.
2. The amount forgiven is also reduced by the reduction in pay of any employee in excess of 25% of the employee's compensation

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*



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during the most recent quarter during which the employee was employed before the eight-week period. Reductions in pay for employees with annualized salaries of more than \$100,000 are not considered in this calculation.

3. **NOTE:** There may be implications for borrowers who have fired or furloughed employees, or who are considering firing or furloughing employees, and who are considering rehiring these employees. These are fact specific questions that should be discussed with an attorney to determine the proper course of action for a borrower to maximize the eight-week measurement period for loan forgiveness.
4. Borrowers that rehire workers previously laid off from February 15, 2020 to April 26, 2020, or that make up for wage reductions during such period by June 30, 2020, will not be penalized for having reduced staffing or payroll at the beginning of the period. For calculation see Congressional Action in Response to the Global Pandemic – Lending Programs and Relief Provisions under the CARES Act. ⁴⁵
5. Cancelled indebtedness will not be included in the borrower's taxable income. ⁴⁶

k. Sole proprietors, independent contractors, gig economy workers and self-employed individuals are all eligible for the PPP under specific circumstances.⁴⁷

Lenders.

- a. All certified existing SBA lenders have authority to process these loans. Additional lenders can begin making loans as soon as they are approved and enrolled in the program. ⁴⁸
- b. The loans are guaranteed by the SBA. The guarantee is backed by the full faith and credit of the United States.⁴⁹

⁴⁵ *Id.*

⁴⁶ SBA Program: Paycheck Protection Program (PPP) from Comerica Bank on 4/9/20.

⁴⁷ U.S. Senate Committee on Small Business and Entrepreneurship, *Paycheck Protection Program FAQs for Small Businesses* (April 2020). See **Exhibit E**. See also www.skadden.com/insights/publications/2020/03/cares-act-provides-much-needed-stimulus

⁴⁸ www.sba.gov

⁴⁹ *Id.*



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1. The SBA also waives all guaranty fees, including the upfront and annual servicing fees.
- c. The bank underwriter must verify that a borrower was in operation on February 15, 2020.⁵⁰
 1. Bank will also need to verify that a borrower had employees for whom the borrower paid salaries and payroll taxes.
 2. The bank will also need to verify the dollar amount of monthly payroll costs.
- d. Sample forms from Union Bank along with a list of documents required to process the PPP are attached hereto as **Exhibit D**.⁵¹
 1. Some banks are processing their applications online.⁵²
 2. Ideally, borrowers should go to a bank where they have a pre-existing business relationship to apply for the PPP.⁵³

3. **Direct Payments to Individuals – CARES Act.**

- a. Single Americans making less than \$75,000 will receive \$1,200 either as a direct deposit or by check in the mail. Married couples will receive \$2,400 and children will get \$500 if under 17 years of age.⁵⁴
- b. Between \$75,000 and \$95,000, you will receive a prorated portion and those making above \$99,000 will not receive this direct payment.

C. **California Programs.** See www.dir.ca.gov/dlse/2019-Novel-Coronavirus.htm

1. **Unemployment Insurance – www.edd.ca.gov**

- a. You can apply for unemployment insurance online. This is the fastest way to apply. It has been very difficult to get through by telephone. See sample application attached hereto as **Exhibit F**.⁵⁵

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² Telephone conferences with Union Bank, U.S. Bank and Comerica Bank local Tustin branches on 4/2/20 and 4/7/20.

⁵³ *Id.*

⁵⁴ CNN Staff, CNN Politics, What's In the \$2 trillion Coronavirus Stimulus Bill (March 26, 2020) available at www.cnn.com/2020/03/25/politics/stimulus-package-details-coronavirus/index.html

⁵⁵ www.edd.ca.gov



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- b. As part of the federal CARES Act, the new Pandemic Unemployment Assistance ("PUA") program will help Californians who are unemployed.
 1. This PUA will include business owners, self-employed, have limited work history and others not usually eligible for regular state Unemployment Insurance benefits who are out of business or services are significantly reduced as a direct result of the pandemic.⁵⁶
 - a. Provisions include up to 39 weeks of benefits starting with weeks of unemployment beginning February 2, 2020, through the week ending December 31, 2020, depending on when a person became directly impacted by the pandemic.⁵⁷
 - b. An additional \$600 to each PUA weekly benefit amount you may be able to receive as part of the CARES Act.⁵⁸
 1. Only the weeks of a claim between March 29 and July 31, 2020 are eligible for the extra \$600 payments.⁵⁹
 - c. That being said, the waiting period to receive benefits has been delayed due to the Corona-19 pandemic.
 - d. The federal government has provided funds to states to bolster their ability to provide benefits.
 - e. Many individuals categorized as independent contractors, sole proprietors or self-employed individuals may qualify for unemployment insurance benefits under California qualifications.⁶⁰

2. **Work Sharing Unemployment Insurance Application** is available for employers who want to combine employee jobs which are then supplemented by unemployment insurance. See **Exhibit G** for sample application.⁶¹

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ *Id.*



3. California Disability Insurance Claim.

- a. The fastest way to file a State Disability Insurance ("SDI") is online through www.edd.ca.gov/Disability
- b. You must first register with Benefit Programs Online ("BPO") to complete a one-time registration.
- c. Once you have registered and logged into DPO, select SDI Online which will direct you to the SDI Online Registration Options.
- d. Unlike the federal EFMLEA program (designed to provide wage replacement for caring for others), the California DI provides short term benefit payments to eligible workers who have a full or partial loss of wages due to a non-work related illness, injury, or pregnancy. This coverage includes coverage for exposure or having Covid-19 as certified by a medical professional.
- e. You will need to obtain certification from your physician and then complete your SDI filing. All information can be found at the www.edd.ca.gov website.
- f. Benefit amounts are approximately 60-70 percent of wages (depending on income) and range from \$50-1,300 per week.

D. Lenders, Utilities, Phones, etc.

1. There are lenders who are allowing mortgage holders to skip payments. Additionally, renters can take advantage of "no eviction" ordinances in certain cities. Some financial institutions are also helping with forbearance on payments for large purchases such as cars.
2. Car insurance providers may offer some rebates.
3. Utility providers are offering programs to help spread out utility bills now.
4. Telephone and cable companies are also providing some temporary relief.
5. Student loan payments (in some circumstances) may be suspended.
6. Federal tax return filing deadline has been extended to July 15, 2020.
7. REAL ID deadline is delayed until at least September 2021.
8. Continue to follow news and check websites for additional offerings as they become available.



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End of Memo.



INTERIM COVID-19 GUIDANCE FOR EMPLOYEES

Purpose

This interim guidance is based on what is currently known about the coronavirus disease 2019 (COVID-19). COVID-19 is a respiratory illness that can spread from person to person. The outbreak first started in China, but the virus continues to spread internationally and in the United States. defers to the Centers for Disease Control and Prevention (CDC) and will update this interim guidance as additional information becomes available. This plan was formed directly in line with guidance from the CDC. This guidance was constructed using adapted language from the CDC to maintain consistency with federal guidance in response to this pandemic.

The following interim guidance may help prevent workplace exposures to COVID-19, in non-healthcare settings. (CDC has provided separate guidance for healthcare settings.) This guidance also provides planning considerations for community spread of COVID-19.

To prevent stigma and discrimination in the workplace, use only the guidance described below to determine risk of COVID-19 infection. Do not make determinations of risk based on race or country of origin and be sure to maintain confidentiality of people with confirmed coronavirus infection. There is much more to learn about the transmissibility, severity, and other features of COVID-19 and investigations are ongoing. Updates are available on [CDC's web page](#).

Preparing for a COVID-19 Outbreak

employees can prevent and slow the spread of COVID-19. plans to respond in a flexible way to varying levels of disease transmission in the community and will be prepared to refine our business response plans as needed. According to the Occupational Safety and Health Administration (OSHA), most American workers will likely experience low (caution) or medium exposure risk levels at their job or place of employment (see [OSHA guidance](#) for employers for more information about job risk classifications).

will continue to monitor state and local health officials guidance so timely and accurate information can guide appropriate responses. Local conditions will influence the decisions that public health officials make regarding community-level strategies.

has considered how best to decrease the spread of COVID-19 and lower the impact in the workplace. This includes activities in the following areas:

- reduce transmission among employees,
- maintain healthy business operations, and
- maintain a healthy work environment.

Reduce Transmission Among Employees

requires sick employees to stay home:

- Employees who have symptoms (i.e., fever, cough, or shortness of breath) should notify their supervisor and stay home.



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- Sick employees should follow CDC-recommended steps. Employees should not return to work until the criteria to discontinue home isolation are met, in consultation with healthcare providers and state and local health departments.
- Employees who are well but who have a sick family member at home with COVID-19 should notify their supervisor and follow CDC recommended precautions.

Where and how employees might be exposed to COVID-19 at work:

Every surface an employee touches could be contaminated by COVID-19. It is important that every employee consistently washes their hands and disinfects their work areas.

When working in the field surveyors may come into contact with unknown surfaces, clients, pedestrians, etc. Field employees must use good judgement and maintain social distancing when working in the field. will provide hand sanitizers or hand washing materials for all field employees.

Be aware that some employees may be at higher risk for serious illness, such as older adults and those with chronic medical conditions. Employees are advised to minimize face-to-face contact between these employees while also maintaining a 6 foot social distance. These employees will be assigned work tasks that allow them to maintain a distance of six feet from other workers, customers and visitors, or to tele-work if possible.

Separate sick employees:

Employees who appear to have symptoms (i.e., fever, cough, or shortness of breath) upon arrival at work or who become sick during the day will immediately be separated from other employees, customers, and visitors and sent home.

If an employee is confirmed to have COVID-19 infection, will inform fellow employees of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act (ADA). The fellow employees should then self-monitor for symptoms (i.e., fever, cough, or shortness of breath).

How employees can reduce the spread of COVID-19:

- Employees can take steps to protect themselves at work and at home. Older people and people with serious chronic medical conditions are at higher risk for complications.
- Follow the policies and procedures implemented by related to illness, cleaning and disinfecting, and work meetings and travel.
- Stay home if you are sick, except to get medical care. Learn what to do if you are sick.
- Inform your supervisor if you have a sick family member at home with COVID-19. Learn what to do if someone in your house is sick.
- Wash your hands often with soap and water for at least 20 seconds. Use hand sanitizer with at



INTERIM COVID-19 GUIDANCE FOR EMPLOYEES

least 60% alcohol if soap and water are not available.

- Avoid touching your eyes, nose, and mouth with unwashed hands.
- Cover your mouth and nose with a tissue when you cough or sneeze or use the inside of your elbow. Throw used tissues in the trash and immediately wash hands with soap and water for at least 20 seconds. If soap and water are not available, use hand sanitizer containing at least 60% alcohol. Learn more about coughing and sneezing etiquette on the CDC website.
- Clean AND disinfect frequently touched objects and surfaces such as workstations, keyboards, telephones, handrails, and doorknobs. Dirty surfaces can be cleaned with soap and water prior to disinfection. To disinfect, use products that meet EPA's criteria for use against SARS-CoV-2external icon, the cause of COVID-19, and are appropriate for the surface.
- Avoid using other employees' phones, desks, offices, or other work tools and equipment, when possible. If necessary, clean and disinfect them before and after use.
- Practice social distancing by avoiding large gatherings and maintaining distance (approximately 6 feet or 2 meters) from others.

Maintain a healthy work environment

will improve the engineering controls using the building ventilation system.

This may include some or all of the following activities:

- Increase ventilation rates.
- Increase the percentage of outdoor air that circulates into the system.

Support respiratory etiquette and hand hygiene for employees, customers, and worksite visitors:

- Tissues and no-touch disposal receptacles will be provided.
- Soap and water in the workplace will be provided. If soap and water are not readily available, use alcohol-based hand sanitizer that is at least 60% alcohol. If hands are visibly dirty, soap and water should be chosen over hand sanitizer. Ensure that adequate supplies are maintained.
- Place hand sanitizers in multiple locations to encourage hand hygiene.
- Posters that encourage hand hygiene to help stop the spread must be at the entrance of our workplace and in other workplace areas where they are likely to be seen.
- Handshaking is no longer acceptable – employees must begin the use of other noncontact methods of greeting.

Perform routine environmental cleaning:

- Routinely clean all frequently touched surfaces in the workplace, such as workstations, keyboards, telephones, handrails, and doorknobs.



INTERIM COVID-19 GUIDANCE FOR EMPLOYEES

- 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. Follow the manufacturer's instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, etc.).
- Employees are discouraged from using other workers' phones, desks, offices, or other work tools and equipment, when possible. If necessary, clean and disinfect them before and after use.
- Disposable wipes will be provided so that commonly used surfaces (for example, doorknobs, keyboards, remote controls, desks, other work tools and equipment) can be wiped down by employees before each use. To disinfect, use products that meet EPA's criteria for use against SARS-CoV-2, the cause of COVID-19, and are appropriate for the surface.

Perform enhanced cleaning and disinfection after persons suspected/confirmed to have COVID-19 have been in the facility:

- If a sick employee is suspected or confirmed to have COVID-19, follow the CDC cleaning and disinfection recommendations.

Employees are advised before traveling to take additional preparations:

Check the CDC's Traveler's Health Notices for the latest guidance and recommendations for each country to which you will travel. Specific travel information for travelers going to and returning from countries with travel advisories, and information for aircrew, can be found on the CDC website.

Employees must check themselves for symptoms of COVID-19 (i.e., fever, cough, or shortness of breath) before starting travel and notify their supervisor and stay home if they are sick.

Employees who become sick while traveling or on temporary assignment understand that they should notify their supervisor and promptly call a healthcare provider for advice if needed.

Take care when attending meetings and gatherings:

- management will consider whether travel is necessary.
- will be utilizing videoconferencing or teleconferencing when possible for work-related meetings and gatherings.
- will be canceling, adjusting, or postponing large work-related meetings or gatherings that can only occur in-person.
- When videoconferencing or teleconferencing is not possible, meetings will be in open, well-ventilated spaces.



INTERIM COVID-19 GUIDANCE FOR EMPLOYEES

FIELD EMPLOYEE SPECIFIC GUIDANCE:

- 1. If you are sick stay home.**
- 2. Before every job a site specific “COVID-19 Job Hazard Analysis” must be completed. How employees plan to maintain social distancing and avoid unnecessary interactions with potential points of infection must be addressed.**
- 3. Maintain social distancing (6 feet) at all times. This includes moving client meetings outside of trailers.**
- 4. Two vehicles must be used for every project to maintain social distancing.**
- 5. Disinfect all equipment before and after each use. Only handle your assigned equipment.**
- 6. Use radios to communicate to avoid close contact with other field employees.**
- 7. Hand sanitizer or hand washing implements must be stocked by each employee in their assigned work vehicle.**
- 8. Work vehicles must be kept clean and disinfected after every shift.**
- 9. Plan ahead have plots and other job folder materials ready to go the night before being dispatched to the field.**
- 10. Use “Stop Work Authority” if an unsafe condition or potential exposure is encountered. Document the circumstances of the Stop Work.**



FACE COVERINGS AND COVID SELF CHECK

WORKSITE PLANNING

- Field crew assignment shall remain consistent. Project Managers are to avoid switching personnel between jobs as much as possible.
- Vehicles will be assigned to the same employee daily. If vehicle is assigned to another person the vehicle must be sanitized prior to use.
- Proper social distancing must be practiced at all times. Even at the office employees must remain working in separate areas and maintain at least six (6) feet of separation. Employees all have access to for conversation or file sharing necessities. (If you need help setting up please contact:).
- Do not allow other people onto the jobsite - essential personnel only.

SAFETY LEAD

- Party Chief will serve as the project specific "Safety Lead".
- To avoid cross contamination the Party Chief will review the daily tailboard/job hazard analysis with other field personnel and sign off on their behalf. (One pen, one clipboard).
- Identify potential "choke points" and "high risk areas" where workers may be in close proximity to each other (e.g. unloading legs, traffic control, manhole dips, etc) and control them as safely as possible by utilizing extra PPE (masks, disposable gloves, etc) or necessary social distancing protocols.

JOB SITE SAFETY

- Management will work with employees to identify causes for any absenteeism.
- If you have any concerns about your health or have recently experienced fever, cough, shortness of breath, or other related symptoms, please speak with your supervisor before you arrive at the office or project site. **STAY HOME IF YOU ARE SICK.**
- All employees must ask themselves these questions each day before reporting to work. Employees that answer "yes" to any of these questions must stay home and contact their supervisor for further instruction:

1. Do you or anyone in your home have COVID-19 (coronavirus)?
2. Within the past 14 days, have you or anyone in your home experienced any COVID-19 related symptoms such as fever, cough, or shortness of breath?
3. Have you or anyone in your home been exposed to COVID-19 (coronavirus) within the last 14 days?
 - a. Exposure means close contact (less than 6 feet) with an individual who has been confirmed to have COVID-19 or someone who is symptomatic (such as fever, cough or shortness of breath) and under investigation for COVID-19.



FACE COVERINGS AND COVID SELF CHECK

JOB SITE SAFETY...Continued

- Regular Safety Briefings:
 1. Remind everyone that they must have answered “no” to all screening questions.
 2. Keep all gatherings to less than 10 people.
 3. Maintain social distancing of six feet or more.
 4. Include a daily COVID-19 safety related topic on JHA/Tailboard meetings.
 5. Utilize correct PPE
- **Utilize “STOP WORK AUTHORITY”** if necessary and contact your supervisor if the work cannot be done safely.
- Social Distancing:
 1. Maintain 6 feet of separation at all times including during breaks.
 2. When 6 feet of separation is not possible for periods of work employees may wear face shields and disposable gloves. Employees must return to 6 feet of separation ASAP.
- Good Hygiene Practices:
 1. **WASH YOUR HANDS.**
 2. **DON’T TOUCH YOUR FACE.**
 3. **COVER YOUR COUGHS AND SNEEZES WITH A TISSUE, DISPOSE OF THE TISSUE IMMEDIATELY THEN IMMEDIATELY WASH OR SANITIZE YOUR HANDS.**
- **FACE COVERINGS** - Shall be worn at all times by all field personnel on every project regardless of local guidance. _____ will provide these face coverings. It is the responsibility of the employee to maintain hygienic standards of these face coverings.
- Regularly wash hands. Wash hands for at least twenty seconds. Hand sanitizer will be used in lieu of regular hand washing in the field or where hand washing stations are unavailable. 60% minimum alcohol content hand sanitizer will be used.
- Minimize sharing of tools and equipment. If tools or equipment must be shared those materials must be sanitized prior to use and after use.

END OF DAY CLEANING PRACTICES

Use paper towels/soap or disposable wipes or a bleach diluted solution on all vehicle surfaces that are high contact areas (steering wheel, doors, console, radios, etc).

Dispose of or disinfect PPE that has been used using the same disinfectants listed above.

Disinfect all tools and equipment used.



SPECIAL EXEMPTIONS, COVID JHA AND COVID SELF CHECK

has been granted special exemptions by local governments, utilities and other public agencies to continue to provide land surveying services for certain projects. In order to retain these exemptions, we must adhere to the health and safety guidelines as dictated by our clients and the local governments. We have been working diligently to stay abreast of the latest ordinances/health guidelines and conform them with our safety standards and policies.

There are three new policies that

will be implementing in response to the COVID-19

pandemic:

1. Face Coverings are to be worn at all times by all staff on every project. 100% compliance is mandatory. There are no exceptions to this. (Field Personnel when on-site and Office Personnel when engaging in company business outside of the office) County of Orange strongly recommends face coverings at all times in places of business.
2. Prior to arriving to work each day all employees must perform a self-check for COVID-19 risks as described below. (Field and Office employees)
3. COVID-19 Questionnaire and JHA Tailboard meetings completed and submitted to every morning prior to commencing field work.

(if there is no reception onsite, the forms must be submitted as soon as safely possible to do so)

Face coverings will be provided by Each employee is responsible for care and maintenance for the reusable face coverings. These face coverings are to be handled with care and worn at all times. It is important that our teams represent with a clean, safe and professional appearance when working on-site. A face covering may get dirty during the day and should be adequately cleaned and disinfected before being worn again. crews will always wear face coverings regardless of which client we are working for or what local government mandates are in the area our field crews are providing services. These restrictions will stay in place until further notice.

The COVID-19 self-check is a short three question self survey to do before arriving to work each day:

1. Do you or anyone in your home have COVID-19 (coronavirus)?
2. Within the past 14 days, have you or anyone in your home experience any COVID-19 related symptoms such as fever, cough, or shortness of breath?
3. Have you or anyone in your home been exposed to COVID-19 within the last 14 days?

(Exposure means close contact (less than 6 feet) with an individual who has been confirmed to have COVID-19 or someone who is symptomatic (such as fever, cough or shortness of breath) and under investigation for COVID-19.)

If an employee answers "yes" to any of these questions they must call , prior to reporting for work. will provide guidance on what steps to take next.



SPECIAL EXEMPTIONS, COVID JHA AND COVID SELF CHECK

As stated above: is following social distancing procedures as outlined by the CDC. It is important to remember that each employee should avoid entering the building if they have a cough or fever, maintain six-feet distance from one another, sneeze and cough into a cloth or tissue or, if not available, into one's elbow; and not shake hands or engage in any unnecessary physical contact.

Beginning each field crew will be required to fill out the new Tailboard and COVID Questionnaire prior to commencing field work. To maintain conformance with our social distancing guidelines Party Chiefs will be completing the new Tailboard/JHA and COVID-19 questionnaire – One Clipboard, One Pen. The Party Chief will obtain verbal confirmation for the questions pertaining to other personnel. Once completed the Party Chief will be responsible for either taking good quality pdf scans or photos of the completed forms (three pages) and emailing them to at: prior to commencing work. The preferred option would be to download an app that uses a smart phone camera to create pdf's. High quality, legible photo's or pdf's must be submitted. Adobe Scan is free for both Android and Apple devices, you will need to register an account to use it. The tailboards still need to be scanned with daily field notes upon return to the office at the end of the day and placed in the correct job folder.

Field crews will be given enough time to complete the daily tailboard, COVID-19 questionnaire and scan their paperwork each day. Please take the time to think about all of the steps of your project and potential "choke points" where you or crew members may come into close contact with other employees or members of the public and how the crew can safely mitigate these potential hazards (more PPE, face shields, pedestrian or traffic controls, etc.) These risk mitigations should include disinfecting high volume contact areas that personnel may come into contact with.

Guides and Downloads for Scan to PDF Phone Apps:

<https://www.guidingtech.com/convert-photo-to-pdf-iphone-ipad/>

<https://pdf.wondershare.com/mobile-app/free-photo-to-pdf-app.html>

<https://acrobat.adobe.com/us/en/mobile/scanner-app.html>



COVID-19 Job Hazard Analysis

COVID-19 QUESTIONNAIRE

FACE COVERINGS ARE REQUIRED ON EVERY PROJECT, EVERY DAY. 100% COMPLIANCE IS MANDATORY.

Each field crew must complete this questionnaire before work and it must be completed prior to the daily Job Hazard Analysis or Tailboard Meeting form. This document is not meant to supersede any other safety precautions and is only meant to complement them.

JOB SITE SAFETY

- If you have any concerns about your health or have recently experienced fever, cough, shortness of breath, or other related symptoms, please speak with your supervisor before you arrive at the office or project site. **STAY HOME IF YOU ARE SICK.**
- All employees must ask themselves these questions each day before reporting to work. Employees that answer “yes” to any of these questions must stay home and contact their supervisor for further instruction. This questionnaire is intended to be used as a verification that each employee is safe to perform essential activities without potentially exposing others to COVID-19 once they have arrived at work or a project site.
- To avoid potential for cross contamination the Party Chief will complete this form on behalf of the survey crew. The Party Chief must verbally confirm the answers to these questions from each crew member.

	PARTY CHIEF	I-PERSON	CHAIN PERSON (IF APPLICABLE)
1. Do you or anyone in your home have COVID-19 (coronavirus)?			
2. Within the past 14 days, have you or anyone in your home experienced any COVID-19 related symptoms such as fever, cough, or shortness of breath?			
3. Have you or anyone in your home been exposed to COVID-19 (coronavirus) within the last 14 days? <small>Exposure means close contact (less than 6 feet) with an individual who has been confirmed to have COVID-19 or someone who is symptomatic (such as fever, cough or shortness of breath) and under investigation for COVID-19.</small>			

YES OR NO ONLY
ACCEPTABLE ANSWERS
FOR QUESTIONS 1-3

PARTY CHIEF	I-PERSON	CHAIN PERSON (IF APPLICABLE)

I understand that face coverings are mandatory for this project:

I agree to wear face coverings for the duration of the field work on this project:

PARTY CHIEF INITIALS ON BEHALF OF FIELD CREWS AFTER VERBAL CONFIRMATION



QC-CLSA COVID-19 GUIDANCE AND OFFICE FORMS

COVID-19 Job Hazard Analysis

TAILBOARD MEETING FORM

Tailboard Meeting Form is signed by all workers on-site and posted at the work location. Visitors, before entering the work site, and new workers, prior to the start of their work, shall be briefed by Contractors on the content of the Tailboard to make them aware of the hazards and mitigations associated with the work.

PROJECT NAME/#:		CONTRACT REPRESENTATIVE: INCLUDE PHONE NUMBER	
PARTY CHIEF:		COMPANY SAFETY REPRESENTATIVE: INCLUDE PHONE NUMBER	
CHAIN/I-PERSON:		WEATHER CONDITIONS:	
PROJECT LOCATION:		DATE:	
DETAILED WORK PLAN:			
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>			
CRITICAL STEPS OF THE JOB THAT COULD INTRODUCE SAFETY HAZARDS:			
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>			
COVID-19 (CORONAVIRUS) RISK ASSESSMENT AND MITIGATIONS:			
<hr/> <hr/> <hr/> <hr/>			
EMPLOYEES ON-SITE:			
EACH EMPLOYEE'S ROLE AND RESPONSIBILITY:			

JOB HAZARDS AND CONTROL

IDENTIFY HAZARDS AND ASSOCIATED MITIGATION MEASURES TO COMPLETE WORK SAFELY, INCLUDING SPECIFIC IDENTIFICATION OF ANY TASK/ACTIVITY THAT HAS POTENTIAL FOR A SERIOUS INJURY OR FATALITY.

HAZARD		POTENTIAL RISK? CHECK IF YES?	CONTROL MEASURES
1. CONSTRUCTION TYPE			
A	Underground Construction	<input type="checkbox"/>	
B	Power Transmission/Distribution	<input type="checkbox"/>	
C	Civil Construction	<input type="checkbox"/>	
2. EQUIPMENT HAZARDS			
A	Hand and Power Tools	<input type="checkbox"/>	
3. SITE (PROJECT/JOB) OR FACILITY HAZARD			
A	Confined Spaces	<input type="checkbox"/>	
B	Housekeeping & Sanitation	<input type="checkbox"/>	
C	Weather/Environmental Conditions	<input type="checkbox"/>	
D	Communications	<input type="checkbox"/>	
E	Emergency Evacuation Route	<input type="checkbox"/>	



OC-CLSA COVID-19 GUIDANCE AND OFFICE FORMS

COVID-19 Job Hazard Analysis

4. CONSTRUCTION/MAINTENANCE HAZARDS		
A	Falls	<input type="checkbox"/>
B	Trenching	<input type="checkbox"/>
C	Manual Lifting	<input type="checkbox"/>
D	Pedestrian Traffic Control	<input type="checkbox"/>
E	Vehicular Traffic Control	<input type="checkbox"/>
5. HEALTH HAZARDS (Refer to Hazard Communications Program for more information)		
A	Lead	<input type="checkbox"/>
B	Noise	<input type="checkbox"/>
C	Heat Stress	<input type="checkbox"/>
6. REQUIRED PERMITS (Specify in Control Measures whether client or company permit will be used)		
A	Confined Spaces	<input type="checkbox"/>
B	Clearance Procedures (LOTO)	<input type="checkbox"/>
7. REQUIRED PERSONAL PROTECTIVE EQUIPMENT (PPE) FACE COVERINGS MANDATORY		
A	Head Protection (Hard Hats)	<input type="checkbox"/>
B	Hand Protection	<input type="checkbox"/>
C	Eye Protection	<input type="checkbox"/>
D	Arc Flash Clothing	<input type="checkbox"/>
E	Hearing Protection	<input type="checkbox"/>
F	Fall Protection	<input type="checkbox"/>
G	Personal Climbing Equipment	<input type="checkbox"/>
H	Footwear	<input type="checkbox"/>
I	Face Coverings/Respiratory	<input type="checkbox"/>
J	High Visibility Clothing	<input type="checkbox"/>
8. Other Hazards		
A	COVID-19	
B		
C		
D		
EMERGENCY ACTION PLAN: (describe the alarms and emergency notification system, evacuation routes, assembly areas and emergency contacts)		
CLOSEST EMERGENCY SERVICES:		
<hr/>		
EMPLOYEE SIGNATURES:		
SIGNATURE		SIGNATURE
NAME		NAME
DATE		DATE

STOP WORK AUTHORITY: THE PRINCIPLE THAT ALL CLIENT EMPLOYEES AND COMPANY EMPLOYEES TAKE PERSONAL RESPONSIBILITY TO STOP WORK WHEN THEY OBSERVE HAZARDOUS CONDITIONS OR UNSAFE ACTIONS SO THAT THE UNSAFE CONDITIONS/ACTIONS CAN BE MITIGATED. **ALL EMPLOYEES HAVE STOP WORK AUTHORITY ON EVERY PROJECT.**

THIS DOCUMENT IS ONLY MEANT TO SUPPLEMENT LOCAL, STATE AND FEDERAL GUIDANCE. PLEASE USE AT YOUR OWN RISK.



OC-CLSA COVID-19 GUIDANCE AND OFFICE FORMS

COVID-19 Job Hazard Analysis

ADDITIONAL INFORMATION:



NOTICE

DUE TO CORONAVIRUS (COVID-19) CONCERNS

IS CLOSED TO ALL CLIENTS AND SOLICITORS.

**IF YOU NEED OUR IMMEDIATE ATTENTION PLEASE CALL OUR
FRONT DESK AT:
OR EMAIL:**



NOTICE

**ALL EMPLOYEES/GUESTS ASK YOURSELF THESE QUESTIONS
BEFORE ENTERING THE PREMISES:**

1. Do you or does anyone in your home have COVID-19 (coronavirus)?
2. Within the past 14 days have you or anyone in your homes experienced any COVID-19 related symptoms such as fever, cough or shortness of breath?
3. Have you or anyone in your home been exposed to COVID-19 within the last 14 days?

EMPLOYEES THAT ANSWER YES TO ANY OF THESE QUESTIONS MUST STAY HOME AND CONTACT THEIR SUPERVISOR FOR FURTHER INSTRUCTION.

**GUESTS THAT ANSWER "YES" TO ANY OF THESE QUESTIONS PLEASE CALL US TO DISCUSS ANY BUSINESS YOU MAY HAVE WITH OUR COMPANY
OR EMAIL: - THANK YOU FOR YOUR UNDERSTANDING.**



NOTICE

ALL EMPLOYEES/GUESTS:

Avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another; sneeze and cough into a cloth or tissue or, if not available, into one's elbow; and not shake hands or engage in any unnecessary physical contact.

**FACE COVERINGS/MASKS ARE REQUIRED FOR ALL GUESTS
AND STRONGLY ENCOURAGED FOR ALL EMPLOYEES**