PUBLIC LIBRARY RE-OPENING AND CORONAVIRUS PREPAREDNESS AND RESPONSE PLAN TEMPLATE

This information sheet is intended as a tool to assist in clarification and decision making for Public Library Directors and Boards. It is not intended as legal advice. Library Boards and Directors should consult with their library attorneys when determining a plan or policy for their libraries.

Libraries should be sure to consult local municipal and Health department directives for additional guidance.

May 21, 2020

Executive Summary

This template is intended as a resource for Michigan libraries to use when creating their own plans/ policies/procedures. The situation around the pandemic is changing rapidly and libraries must remain aware of changing requirements that may affect or change some of the suggestions provided. Libraries should regularly check the list of Executive Orders at https://www.michigan.gov/coronavirus and the website of their county health department https://www.michigan.gov/mdhhs/0,5885,7-339-73970_5461_74040---,00.html in order to ensure that they are aware of the most current requirements.

As library boards and directors review the information in this guide, we ask that the following points be kept in mind:

- **Libraries are different**. Although all requirements will apply to every library, the scope and extent to which each is implemented may differ. Each library should consider their own individual circumstances, culture, and community when determining how to implement requirements within their library.

- **Do not hesitate to ask for help**. Much of this can be confusing even for experienced employment and legal professionals. No one expects library directors or boards to know everything about PPE or infection control or employment law. Know who to contact, and don't be afraid to ask for help. If money is an issue, start with the Library of Michigan. We may have resources to help you learn about the situation, but there is a limit to what we can offer. A library attorney is well worth the investment in times like these. There is a list of helpful contacts at the end of this template.

- **Read the requirements thoroughly.** The Executive Orders convey much of what is required. Read them! Many of the required policies themselves require a process to properly create them. PPE, for example, requires an OSHA process in which the employer must consider the work environments and activities of different positions and then determine the type of PPE appropriate for each activity. (This is explained in the OSHA guidance.)

- **Take these requirements seriously.** Even if a director or board is skeptical about the situation, disregarding legal requirements can have serious repercussions. In many instances, it only will take a patron or employee complaint to initiate a violation. Even if the failure to adhere to requirements is

accidental or is good intentioned (not bringing back an employee because they are taking care of a child, or because they are part of a vulnerable population) can have unintended legal consequences. An employer that demonstrates a "good faith" effort to adhere to requirements has a better defense against any accusation or violation.

- **View sample policies/plans/language with a critical eye**. Where did you get it? Where is it from (Same state? Same industry?) How old is it? (Some sample policies are from several years ago and may not be in line with current law).

This template is organized around a staged approach to re-opening. Certain sections may not be relevant to a library that is planning a different timeline. Just utilize the stages that fit with your library's approach/timeline.

Stage 1 - (After permitted to open or expiration of applicable Executive Orders) Library has staff return to buildings but no public interactions or curbside, but could allow for non-staff interaction material return only.

BEFORE BUILDING OCCUPANCY

ADMINISTRATIVE CONTROLS
- Director should be authorized as the main contact/spokesperson for media and public health contacts.
- Determine PPE requirements for staff and patrons (see OSHA guidance and other PPE resources below).
- Plan staff training on correct PPE usage and practices. (refer to MiOSHA standards here https://www.osha.gov/stateplans/mi-) that are equal or more stringent than OSHA) Can also find contact info for MiOSHA assistance at that location.
- Determine staffing needs and whether laid off/furloughed staff are to be re-hired or brought back from leave. (Be mindful of applicable laws and regulations as well as effect of rehire on Covid19 FFCPA benefits)
- Update employee handbooks/manuals to reflect new policies on employee testing, illness, leave, PPE usage, etc. Refer to State and local health department directives, as well as Federal Department of Labor (EEOC & FLSA) guidance.
    - Determine new policies/procedures
        - Employee In office testing (Temperature? Questionnaire? See sample questionnaires below)
        - Create procedures to ensure confidentiality of records if records of testing kept.
        - Determine policies/procedures for staff who can't or won't wear masks, if required.
        - Determine policies for staff that refuse to return because of safety reasons.
        - Determine procedures for closing/notification if a Covid-19 infection is reported on site. (See "Positive Case Protocol," below.)
        - Determine how policies are affected by Covid-19 legislation (FFCPA & CARES Acts) and programs that may affect staff taking care of children, older relatives, or who are ill.

- Determine initial activities to be undertaken. This could include materials return acceptance.
- Approval of plan/reopening procedures by Board, including Curbside/Mail services, etc.
- Board authorization of Director to have on the fly decision making in order to make changes/tweaks to policies/procedures as needed and as situation changes- without a board meeting.
- Determine Contact Tracing response procedures
  - Library Privacy issues/mitigation?

ACCESS CONTROLS
- Review requirements in place via Executive Order and or municipal or health department directive.
- Determine and establish any entrance modifications for patrons-one at a time entry, monitored entry, 6' spacing outside for line/waiting area.
- Determine any building modifications to be made to mitigate Covid-19 (plastic barriers, reconfiguring staff areas, taping the floor, reordering traffic flow for social distancing, signage, blocking areas not initially available to public, storage of children's' toys and play items like Legos, maker space items, rearrangement of public computers). Order necessary supplies for these purposes.
- Determine staff arrival area for purposes of PPE storage and testing or reporting before work.
  - Will staff clock in before or after reporting/testing procedure?
- Prepare work accommodation strategies for staff vulnerable to Covid-19

SOCIAL DISTANCING
- Determine social distancing requirements in effect by state and local agencies
- Plan how these requirements will work in your library.
- Open conversation with law enforcement on enforcement strategies for social distancing and PPE/mask requirements if still in effect
- Determine Staff procedures on enforcement.

HYGEINE
- Determine Staff training on appropriate hand washing and PPE use, disinfection or discard.
- Post appropriate procedures/ information in all restrooms and staff/public areas. (See CDC signage https://www.cdc.gov/coronavirus/2019-ncov/communication/print-resources.html?Sort=Date%3A%3Adesc&Page=2)

SANITATION
- Clean and sanitize building, especially common surfaces, high-traffic areas, bathrooms and break/kitchen areas in accordance with CDC guidance
- Determine sanitization/quarantine process for returned materials & incoming mail/packages.
- Determine adequate staff training on safe handling of sanitization chemicals https://www.osha.gov/stateplans/mi, https://www.osha.gov/SLTC/covid-19/standards.html)

- Flush building water systems in accordance with CDC Guidance
  https://www.cdc.gov/coronavirus/2019-ncov/php/building-water-system.html

PPE
- Determine types of PPE necessary (See OSHA standards) for each work activity.
  - Gloves (see) https://health.clevelandclinic.org/why-you-shouldnt-wear-gloves-to-the-grocery-store/
- Determine staff responsible for replenishing/re-ordering PPE
- Determine PPE policy/procedure for staff
- Determine PPE policy/procedures for vendors/public
  - Will Library provide or sell PPE for public entering without?
- Determine if equipment will be discarded after use or disinfected and re-used.
- Obtain adequate levels of equipment in proper sizes.
- Prepare alternative procedures if PPE unavailable for opening or resuming of activities.
  - Ask employees to bring masks from home.
  - Obtain materials for temporary masks (bandanas, coffee filters, etc.).

POSITIVE CASE PROTOCOL & FACILITY CLOSURE
- Board should provide Director with authority to close the library if necessary
- Determine procedure for closure (staff duties, public notice with contact info for questions, media statement with contact info for questions).
- Understand Michigan Contact Tracing protocol consistent with the Library Privacy Act, and devise training/information for staff to follow if they are asked for contact tracing information.
- Determine notification policy/procedure for staff and patrons on existence of infection.

Stage II Approval of curbside or mail service – limited services to public

CURBSIDE AND/OR ITEMS BY MAIL

ADMINISTRATIVE CONTROLS

CURBSIDE SERVICE
- Review exterior areas for safest, most efficient area to hold curbside pickup. If necessary, consult local municipal and/or law enforcement if service may disrupt traffic. (See CDC Protocols for restaurant curbside, below).
- Determine Staffing and Scheduling (consider rotating staff to limit exposure)
- Determine Items that can be delivered curbside/items excluded.
- Determine/implement Quarantine Fine Policy (if not done as part of Stage I, Admin Controls)

- o Determine process for waiving fines incurred by quarantine process
- o Determine process for postponing holds because of delay caused by quarantine process
- Determine Curbside process:
  - o Call or online reserve followed by pick-up at assigned time?
  - o On demand drive-up?
  - o Vehicles served:
    - Cars
    - Motorcycles
    - Bikes
    - Walk-ups
    - Skateboards
    - Kids
    - Adults only
- Privacy? (Consider your method for patron identification to locate materials.)
- Security?
- Bad weather options?
  - o Who has authority to cancel service for weather, etc.

ITEM BY MAIL SERVICE
- Identify appropriate area in the library to be used for preparing items for shipping
- Determine items that will and will not be lent
- Determine shipping method/timing
  - o Cost Estimate

ACCESS CONTROLS

CURBSIDE SERVICE
- Ensure curbside area is appropriately marked and adequate signage is posted to notify public of available services and instructions.
  - o Notify public or curbside services on website, etc.
- Implement intake and/or storage procedure for returned materials (large containers, book trucks, bags) as determined in Stage I, Sanitation.

ITEMS BY MAIL
- Sanitize and prepare area to be used for shipping
- Identify and acquire appropriate shipping supplies
- Implement intake and/or storage procedure for returned materials (large containers, book trucks, bags) as determined in Stage I, Sanitation.

SOCIAL DISTANCING

CURBSIDE SERVICE
- Determine or implement staff service protocols determined as part of stage II, Administrative Controls:

- o Masks on Drivers?
- o Borrowed items in bags, boxes, on carts?
- o Items handed to patrons (via bag? Via cart? Via box?)
- o Items left for patrons (Via bag, box, or cart?)
- o Labeling protocols
- Implement/determine appropriate staff social distancing protocols for this activity.
- Train staff on service protocols

ITEMS BY MAIL SERVICE

- Determine or implement staff service protocols determined as part of stage II, Administrative Controls:
  - o Drop off or collection protocols for sending and delivery:
    - ▪ Implement vendor (Mail, FedEx, etc.) protocols determined in Stage I Administrative Controls.

SANITATION

CURBSIDE SERVICE

- Implement Sanitization protocols determined in Stage I, Sanitation
- Maintain adequate trash receptacles
- Implement returned materials sanitization /quarantine protocols as determined in Stage I, Sanitation

ITEM BY MAIL SERVICE

- Implement Sanitization protocols determined in Stage I, Sanitation
- Maintain adequate trash receptacles.
- Implement returned materials sanitization /quarantine protocols as determined in Stage I, Sanitation
- Determine protocols for re-use or recycling of packaging material. If re-used, determine and implement disinfection protocols consistent with CDC guidance.

PPE

CURBSIDE SERVICE

- Implement Staff PPE requirements specific to this activity as determined by PPE section of Stage I)
  - o Masks
  - o Gloves (see)
  - o Goggles/Face shields
  - o Covers (gowns, coats, ponchos)
- Ensure staff is trained on appropriate PPE procedures.

ITEMS BY MAIL SERVICE

- Implement Staff PPE requirements appropriate for this activity (while pulling, packing, shipping) as determined by PPE section in stage I.
- Determine borrowing guidelines
  - o Limit number?
- Lost item procedures.

- o Tracking?
- o Insurance?
- Return procedures (see quarantine/sanitization policies, above)

Stage III Initial Opening to Public (Policies approved by Board as indicated in Stage I)

ADMINISTRATIVE CONTROLS
- Determine hours of service
  - o NO "reserved hours" by age or vulnerability (ADA and discrimination issue)
- Implement Social distancing requirements (dependent on State and local requirements, CDC guidance, and library determinations or necessity)
- Review State and local requirements and CDC recommendations and if necessary, revise Staff PPE requirements
- Review State and local requirements and CDC recommendations and devise appropriate Patron & Vendor PPE requirements.
  - o Masks Required?
    - ▪ Prepare if Library provide/sell to patrons without?
      - What about homeless and other vulnerable populations unlikely to have masks (do library service area demographics include vulnerable populations)?
  - o Enforcement procedure determined in stage I.
    - ▪ Test plan- Prepare for unexpected- How to handle (remember- policies must be enforced neutrally)
      - Child w/out mask?
      - Disadvantaged w/out mask
      - Board member w/out mask?
    - ▪ Appeals process
- Determine services to be offered
  - o Reference
  - o Circulation
    - ▪ Accept paper money?
  - o Programs
    - ▪ In-Person?
      - Criteria for resuming in-person programming?
  - o Vending areas or cafes?
  - o Study/Meeting Rooms/Community Spaces
- Determine ill patron policy & procedure.
  - o Deterrence via signage and promotion of alternate service options for ill patrons
    - ▪ Consideration of enforcement limitations (ADA issues, libraries must consult their legal counsel before settling on enforcement plans).
- Prepare cleaning/sanitizing requirements/ procedures in line with CDC, OSHA and State requirements.

- o   Staff or entity responsible for cleaning/sanitizing

ACCESS CONTROLS
- Post signage deterring ill patrons from entering library?
  - Board and attorney approved
  - Enforcement procedures (Because of ADA concerns, this requires an attorney's input)
  - Could change dependent on requirements of State/Local health dept.
  - Staff training
  - When to call law enforcement
- Ensure appropriate markers and signage in place within building
  - Including visible notice or new policies for patrons
    - In building
    - Website/Facebook/Social Media
  - Directional and social distancing markers
    - Marker on floor away from service counters
  - Plexiglas shields?
    - ADA accommodations for hearing impaired
      - o   No mask but face shield or Plexiglas (remove mask for interaction)?
      - o   Writing (sanitize pen or pencil before and after use by patron)

SOCIAL DISTANCING
- 6' of distance between patrons & between staff & patrons
  - o   Computers
  - o   Tables (limit numbers of chairs/tables in library and vending/café areas)
  - o   Work areas
  - o   Break Rooms
  - o   Bathrooms
  - o   Meeting Rooms?
  - o   Story Hour?

- Enforcement
  - o   Method

HYGEINE
- Determine Staff training on appropriate hand washing and PPE use, disinfection or discard.
- Post appropriate procedures/ information in all restrooms and staff/public areas. (See CDC signage https://www.cdc.gov/coronavirus/2019-ncov/communication/print-resources.html?Sort=Date%3A%3Adesc&Page=2)

SANITATION
- Plan for surface cleaning
  - Necessary supplies, including additional gloves, etc.
    - Staff training in cleaning and chemical use
  - How often
  - Staff responsible for cleaning
    - Public surfaces/counters
    - Publicly used resources
      - PCs and keyboards
      - Printers
      - Copiers/faxes
      - Bathrooms
      - iPad and other hand- held electronics like videogames and remotes
      - Cleaning and sanitizing after each use

- Ensure appropriate supplies (Hand sanitizer, wipes, soap & towels in bathrooms), tissues and waste receptacles are placed in correct areas.
    - Confirm method of replenishment as determined in stage I.
- PPE re-use?
  - Sanitation/disinfection

PPE
- Purchase
- Replenishment (same as stage 1 & 2?)
- Regular review of needs

GLOSSARY:

FFCPA – Family First Coronavirus Protection Act – Law passed by congress to provide some stimulus monies and amend certain laws to require paid leave and paid sick leave to employees affected by Covid-19 https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave Act text: https://www.congress.gov/116/plaws/publ127/PLAW-116publ127.pdf
FLSA – Fair Labor Standards Act – Covers various employment practices including wage & hours, leave, etc. Enforced and interpreted by the Department of Labor's Wage & Hour Division https://www.dol.gov/agencies/whd
EEOC – Equal Employment Opportunity Commission – A Federal body that regulates and oversees discrimination issues in employment. www.eeoc.gov
MiOSHA – Michigan Occupational Safety and Health Administration – Michigan agency that oversees workplace safety in cooperation with the Federal OSHA.

OSHA- The Federal Occupational Safety and Health Administration. The Federal agency charged with regulating and overseeing the safety of workplaces and the protection of workers. www.osha.gov
CDC – Centers for Disease Control- US Agency responsible for tracking and response to diseases & public health www.cdc.gov

RESOURCES

General Resources
- https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/workplace-decision-tool.html - Interesting and informative method for determining workplace readiness.
- https://www.michigan.gov/libraryofmichigan/0,9264,7-381-88855_89735_89754---,00.html Library of Michigan web page with Coronavirus resources for libraries - including links to other state library sources and samples.
- https://www.michigan.gov/coronavirus/ - Michigan's official page with coronavirus resources.
- ALA http://www.ala.org/tools/atoz/pandemic-preparedness#Library%20topics
- EveryLibrary https://www.everylibrary.org/resources_for_libraries_on_coronavirus
- https://www.canr.msu.edu/government/Local-Government-Resources-for-Novel-Coronavirus-Response/index Website with good resources aimed at local government entities by the MSU Extension Service

General Guidance for re-opening and response plans
- Gov Whitmer's MI Safe Start Plan https://www.michigan.gov/documents/whitmer/MI_SAFE_START_PLAN_689875_7.pdf
- https://icma.org/articles/article/legal-perspective-reopening-communities - A legal perspective on local government reopening by the International Municipal Lawyers Association (Read with a critical eye – Libraries can have different legal responsibilities).

- https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html
- https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html
- https://www.osha.gov/Publications/OSHA3990.pdf Guidance on preparing workplaces for Covid19 (this is the publication That EO 2020-97 refers to.)

Industry specific guidance's that have some application to libraries
- https://www.michigan.gov/leo/0,5863,7-336-100207---,00.html#comp_116668(MiOSHA guidances that align with EO 2020-97)
- https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/index.html
- https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/mail-parcel-drivers.html
- https://www.osha.gov/SLTC/covid-19/retail.html (Control & Prevention Retail and high-volume businesses)
- https://www.osha.gov/Publications/OSHA3996.pdf Guidance for retail workers

- https://www.osha.gov/Publications/OSHA4017.pdf (Guidance for food and beverage workers providing curbside pickup)

PPE

- https://www.osha.gov/SLTC/covid-19/controlprevention.html (See lower portion of page for information on choosing PPE)
- https://www.osha.gov/dte/outreach/intro_osha/7_employee_ppe.pdf (General information for workers about PPE rules and requirements)
- https://health.clevelandclinic.org/why-you-shouldnt-wear-gloves-to-the-grocery-store/ (informative explanation of pros and cons of non-healthcare glove usage with Covid-19)
- https://www.shrm.org/resourcesandtools/hr-topics/employee-relations/pages/what-employers-need-to-know-about-essential-workers-and-ppe.aspx
- https://www.shrm.org/ResourcesAndTools/legal-and-compliance/state-and-local-updates/Pages/Do-Your-Employees-Need-to-Wear-Face-Masks-During-Coronavirus-Pandemic.aspx?_ga=2.240415301.753520314.1590068701-1178176746.1586549904
- https://covid19.nlc.org/resources/supplies-for-communities/ (An informative article on mask requirements/policies in the workplace)

Cleaning, disinfecting and sanitizing guidance

- https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html
- https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2
- WHO https://www.who.int/docs/default-source/coronaviruse/advice-for-workplace-clean-19-03-2020.pdf

Virus life on surfaces

- http://www.ala.org/alcts/preservationweek/resources/pandemic Handling materials in a pandemic
- https://www.imls.gov/webinars/mitigating-covid-19-when-managing-paper-based-circulating-and-other-types-collections IMLS presentation on Covi19 and library materials
- The Lancet virus studies https://www.thelancet.com/journals/lanmic/article/PIIS2666-5247(20)30003-3/fulltext (April/May) The Lancet is the preeminent medical journal in the UK
- New England Journal of Medicine: https://www.nejm.org/doi/full/10.1056/NEJMc2004973 The New England Journal Of Medicine is the preeminent medical journal in the US.
- The World Health Organization (WHO) (May 5) https://www.who.int/csr/sars/survival_2003_05_04/en/
- REALM Project Reopening Archives, Libraries, and Museums https://www.webjunction.org/explore-topics/COVID-19-research-project.html

Guidance on Employment law issues related to Covid-19

- https://www.dol.gov/general/aboutdol/majorlaws - good general explanation of major employment laws

- https://www.dol.gov/agencies/whd/pandemic
- https://www.osha.gov/workers/index.html
- https://www.osha.gov/SLTC/covid-19/news_updates.html (include PPE and other information on workplace issues involving employees and covid-19)
- https://www.erinbromage.com/post/the-risks-know-them-avoid-them
- https://www.michigan.gov/coronavirus - FAQ workers and employers at bottom pf page
- https://www.michigan.gov/coronavirus/0,9753,7-406-98178_98455-521682--,00.html - executive orders
- https://www.eeoc.gov/coronavirus
- https://www.eeoc.gov/transcript-march-27-2020-outreach-webinar - Transcript of Q&A section of EEOC Webinar on Coronavirus practices in the workplace
- https://www.dol.gov/coronavirus
- https://www.fisherphillips.com/faqs (employment information from a prominent law firm)
- https://www.hklaw.com/en/insights/publications/2020/05/new-employer-obligations-in-the-age-of-covid19 (employer information for Covid-19 issues from a prominent law firm)
- https://www.shrm.org/ResourcesAndTools/legal-and-compliance/employment-law/Pages/coronavirus-when-scared-workers-do-not-report-to-work.aspx?_ga=2.203584214.753520314.1590068701-1178176746.1586549904
- https://www.shrm.org/hr-today/news/hr-news/Pages/coronavirus-faqs.aspx?_ga=2.203584214.753520314.1590068701-1178176746.1586549904

SAMPLE DOCUMENTS

http://www.hd.ingham.org/Portals/HD/Home/Documents/cd/coronavirus/Checklist-3.pdf - Ingham County employee testing checklist

http://www.hd.ingham.org/Portals/HD/Home/Documents/cd/coronavirus/Screening-3.pdf - Ingham County employee testing questionnaire

http://blogs.mml.org/wp/coronavirus/messaging/ - Michigan Municipal League sample materials and other resources pertaining to local government Covid-19 policies

http://blogs.mml.org/wp/coronavirus/files/2020/04/Daily-Screening-Policy-detroit.pdf - Michigan Municipal League sample from Detroit

https://www.michigan.gov/documents/leo/leo_miosha_cet5700_691240_7.doc - Michigan Dept of Labor and Economic Opportunity template for a Covid-19 preparedness and response plan

ASSISTANCE

Library of Michigan Library Development staff - https://www.michigan.gov/libraryofmichigan/0,9327,7-381-88855_89053_89064---,00.html

MiOSHA - https://www.michigan.gov/leo/0,5863,7-336-78421_11407---,00.html, call 855-SAFEC19 (855-723-3219).

MDHHS – Michigan Department of Health & Human Services- https://www.michigan.gov/mdhhs/0,5885,7-339-73970_5461---,00.html (Map to locate County offices)

Directory of County Health Departments – From the National Association of County and City Health Officials (NACCHO) https://www.naccho.org/membership/lhd-directory?searchType=standard&lhd-state=MI#card-filter

Michigan Covid-19 FAQ - https://www.michigan.gov/coronavirus/0,9753,7-406-98810---,00.html?page=1&limit=10&filterCategories=&searchQuery=

Michigan COVID-19 Hotline - 888-535-6136 8 a.m. to 5 p.m., Monday - Friday

The research and resources above are for informational purposes only and not for the purpose of providing legal advice. You should contact your attorney to obtain advice with respect to any particular issue or problem

Clare D. Membiela
Library law Consultant
Library of Michigan