

**CITY MANAGER EXECUTIVE ORDER AND PUBLIC SAFETY ORDER**  
REVISING WORKPLACE RULES REQUIRING THE WEARING OF MASKS TO  
PROVIDE MITIGATION OF THE EFFECTS OF COVID-19 IN CITY WORKPLACES  
AND IN CITY BUILDINGS OR CITY PROPERTY

**Effective Date: September 7, 2021**

**This Executive Order revises and replaces the May 28, 2021 Executive Order**

City Manager Signature: \_\_\_\_\_



**1.0 PURPOSE and EFFECTIVE DATES**

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

The City continues to be concerned about the transmission of the COVID-19 virus within the organization and among members of the City of Charlottesville community. A COVID-19 vaccination is recommended by both the CDC and VDH as being both a safe and effective means of reducing the risk of COVID-19 community spread. The CDC recently released new guidance on masking for fully vaccinated individuals.

Current vaccination rates within the City of Charlottesville - while high, demonstrate that individuals within the Charlottesville community are not yet fully vaccinated and members of the City workplace remain unvaccinated. This policy provides guidance on how City employees and members of the public shall conduct themselves within the City workplace on and after the effective date of this Executive Order.

**Effective Dates:** The requirements of this Executive Order shall be in effect on the date given above and shall continue for so long as the City's Local State of Emergency continues in effect (until City Council specifically takes action concluding the local emergency). On the effective date of a City Council action terminating the local state of emergency, this policy shall expire automatically.

**2.0 WORKPLACE MASK AND DISTANCING REQUIREMENTS**

- A. Indoor Activities:** All City employees, regardless of vaccination status, are to wear masks indoors. Masks must cover their mouth and nose including but not limited to (i) within all city-owned or operated facilities; (ii) while driving or riding in public transit vehicles; and (ii) while driving or riding in City vehicles transporting members of the public, or with other City employees. Mask for employees can only be removed with fully vaccinated people where six feet of social distance can be maintained or where vaccinated employees are in private office settings and/or closed pods.

City employees may not ask other employees or members of the public to disclose whether or not they are vaccinated. However, nothing in this requirement prevents managers or supervisors from requesting proof of vaccination from their direct reports for the purpose of city record-keeping and workplace safety.

- B. **Outdoor Activities:** All City employees, regardless of vaccination status, performing City job duties in outdoor settings shall wear masks if unable to maintain proper physical/social distancing from other employees or the public. Where social distancing can be maintained, the current data suggest the risk of transmission of COVID-19 in outdoor settings is minimal. In general, fully vaccinated employees and the public do not need to wear a mask outdoors where there is the ability to socially distance from other people.
  
- C. **Indoor Social Distancing Requirements:** Occupancy limits at indoor City workplaces and City buildings or facilities that are open to the public shall remain in place and social distancing practices shall continue in those spaces, in accordance with the Governor's/Commonwealth of Virginia's best practices guidance. Public Works is directed to provide clear communication and signage for physical distancing in areas where individuals may congregate, especially at entrances, in seating areas, and in lines for service. City employees performing job duties in these spaces, or using indoor meeting rooms, conference rooms and break rooms in City buildings, will adhere to posted occupancy standards.

### 3.0 ADDITIONAL REQUIREMENTS

- A. **Employees Who are Not Fully Vaccinated:** Unvaccinated employees are encouraged to take precautions when off-duty or outside a City workplace, such as avoiding gatherings with anyone outside their household, continuing to practice hand sanitation, maintaining proper physical distance from others, staying home when possible, and wearing masks.
  
- B. Department Directors may impose additional masking requirements to meet operational necessity and to address employee interactions. Department directors may seek closed "pod" determinations if all employees in a particular office or work area are fully vaccinated. Requests for "pod" determinations should be routed from Department Directors to the City Manager or their designee.
  
- C. In-person meetings may take place within indoor City workplaces, if attendance is limited to City employees (whether within the same department or with other City employees from other departments and buildings). All such meetings shall comply with posted room occupancy limits and the above masking requirements. Managers should limit in-person work-related gatherings and trainings and should avoid making attendance at in-person meetings, gatherings and trainings mandatory. In-person meetings should be kept as short as possible, and all employees attending in person, regardless of vaccination status, shall wear masks during meetings (unless all participants are members of an approved "pod").

- D. Department directors and managers shall continue to encourage and facilitate telework consistent with operational needs. For departments where telework is not feasible, those departments shall continue to provide socially distant workstations, provide plexiglass barriers where possible, and shall stagger shifts to the extent feasible.
- E. All department directors and managers will continue to encourage all employees to receive a free COVID vaccine and allow for time off to get the vaccine. Any employee who has not yet received the COVID vaccine and who would like to receive a vaccine, still has many opportunities to receive a vaccine by utilizing the numerous walk-in options available at local pharmacies and other vaccination sites, including mobile vaccination locations offered by the health department on city sites.
- F. In accordance with the Commonwealth of Virginia's Final Permanent Standard for Infectious Disease Prevention under 16VAC25-220, the City of Charlottesville will continue to conduct employee and position-specific risk assessments and file such assessments in accordance with the existing COVID-19 Emergency Standard Risk Assessment procedures previously established by the City Manager.
- G. Health screening shall be conducted on employees, prior to commencement of a shift on any scheduled workday in accordance with the COVID-19 Employee Self-Monitoring Procedure previously established by the City Manager. Employees will continue to self-monitor their symptoms by taking their own temperature to check for fever and completing the daily City survey for the purposes of compliance with state regulations. The City follows the CDC standard, which considers a person to have a fever when they have a measured temperature of 100.4° F (38° C) or greater. Department Directors are responsible for ensuring their employees continue health screenings and if the Department conducts independent screening to transmit such data to Human Resources quarterly.
- H. Employees shall not report to work and shall quarantine at home, if they are ill in a manner that presents any of the symptoms of COVID-19. If an employee presents signs of illness while in the City workplace, the employee's supervisor shall request that the employee return home.
- I. The City's COVID sick leave policy shall continue in effect to ensure that employees presenting with COVID-19 or symptoms of infection do not come to a City workplace or interact with other employees or members of the public. This leave allows employees to stay home if they are sick with COVID-19, if they have a positive diagnostic test for the virus that causes COVID-19, if they need to self-quarantine due to exposure, if they have an adverse reaction after vaccination or if they need to care for a sick family member.
- J. Employees who are at higher risk for severe illness from COVID-19, including vulnerable employees with underlying medical conditions, shall be encouraged to self- identify and to request reasonable accommodations.

#### **4.0 Public Requirements**

- A. City Employees may not ask members of the public about their vaccination status.
- B. Indoor Settings – Masks must be worn by members of the public while inside any city facility.
- C. Outdoor Settings - Physical/social distancing and capacity restrictions are to be reinstated even for fully vaccinated members of the public while participating in City sponsored events.

#### **5.0 Workplace Discrimination in Employment Prohibited; Confidentiality**

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