

**Memorandum of Understanding
Between
Northshore School District
And
Northshore Educational Office Professionals Association**

Health and Safety Protocols to Support Implementation of the Partially In-Person/Hybrid Model

The following agreements apply to on site employees, as well as implementation of partially in-person/hybrid learning, unless issues related to remote learning are specifically noted.

1. Covid-19 Requirements

- a. The COVID-19 Federal, State, Snohomish Health District and Public Health-Seattle & King County guidance and requirements referred to in this MOU are those that are in place as of February 23, 2021. Should this guidance or requirements change during the term of this agreement, the parties will follow the updated requirements and bargain any impacts associated with the new requirements. New guidance will be discussed prior to implementation, and any impacts will be negotiated.
- b. The District has developed a Northshore School District COVID-19 Reopening Plan and Safety Protocols/Guide which will be posted online, advertised as available to employees, and will be referenced in this MoU.

2. Safety Committee

- a. By the definition in WAC 296-800-13020, a safety committee is an organizational structure where members are selected to represent a larger group of employees to create and maintain a safe and healthy workplace for all employees. All worksites with over eleven (11) employees are required to have an active safety committee, which shall be established and maintained per Labor and Industries (L&I) guidelines.
- b. The Building COVID Supervisor will work with the District Safety Coordinator to ensure adherence to all health and safety protocols and requirements.
- c. Employee-elected and employer-selected members (Employees selected by the employees bargaining representative or union qualify as employee elected).
 - i. The number of employee-elected members must equal or exceed the number of employer-selected members.
 - ii. The term of employee-elected members must be a maximum of one year. (There is no limit to the number of terms a representative can serve.)
 - iii. If there is an employee-elected member vacancy, a new member must be elected prior to the next scheduled meeting.
 - iv. Has an elected chairperson.
 - v. Determines how often, when, and where, the safety committee will meet.
- d. The safety committee will cover the following topics:
 - i. Review safety and health inspection reports to help correct safety hazards.
 - ii. Evaluate the accident investigations conducted since the last meeting to determine if the cause(s) of the unsafe situation was identified and corrected.
 - iii. Evaluate the workplace accident and illness prevention program and discuss recommendations for improvement, if needed.
 - iv. Develop building safety procedures.
 - v. Document attendance.
 - vi. Write down subjects discussed.

- e. Meeting Records:
 - i. Minutes shall be prepared from each safety committee meeting that takes place.
 - ii. Minutes shall be preserved for one year.
 - iii. Minutes shall be made available for review by safety and health consultation personnel of the Department of Labor and Industries.
 - iv. The committee shall determine the frequency and duration of meetings, so long as they maintain compliance with their charge. If the committee cannot agree on the frequency and duration of their meetings, the Department of Labor and Industries' regional safety consultation representative shall be consulted for recommendations.
- f. The District will compensate a maximum of one NEOPA member at each worksite, and two NEOPA members at the District Administrative Building, to serve on the Building/Worksite Safety Committee. Members will be compensated at their regular hourly rate, or overtime, if applicable, in such cases as the meetings are outside the employee's workday. In such cases as the meetings are inside the employee's workday, members of the committee shall be provided the opportunity to work the same amount of time (as additional hours) as was removed from their regular work week as a result of committee participation, even if it results in overtime pay.
- g. Meeting minutes from District Safety committee will be shared with the building safety committees.

3. Health and Safety Training

- a. District wide health and safety protocols will be designed to comply with applicable requirements of L&I, OSPI, DOH and Public Health-Seattle & King County.
- b. Strict compliance with all relevant District safety and health rules will be an essential function of each employee's job.
- c. For future in-person implementations of hybrid student on-site learning, prior to the first partially in-person/hybrid student day, all employees will be provided with training regarding the District and school safety protocols and procedures that are adhered to District-wide and those that are specific to their building/worksite.

4. Training Requirements

In alignment with WAC 296-800-16025 employees shall be trained on how to use Personal Protective Equipment (PPE) and hazards of the COVID-19 virus in order to minimize the hazards in the following areas, at minimum:

- a. The District shall provide documentation and guidance on the hazards and characteristics of the COVID-19 disease to all employees working at the place of employment regardless of employee risk classification.
- b. The documentation and guidance shall enable each employee to recognize the hazards of the virus and signs and symptoms of COVID-19 disease and shall train each employee in the procedures to be followed in order to minimize these hazards in all risk categories. The required training shall include:
 - i. Access to COVID safety recommendation documents provided by agencies with jurisdiction over Northshore School District;
 - ii. The characteristics and methods of transmission of COVID-19 disease;
 - iii. The signs and symptoms of the COVID-19 disease;
 - iv. Awareness of the ability of pre-symptomatic and asymptomatic COVID-19 persons to transmit the disease;

- v. Safe and healthy work practices, including but not limited to, physical distancing, disinfection procedures, disinfecting frequency, ventilation, noncontact methods of greeting, etc.
- vi. PPE: Prior to any training the District will communicate the PPE selection decision to each at-risk employee. The District must provide training to each employee who is required to use PPE on the job.
 - When PPE is required;
 - What PPE is required for each job classification;
 - How to properly don, doff, adjust, and wear required PPE;
 - The limitations of PPE; and
 - The proper care, maintenance, useful life, and disposal of PPE.
- vii. School specific protocols:
 - How physical distancing is maintained while students are moving in or around the building;
 - How to maintain an effective cohort;
 - Student attestation plan requirements;
 - Documentation and compliance related to student quarantine or isolation;
 - Process for sharing concerns;
 - What to do if the employee becomes ill or begins to demonstrate symptoms during the student day;
 - What to do if a student refuses to follow safety requirements; and
 - How information will be shared if guidance changes.
- viii. The anti-discrimination provisions in WAC 296-360-150 (discrimination because of exercise of rights afforded by WISHA-refusal to work in an unsafe condition).
- c. Any individual employee who does not attend the training session provided by the district is responsible for confirming completion of the training made available on-line.

5. Face Coverings and Other PPE

- a. The District will provide face coverings to staff based on their job duties. Upon request, additional PPE will be provided (e.g., face shields, gowns, etc.).
- b. All employees, students and building visitors (if any – see #18, below) shall properly wear a mask that covers the chin, mouth, and nose while at any district facility, in any district vehicle (if more than one person in the vehicle) or attending any district event. Exceptions may be granted based only on one or more of the conditions below consistent with the Department of Health Exemption criteria:
 - i. A disability that prevents the wearing of a mask;
 - ii. Diagnosed respiratory conditions that prevent wearing a mask, or may cause trouble breathing;
 - iii. Deafness or hearing impairment that may require the use of facial and mouth movements as part of communication;
 - iv. Those advised by a medical, legal, or behavioral health professional that wearing a mask would pose a risk to that person;
 - v. Those who are instructing students in language and expression may wear alternative PPE for the duration of the instruction increment alone (e.g. transparent face mask;).
- c. Employees engaged in sustained close contact with students who cannot wear a mask for the reasons described above shall be provided all appropriate personal protective equipment (PPE), including but not limited to high-risk masks (industrial use N95, or face shield plus an FDA-approved KN95 mask, surgical mask, dust mask, or procedural mask), eye protection/face

shields, gloves and clothing, as described by the L&I and the DOH. If the employee feels they are not being provided adequate PPE they will notify first their Building COVID Supervisor, if not resolved at the building level appeals will proceed to the District COVID Supervisor or designee. While the situation is being resolved, the employee shall be provided the requested PPE, or shall be assigned to an alternative worksite, as determined by the District. Nothing precludes the employee from reporting health and safety violations to L&I.

- d. All PPE including face coverings will be replaced as needed in accordance with manufacturers' guidance with training provided.
- e. Staff will have a supply of necessary PPE located at their work site, and access onsite in the event additional PPE is needed.

6. Student Compliance

- a. The District shall provide those students who arrive at school without appropriate PPE with PPE that meets safety guidelines.
- b. The District shall provide accommodations for the student use of PPE only as required by law.
- c. The District shall create a process by which students who have not been granted accommodations and refuse to wear masks will be promptly identified, removed to a designated safe location, and required to wear a mask before returning to an in-person learning environment. Administration will be responsible for student discipline regarding face masks. If a student without an accommodation refuses to wear a mask, and as a result, is excluded from the classroom, NEOPA employees shall not be required to supervise the student.

7. Daily Health Screenings

- a. Health screenings, as outlined in the District's health and safety procedures and protocols, will be conducted for all staff and students before or upon their arrival to school. The location and the site-specific layout of any temperature check for students will be determined by each school, but the layout developed must maintain the Districts physical distancing protocols. School staff will conduct their own health screenings, potentially including temperature checks, and will document their lack of symptoms prior to entering buildings. Each building will develop a plan for documenting staff health screenings.
- b. The District will require completion of attestations by staff and students/parents/guardians as required by law.
- c. A daily log of people entering the buildings shall be maintained by the District.
- d. Employees represented by NEOPA may be requested to assist with the documentation related to student screenings and attestations. In no case shall NEOPA employees be required to assist with health and safety screenings of staff or students related to COVID-19 safety protocols, other than taking temperatures with a non-touch device, and only if agreed to by the NEOPA employee.

8. Physical Distancing

- a. Prior to the first student contact day in the partially in-person/hybrid model, the District will configure the furniture and office setup to minimize the number of students in the office while maintaining appropriate social distancing.
- b. Capacity for students and staff in any facility and/or space shall be based on physical distancing requirements that allow for at least six feet between students and staff.

9. HVAC

- a. The District will ensure that all HVAC systems provide adequate air circulation and filtration to provide for the greatest exchange of air in order to reduce the spread of COVID between spaces.
- b. The District will maintain its HVAC systems in full compliance with standards endorsed by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) for operation of HVAC during the current pandemic, including the provision of supplemental filtering or airflow to specific workspaces when necessary.
- c. Operating time - Operating time has been increased. HVAC systems in buildings will be running for a full two hours before any occupancy in the morning and at all times during occupancy. Overnight a 2-hour purge sequence will be completed to flush the building with fresh outside air. Operating time will continue to be increased as the district progresses through the stages with a full 24-hour system operation starting at stage 4.
- d. Ventilation - Outside air dampers on HVAC systems have been reset to a minimum setting of 50% outside air. The normal outside air damper settings range from 15% to 25%. Resetting outside air dampers will significantly increase outside air ventilation while still allowing us to achieve required set points for heating. Rooms and areas that do not have working ventilation or an operable window available will be closed for use. Using the average classroom size, ceiling height, and updated damper setting CFM, the new calculated air exchanges is **6.8** per hour. For comparison, the ASHRE standard for a hospital treatment room is a minimum of 6 air exchanges per hour. District HVAC systems are monitored 24/7 by District staff and the McKinstry Remote Operations Center to ensure the correct level of ventilation is being provided for maximum safety.
- e. Occupancy Sensors - Occupancy sensors have been disabled and demand controlled ventilation systems that reduce airflow during periods of partial occupancy. Although this will substantially increase overall utility usage, it will keep airflow constant and the amount of outside air circulation high.
- f. Filtration - Filter change frequency has been increased from 3 filter changes per year to monthly filter changes. Due to the age and design of most of District HVAC systems, significant upgrades to the filtration levels is not possible at this time. Older systems are not designed for the higher level of air resistance created by increased filtration. The standard filter will be upgraded from a MERV 8 rating to a MERV 10 rated filter. MERV 13 filtration is being used at North Creek High School, Skyview Middle School, Lockwood Elementary and Ruby Bridges Elementary School.
 - MERV - Minimum Efficiency Reporting Value. The rating was devised by the American Society of Heating, Refrigeration and Air Conditioning Engineers (ASHRAE).

10. Handwashing: The District shall provide, at minimum, sufficient hand-washing stations as required by Department of Health guidelines. In addition, hand sanitizer shall be provided for each classroom and workspace.

11. Cleaning Protocols: Every occupied office, workspace and classroom will be cleaned and disinfected daily on a consistent assigned schedule, so staff will know when the process is underway and complete.

12. Cleaning After an Identified Confirmed Case: After a student or staff is sent home with COVID-19 symptoms, or the District learns of a confirmed case of COVID-19 currently or previously on district property, the District shall:

- a. Close off areas occupied by the ill person(s).
- b. Clean, disinfect and ventilate per appropriate health and safety protocols.

13. Supplies: The District will provide approved supplies necessary to abide by the health and safety protocols within this agreement. Such supplies shall be readily available to all employees in the building.

14. Exclusion of Students and Staff with COVID-19 Symptoms

- a. The District will comply with the Daily COVID-19 Screening Protocols (as articulated by Snohomish Health District and Public Health-Seattle & King County).
- b. Each building will have a plan of how to handle students who exhibit COVID-19 symptoms during the day. Staff with symptoms shall report to their supervisor and are expected to immediately remove themselves from the work site.
- c. COVID Care-Isolation Rooms will be identified at each school and are subject to heightened health and safety protocols.
 - i. Students with possible symptoms shall be assessed by the nurse, and the nurse will determine if the student shall be placed in isolation and sent home. NEOPA members shall not be assigned to assess possible COVID-19 symptoms.
 - ii. Ventilation in the isolation rooms shall be set to maximum outside air based upon outside air temperature and adhere to the HVAC guidelines described above.
 - iii. Isolation rooms shall be immediately cleaned and disinfected before next use.
 - iv. A pre-identified isolation bathroom shall be identified in each building. Should the identification of an isolation bathroom result in the conversion of an employee/adult-only bathroom for student use, in no case shall this choice cause the District to remove all employee/adult-only bathrooms from the building. In such instances that the District needs to convert an employee/adult-only bathroom for this purpose and may be able to choose from more than one existing employee/adult-only bathroom, they shall choose the one that is utilized the least, provided it is in proximity to the isolation room to minimize potential contamination. Bathrooms shall be promptly cleaned and disinfected after use by students in the isolation room.
 - v. No NEOPA member shall be required to clean or disinfect COVID-19 Care-Isolation Rooms or bathrooms.
- d. Each student or staff member who has been excluded from school shall be informed of the requirements, timeline, and process for them to safely return to school.

15. Suspected or Known Exposure:

- a. In cases of close contact of a confirmed case, employees must stay home for the full recommended quarantine period, per Snohomish Health District and Public Health-Seattle & King County guidelines.
- b. If a health care provider makes a non-COVID alternative diagnosis that explains all symptoms, employees must follow Snohomish Health District and Public Health-Seattle & King County guidelines prior to returning to work.
- c. No NEOPA employee shall be required to submit to COVID testing as a condition of employment, unless there is a suspected or known exposure, in which case the District may offer onsite rapid antigen testing. Should the District offer general COVID testing, employees may or may not choose to participate.

16. Exposure to COVID-19

- a. Employees and individuals who meet the definition of a COVID-19 close contact per Snohomish Health District and Public Health-Seattle & King County shall be promptly notified by the District.

It is understood that results need to be communicated in as fast a manner as possible to assure public safety.

- b. If additional contact tracing is necessary, Snohomish Health District and Public Health-Seattle & King County will contact those impacted to complete contact tracing and advise further. The District will comply with the appropriate health department and will adhere to the District protocols regarding notification.

17. Meetings: Meetings, including professional development, must follow the current State guidelines for distancing and PPE. Meetings involving more people than guidelines allow will be held remotely.

18. Front Office Area and Visitors: No parents or visitors will be allowed to enter office areas except for an emergency or maintenance situation. Accordingly, technology and/or materials distribution shall not take place within office areas.

19. Safety Communication:

- a. Staff, students and their families will receive regular communication from the building administration and/or District regarding health and safety expectations, including but not limited to wearing masks, physical distancing, handwashing, and health screenings.
- b. Every attempt will be made to provide communication in the home languages of students' families/guardians, and in multiple formats, (i.e. email, postal mail, visuals/infographics, and phone calls.)

20. Compliance Supervision:

- a. The District shall designate a Building COVID Supervisor at each building, whose role it will be to oversee employee health and safety. This supervisor shall actively monitor staff and student compliance with social distancing protocols, PPE, and other safety precautions. In addition, the District shall name a District COVID Supervisor.
- b. Prior to any employee's first on site workday, employees shall be notified of the name and contact information of the Building COVID Supervisor. No NEOPA bargaining unit member shall act as such a supervisor.
- c. The Building COVID Supervisor, in conjunction with the building nurse, shall track the return-to-school date for all staff and students who require quarantine and/or isolation. Employees responsible for tracking student attendance will be notified, subject to confidentiality requirements, of anticipated student absence length. Employee absences will be tracked through the online absence reporting system.

21. Reporting Health and Safety Concerns:

- a. Employees with workplace health and safety concerns should report them to the Building COVID Supervisor, and if not resolved, then the District COVID Supervisor or area COVID supervisor. Concerns shall either be resolved promptly by the Building COVID Supervisor or District COVID Supervisor.
- b. Nothing shall preclude any employee from reporting concerns and/or filing a complaint with OSHA/WISHA and/or L&I. Protections for reporting: RCW 49.17.160 specifically states that "no person shall discharge or in any manner discriminate against any employee" because the employee has exercised rights under WISHA.

22. Duration of MoU: This agreement shall be in effect through August 31, 2021.

Agreed to this 29th day of March, 2021. Signed this 29th day of March, 2021.

FOR THE ASSOCIATION:

Lyn Sherry

Lyn Sherry, UniServ Director

Christy Skurski

Christy Skurski, NEOPA Co-President

Crystal Stephens

Crystal Stephens, NEOPA Co-President

FOR THE DISTRICT:

Dr. Michelle Reid

Dr. Michelle Reid, Superintendent
on behalf of the Board of Directors