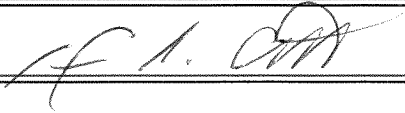


<b>Policy Number 3.36</b>	Supersedes	Effective Date <b>March 13, 2020</b>
Manual <b>Human Resources</b>	Source <b>Human Resources</b>	Key Subject <b>Communicable Disease</b>
Title <b>Communicable Disease in the Workplace Policy</b>		
Applies to <b>All Non-Agreement NJ TRANSIT Employees</b>		

**I. PURPOSE**

The purpose of this document is to establish procedures, practices and guidelines as they pertain to communicable diseases of significant risk found in the general population, which can be transmitted by air, object or through casual contact and which would put the employee population and riding public at risk.

Excluded from this policy are common communicable diseases, such as strep throat and the common colds, and those transmitted through sexual contact or through needle use, such as Hepatitis B and HIV.

This policy is a statement of NJ TRANSIT's official policy and, as such, supersedes all prior policy statements, directives and memoranda of NJ TRANSIT, NJ TRANSIT Bus Operations, NJ TRANSIT Mercer, NJ TRANSIT Morris and NJ TRANSIT Rail Operations dealing with this subject.

**II. DEFINITIONS:**

The following definitions pertain to this policy:

**Communicable Disease** – A communicable disease is an illness due to a specific infectious agent or its toxic produces which can be transmitted from one individual to another. A communicable disease may be transmitted directly from one body to another through actions such as kissing, sexual contact, or droplet spray from sneezing, coughing, spitting, singing or talking as well as indirectly when an object transmits the organism. Objects of transmission may be clothing, linens, hard surfaces, utensils, food, water, milk, air, soil or insects.

**Communicable Period** – The communicable period is that period of time or times during which the infectious agent may be transferred directly or indirectly from an infected person to another person.

**Isolation** – The physical separation and confinement of individual(s) who are infected or reasonably believed to be infected, based on signs, symptoms or laboratory analysis, with a contagious or possibly contagious disease from non-isolated individuals, to prevent or limit the transmission of the disease to non-isolated individuals.

**Quarantine** – A restriction on the movement of those who may have been exposed to a communicable disease but do not have a confirmed medical diagnosis in order to prevent spread to others.

**Significant Risk** - High probability that the contagious disease is likely to create an impact of some consequence and increase the chances of developing serious consequences for one's health and the health of others (Active Tuberculosis, MERS, SARS, Measles, Ebola, COVID-19, etc.).

### **III. POLICY**

#### **Workplace Health and Safety Standards**

NJ TRANSIT has an obligation to provide a safe environment for its customers and employees. Therefore, if an employee has been diagnosed with having a communicable disease as defined in this policy, the employee is directed to stay home and notify their supervisor or manager and NJ TRANSIT's Medical Services Department as soon as possible. This notification should be made by speaking directly to their supervisor or manager. However, if that is not possible, the employee may leave a voice, text, or email message with their supervisor or manager explaining why they are unable to report to work and leave a contact number where the employee can be reached. The employee must make the same notification to the Medical Services Department. Upon notification by the employee, the Supervisor will immediately contact the Director of Medical Services for coordination and guidance.

If the employee is under quarantine, whether voluntary or involuntary, and the employee's job functions can be performed away from their normal work location, and the employee is able to work, with or without an accommodation, and has the appropriate equipment and/or materials available, such as a home computer or laptop, NJ TRANSIT may allow the employee to work from home or at an offsite location. All such requests to work from home or at an offsite will be evaluated on a case by case basis. Employees may use leave and/or sick time in accordance with NJ TRANSIT policy, other relevant law, regulation or directive.

When an employee with a communicable disease is in the workplace, it is the responsibility of the Director of Medical Services to ensure that the employee's medical condition does not pose a significant risk to the employee, co-workers or other individuals in the workplace. Employees who have a communicable disease pursuant to this policy must be restricted from the workplace until such time as the employee no longer poses a risk to others. Employees returning to work after being quarantined or isolated and/or treated for a communicable disease, must provide a written statement from their physician indicating that the employee is no longer infectious and, as of a specified date, is able to return to work.

NJ TRANSIT respects the right to privacy of any employee who has a communicable disease. All employee records or information regarding communicable diseases will be confidentially maintained in the Medical Services Department, Employee Health File, apart from the employee's personnel file. The employee's medical condition will be disclosed only to the extent necessary to minimize the health risks to co-workers, individuals and others. NJ TRANSIT will comply with all federal and state laws regarding confidentiality and privacy requirements.

#### **Communicable Disease Reporting**

According to the NJ Administrative Code on Communicable Diseases (N.J.A.C. 8:57-1, Appx. B), specific diseases are reportable to local or state health departments. Timely reporting ensures that cases of communicable disease can be investigated quickly, public health control measures can be implemented to prevent further disease spread, allows public health agencies to understand the burden of disease among New Jersey residents, and assists public health agencies to develop appropriate education, guidance, and infection control recommendations based on disease trends. Check the NJDOH website for any changes in the disease reporting rule:

[https://www.nj.gov/health/cd/documents/reportable\\_disease\\_magnet.pdf](https://www.nj.gov/health/cd/documents/reportable_disease_magnet.pdf)

#### **IV. RESPONSIBILITIES**

It is the responsibility of all affected parties to report infection with a communicable disease to the Medical Services Department. The responsibility for coordination of the implementation of the Communicable Disease policy shall be shared among the following groups, and the directors of these offices shall implement plans to maintain a safe and orderly work environment.

##### **Medical Services Department Responsibilities:**

1. Assess employees suspected of having a communicable disease for significant risk. Medical Services Department staff will advise the employee to seek healthcare from a medical care provider, as appropriate.
2. If an employee is unable to immediately leave NJ TRANSIT property, the Director of Medical Services (or their designee) shall work with the affected employee and management to ensure containment of the communicable disease and the safety of all other NJ TRANSIT's employees in the workplace. Such measures may include isolation of the affected employee, until such time as the employee can be safely transported to the employee's home or medical provider.
3. The Medical Services Department will notify all appropriate parties of a suspected/verified case of communicable disease in the workplace.
4. It is the responsibility of the Medical Services Department to report specific communicable diseases to the appropriate public health agencies, in accordance with New Jersey laws and regulations. Medical Services will work with local public health officials to identify any potential exposures of others in the workplace.
5. Before an employee may return to work, the employee must provide a statement of non-communicability from their primary care physician. The physician shall certify that the employee is no longer infectious to others and that the employee presents no risk to the community. The employee must then be evaluated by a Medical Services Department staff physician before being deemed medically qualified to return to work.
6. The Medical Services Department shall notify all appropriate parties that the employee has been released from care and may return to work.

##### **Office of System Safety Responsibilities:**

1. Arrange for routine and special custodial services for the area in which the employee is isolated.
2. With the assistance of the Medical Services Department, inform maintenance and trades persons who are assigned, or may be assigned, of the area in which the infected person is convalescing and of the recommended methods of self-protection should maintenance and trades persons come into contact with the infected person.
3. Ensure that eligible and/or affected employees have access to required or recommended applicable safety training, such as but not limited to OSHA Blood Borne Pathogens training, OSHA HazCom training, training in the use of personal protective equipment as well as job specific trainings.

##### **Environment, Energy & Sustainability Department Responsibilities:**

1. Maintain current list of NJ TRANSIT Medical Waste facilities and ensure that those facilities and any additional facilities are properly registered with the NJ Department of Environmental Protection.
2. Maintain business relationship (Contracts/PO's) with licensed medical waste transportation and disposal providers.
3. Serve as Point-of-Contact for NJ TRANSIT employees and medical waste transportation and disposal providers.

### **Facilities Maintenance Department Responsibilities:**

1. Inform all housekeeping staff who are assigned to the isolation area of the diagnosis and mode of transmission of the disease.
2. With the assistance of the Medical Services Department and the Office of System Safety, inform the custodial staff of the recommended methods of self-protection and cleansing that should be used in carrying out routine and special custodial service.

### **New Jersey Transit Police Department Responsibilities:**

1. With the assistance of the Medical Services Department, inform officers that a person with a communicable disease is on NJ TRANSIT premises.
2. With the assistance of the Medical Services Department and the Office of System Safety, provide the officers with information about the disease, the location of the isolated employee, and the recommended methods of self-protection should the officers come into contact with the infected person.

### **NJT Office of Emergency Management:**

1. Provide internal coordination across NJ TRANSIT.
2. Provide external coordination across local, county, state, and federal offices of emergency management.
3. Activate NJ TRANSIT's Comprehensive Emergency Management Plan, if applicable.

### **Human Resources Department Responsibilities:**

1. Notify the Office of the President & CEO of the incident and request that appropriate staff be advised.
2. Mediate employee relations issues that may arise as a result employee concerns regarding exposure to a communicable disease
3. Coordinate with Medical Services and Communications Departments to keep employees informed of the situation.
4. Respond to questions concerning use of sick, leaves, and other benefit time.

### **Communications Department Responsibilities:**

1. Prepare appropriate news releases and coordinate public relations inquiries.
2. Update external digital media (website, mobile app, digital monitors, social media, etc.) as needed with the most current public message available.
3. Update external static signage at stations and board vehicles, as needed.
4. Update internal messaging channels, such as NJTV and President & CEO messages to employees.

### **Management Responsibilities:**

1. It is the responsibility of the Supervisor or Manager who oversees an employee(s) affected by this policy to immediately notify the Director of Medical Services to report employees who are ill or who may have self-quarantined. Management shall follow all instructions given by the Director of Medical Services in order to ensure the well-being and safety of NJ TRANSIT employees.
2. It is the responsibility of Management to review and implement all policies, procedures and directives related to this policy and to be aware of any directives issued by the federal and/or State Department

of Health, Governor's Office or NJ TRANSIT Executive Management team so as to ensure the safety of all NJ TRANSIT employees.

**Employee Responsibilities:**

1. It is the responsibility of an employee who has a confirmed communicable disease that is covered by this policy to report that information to their Supervisor or Manager and to NJ TRANSIT's Medical Services Department. For the health and safety of the NJ TRANSIT workforce, the employee is expected to remain at home until the risk of infecting others has ended and until he/she can return to full duty as documented by the employee's primary care physician.
2. Employees are expected to reduce or prevent the spread of communicable disease in the workplace by engaging in the following actions to protect themselves, co-workers and other individuals:
  - a) Stay home if they have or suspect they have a communicable disease pursuant to this policy. The employee may return to work only after being free from symptoms for 24 hours and having been cleared by their primary care physician and by NJ TRANSIT's Medical Services Department.
  - b) Contact the Medical Services Department to determine if it is advisable to report to work if someone in their household is ill.
  - c) Practice proper hygiene in the workplace by covering their mouth and nose with a tissue when coughing or sneezing or cough or sneeze into their clothed elbow.
  - d) Avoid touching their eyes, nose or mouth. If that is not possible, they should wash their hands after touching their eyes, nose or mouth.
  - e) Avoid close contact with people who are ill in the workplace. Follow good hygiene practices and protect oneself from infections.
  - f) Try not to use another employee's phone, desk, keyboard or other work tools and equipment. If an employee must use those items, they should clean the items first with a disinfectant.
3. Notify their supervisor or manager if they observe a co-worker displaying persistent symptoms of a communicable disease

**V. EXCEPTIONS**

There may times when NJ TRANSIT receives directions from federal, State, and/or local authorities that may supersede this policy. In such cases, all employees must follow the directions given by those agencies. In addition, the provisions of this policy may be modified under the authority of NJ TRANSIT's Comprehensive Emergency Management Plan (CEMP) (Policy 2.25) in response to a declared public health emergency or state of emergency. Other exceptions to this policy may be approved by the Chief, Human Resources after consultation with and approval by the President & CEO.

**VI. CROSS REFERENCES**

1. Corporate-wide Policies

**3.06A Family and Medical Leave**

**3.06C Family Leave Insurance Program**

**3.07 Reasonable Accommodation for Disabilities**

**3.12 Attendance & Hours of Work**

**3.12A Flexible Work Arrangements**

**3.16 Employee Discipline**

**3.19 Sick Leave**

**3.24 Salary Continuation for Absences Due to Occupational Illness/Injury**

2. Exhibits

**Exhibit 1 – Report of Personal Injury (TRO-75) – Rail only**

**Exhibit 2 – Workers' Compensation Initial Application for Benefits – Bus only**

**Exhibit 3 – Initial Medical Record**

**Exhibit 4 – NJ TRANSIT Medical Facilities**

**Exhibit 5 – Medical Services Form (MD-40)**

**Exhibit 6 – Workers' Compensation & Disability Department Application for  
Payment of Disability Benefits**

**Exhibit 7 – Medical Certificate**

**Exhibit 8 – NJ TRANSIT Insurance Carrier Facilities**