

# Coping with COVID in Recreation and Parks

Presented by  
Public Entity Partners

Judy J. Housley, Loss Control Consultant  
George D. Dalton, Director of Loss Control Services



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## New Normal – Same Standard for measuring Exposures

What standards are used to measure the professionalism of your organization? Are there laws or standards you are expected to comply with?

Safety – OSHA – General Duty Clause

Hazard Assessment

Protocols for Protection

Training and Equipment



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# What protections are in order for employees?



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# Hazard Assessment



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## Low to Moderate Risk

- Isolate if sick
- Stay 6 feet apart
- Cover your mouth if you cough or sneeze
- Healthy Hygiene
- Sanitize space and equipment with EPA approved products
- Modified work area to minimize exposure through barrier and spacing
- Masks when 6 feet spacing cannot be contained



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## High and Moderate Risk Require Additional Protection

- Daily temperature screens that are logged
- Evaluate workspace and leisure use – post safe capacity
- Staff staggered or crewmates on same schedule
- Work with the same group of children
- Documentation of assignments to allow tracking of events
- Barriers between staff and public where possible
- Touchless trash can
- Mental Health Outlets



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## Employment Liability from COVID

<https://www.dol.gov/agencies/whd/pandemic/ffcr-a-questions>

**EMPLOYEE RIGHTS**  
PAID SICK LEAVE AND EXPANDED FAMILY AND MEDICAL LEAVE UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT

The Families First Coronavirus Response Act (FFCRA or Act) requires certain employers to provide their employees with paid sick leave 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.

**PAID LEAVE SETTLEMENTS**  
Generally, employers covered under the Act must provide employees:  
Up to one week (56 hours) of paid sick leave based on the higher of their regular rate of pay, or 2x applicable state or Federal minimum wage, paid at:  
- 100% for qualifying reasons #1-3 below, up to \$511 daily and \$5,115 total;  
- 67% for qualifying reasons #4 and 5 below, up to \$200 daily and \$2,000 total; and  
- 100% for 10 weeks of paid sick leave and expanded family and medical leave paid at 67% for qualifying reasons #6 below for up to \$200 daily and \$2,000 total.  
A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over this period.

**ELIGIBLE EMPLOYERS**  
In general, employees of private sector employers with fewer than 500 employees, and certain public sector employers, are eligible for up to one week of paid sick leave for COVID-19 related reasons (see below). Employees who have been employed for at least 30 days prior to each leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reasons #6 below.

**QUALIFYING REASONS FOR LEAVE RELATED TO COVID-19**  
An employee is eligible to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;	6. is caring for an individual whose school or place of care is closed or temporarily unavailable due to COVID-19 related reasons; or
2. has been advised by a health care provider to self-quarantine due to COVID-19;	7. is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services.
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-quarantined as described in (2);	

**ENFORCEMENT**  
The FFCRA, effective from April 1, 2020, sets the authority to investigate and enforce compliance with the FFCRA. Employees may file charges, complaints, or statements of concern against any employer who violates their paid sick leave or expanded family and medical leave under the FFCRA. Any violations or failures to pay employees up to \$200 daily for up to 10 weeks of leave under the FFCRA will be subject to penalties and enforcement by WHD.

WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR  
For more information, visit <https://www.dol.gov/agencies/whd/pandemic/ffcr-a-questions>



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## The AVENUE OF LIABILITY Governmental TORT Liability Act

Best protection is proven reasonable and professional standards

Immunity UNLESS there is a unsafe condition that we are aware of but fail to address or correct and as a result damage or harm occurs.



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## Liability is created when we are negligent

We are negligent when we are aware of reasonable or legal standard but we fail to follow it? Where can we find standards to follow in this pandemic season?

President's Guide to Reopening  
 Health Department for 6 Counties  
 Governor Lee's Executive Orders  
 Center for Disease Control  
 World Health Organization  
 NRPA



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## So which of these best practices do we follow?

- President's Guide to Reopening – boot to the states
- Health Department for 6 Counties - regulatory
- Governor Lee's Executive Orders - regulatory
- Center for Disease Control Guidelines - suggestions
- World Health Organization - guidance
- NRPA - information



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## From the Center for Disease Control

*Implementation should be guided by what is practical, acceptable and tailored to your needs. **These suggestions** should not replace any local laws, rules or regulations.*



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## So, Executive Order followed when you can and in general this:

Social distancing of 6 feet from persons outside the household

Gathering limited to 50 people unless space allows for social distancing for more

Recreational programmed groups limited to 10 or less

Wear face coverings in public

Follow CDC guidelines for sanitation and stopping the spread



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## Facility Use

How to determine spacing for social distancing

<https://www.banquettablespro.com/social-distancing-room-space-calculator>

Post number of safe capacity outside room

- Patrons: screen those coming in with temperature checks
- Signage on stop the spread
- Healthy Hygiene – sanitation stations
- Face Coverings recommended for areas where people will be closer than 6 feet
- Established sanitation schedule with EPA approved cleaners



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## 3<sup>rd</sup> Party Facility Use

Written agreement – application includes number of safe usage when considering social distancing in addition to description of activity, agreement to comply with agency rules, and in necessary evidence of insurance.

Include COVID wording

*Compliance with the guidelines minimizes the risk of exposure to COVID-19 but cannot eliminate the potential of exposure. If the any guest has a compromised immune system, we do not recommend participation in this event at this time. We provide the safest environment possible by following current guidelines and committing to follow any additional requirements made by federal, state, and/or local regulations. By signing this document you agree to comply and ask your guests to comply with all reasonable safety measures to protect themselves and others. The city, county, agency, entity will be held harmless for failure to follow these guidelines and recommendations.*



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## Youth Sports

Field Provider – CDC and Pledge guidance written into the facility use agreement including standard protection of distancing, hygiene, face covering for coaches and spectators, screening and logs of players and coaches in attendance.

Government Sponsored – Written policy for league play defining standard

League TN Pledge guidance only for spectator, says more to come

CDC guidelines..... Defined in least to most risky.....

Least skill building small groups – most travel team tournaments



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## Summer Camps

### ***Follow Governor's Pledge for Summer Camps***

Screen temps and log for staff and campers

Groups of 10 or less with same staff

Groups assigned equipment

Face covering for staff and provided for campers if desired

Plans for a positive test

Require pre-registration and pre-payment of campers

Boxed food, bottled water

Outdoors if possible



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## Swimming Pools

Calculate the number of patrons safely accommodated

Temp screens for staff and patrons

Logs of entries

Barriers for concessions and entry staff contact points

Physical distancing reminders

Face coverings for staff\*

Minors must have direct parental supervision\*



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## Exercise Facilities

Temp screens of users

Determine safe capacity

Design equipment layout for safe spacing (mark off or move equipment)

Shut down water fountains

Install sanitation wipes and posts about cleaning equipment

Sanitize with EPA approved products

Group fitness in 10 or less or outdoors w/social distance



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## General facilities

Courts

Dog parks

Playgrounds



Sanitation stations if possible



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## And what about those special events

Be prepared to defend your decision



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Good luck out there!

- Written Policy
- Training
- Application
- Documentation

