April 6, 2020

Plan for COVID-19 Exposure Prevention, Preparedness, and Response

Legacy Mechanical & Energy Services takes the health and safety of our employees very seriously. With the spread of the coronavirus or “COVID-19,” a respiratory disease caused by the SARS-CoV-2 virus, the company must remain vigilant in mitigating the outbreak. Legacy is a proud part of the construction industry, which many have deemed “essential” during this Declared National Emergency. In order to be safe and maintain operations, we have developed this COVID-19 Exposure Prevention, Preparedness, and Response Plan to be implemented, to the extent feasible and appropriate, throughout the Company and at all our jobsites. Legacy has also identified a team of employees to monitor the related guidance that the U.S. Center for Disease Control and Prevention (“CDC”) and Occupational Safety and Health Administration (“OSHA”) continue to make available.

This Plan is based on information available from the CDC and OSHA at the time of its development and is subject to change based on further information provided by the CDC, OSHA, and other public officials. Legacy may also amend this Plan based on operational needs. Legacy is asking every one of our employees to help with our prevention efforts while at work. In order to minimize the spread of COVID-19 at our jobsites, everyone must play their part. As set forth below, the Company has instituted various housekeeping, social distancing, and other best practices at our jobsites. All employees must follow these. In addition, employees are expected to report to their managers or supervisors if they are experiencing signs or symptoms of COVID-19, as described below. If you have a specific question about this Plan or COVID-19, please ask your manager or supervisor.

PPE and sanitizing supplies mentioned in this document are subject to supplies available at the time of the job. Legacy will provide the next available substitute per CDC guidelines.

If they cannot answer the question, please contact - Chad Barnes
OSHA and the CDC have provided the following control and preventative guidance for all workers, regardless of exposure risk:

1. Frequently wash your hands with soap and water for at least 20 seconds. When soap and running water are unavailable, use an alcohol-based hand rub with at least 60% alcohol.
2. Avoid touching your eyes, nose, or mouth with unwashed hands.
3. Follow appropriate respiratory etiquette, which includes covering for coughs and sneezes.
4. Avoid close contact with people who are sick. In addition, employees must familiarize themselves with the symptoms of COVID-19, which include the following:
   - Coughing;
   - Fever;
   - Shortness of breath, difficulty breathing;
   - Early symptoms such as chills, body aches, sore throat, headache, diarrhea, nausea/vomiting, and runny nose.
   - If you develop a fever and symptoms of respiratory illness, such as cough or shortness of breath, DO NOT GO TO WORK and call your supervisor and healthcare provider right away. Likewise, if you come into close contact with someone showing these symptoms, call your supervisor and healthcare provider right away.

**Legacy Mechanical has instituted the following protective measures at all jobsites.**

A. **General Safety Policies and Rules**

   a. Any employee/contractor/visitor showing symptoms of COVID-19 will be asked to leave the jobsite and return home.

   b. Safety meetings will be by telephone, if possible. If safety meetings are conducted in-person, attendance will be collected verbally, and the foreman/superintendent will sign-in each attendee. Attendance will not be tracked through passed-around sign-in sheets or mobile devices. During any in-person safety meetings, avoid gathering in groups of more than 10 people and participants must remain at least six (6) feet apart.

   c. Employees must avoid physical contact with others and shall direct others (co-workers/contractors/visitors) to increase personal space to at least six (6) feet, where possible. Where work trailers are used, only necessary employees should enter the trailers and all employees should maintain social distancing while inside the trailers.

   d. All in-person meetings will be limited. To the extent possible, meetings will be conducted by telephone.

   e. Employees will be encouraged to stagger breaks and lunches, if practicable, to reduce the size of any group at any one time to less than ten (10) people.

   f. Legacy understands that due to the nature of our work, access to running
water for hand washing may be impracticable. In these situations, the Company will provide, if available, alcohol-based hand sanitizers and/or wipes.
g. Employees should limit the use of co-worker’s tools and equipment. To the extent tools must be shared, the Company will provide alcohol-based wipes to clean tools before and after use. When cleaning tools and equipment, consult manufacturing recommendations for proper cleaning techniques and restrictions.
h. Employees are encouraged to limit the need for N95 respirator use, by using engineering and work practice controls to minimize dust. Such controls include the use of water delivery and dust collection systems, as well as limiting exposure time.
i. Legacy will divide crews/staff into two (2) groups where possible so that projects can continue working effectively if one of the divided teams is required to quarantine.
j. As part of the division of crews/staff, Legacy will divide employees into dedicated shifts, at which point employees will remain with their dedicated shifts for the reminder of the project. If there is a legitimate reason for an employee to change shifts, Legacy will have sole discretion in making that alteration.
k. Employees are encouraged to minimize ridesharing. While in vehicles, employees must ensure adequate ventilation.
l. If practicable, each employee should use/drive the same truck or piece of equipment every shift.
m. In lieu of using a common source of drinking water, such as a cooler, employees should use individual water bottles.

B. Workers entering Occupied Buildings

a. Construction and maintenance activities within occupied office buildings, and other establishments, present unique hazards with regards to COVID-19 exposures.
b. Everyone working within such establishments should evaluate the specific hazards when determining best practices related to COVID-19.
c. During this work, employees must sanitize the work areas upon arrival, throughout the workday, and immediately before departure. Legacy will provide alcohol-based wipes for this purpose.
d. Employees should ask other occupants to keep a personal distance of six (6) feet at a minimum. Workers should wash or sanitize hands immediately before starting and after completing the work.

C. Job Site Visitors

a. The number of visitors to the job site, including the trailer or office, will be
limited to only those necessary for the work.

b. All visitors will be screened in advance of arriving on the job site. If the visitor answers “yes” to any of the following questions, he/she should not be permitted to access the jobsite.

c. Have you been confirmed positive for COVID-19?

d. Are you currently experiencing, or recently experienced, any acute respiratory illness symptoms such as fever, cough, or shortness of breath?

e. Have you been in close contact with any persons who has been confirmed positive for COVID-19?

f. Have you been in close contact with any persons who have traveled and are also exhibiting acute respiratory illness symptoms?

g. Site deliveries will be permitted but should be properly coordinated in line with the employer’s minimal contact and cleaning protocols. Delivery personnel should remain in their vehicles if possible.

D. Personal Protective Equipment and Work Practice Controls

a. In addition to regular PPE for workers engaged in various tasks (fall protection, Gloves: Gloves should always be worn while on-site. The type of glove worn should be appropriate to the task. If gloves are not typically required for the task, then any type of glove is acceptable, including latex gloves. Employees should avoid sharing gloves.

b. Eye protection: Eye protection should always be worn while on-site.

{NOTE}: The CDC is currently not recommending that healthy people wear N95 respirators to prevent the spread of COVID-19. Nevertheless, employees must wear N95 respirators if required by the work and if available. Due to the current shortage of N95 respirators, the following Work Practice Controls should be followed:

c. Keep dust down by using engineering and work practice controls, specifically using water delivery and dust collection systems.

- Limit exposure time to the extent practicable.
- Isolate workers in dusty operations by using a containment structure or distance to limit dust exposure to those employees who are conducting the tasks, thereby protecting nonessential workers and bystanders.
- Institute a rigorous housekeeping program to reduce dust levels on the jobsite.

E. Job Site Cleaning and Disinfecting

Legacy has instituted regular housekeeping practices, which include cleaning and disinfecting frequently used tools and equipment, and other elements of the work environment, where possible. Employees should regularly do the same in their assigned work areas.

a. Jobsite trailers and break/lunchroom areas will be cleaned at least once per day.
Employees performing cleaning will be issued proper personal protective equipment ("PPE"), such as nitrile, latex, or vinyl gloves and gowns, as recommended by the CDC.

b. Any trash collected from the jobsite must be changed frequently by someone wearing nitrile, latex, or vinyl gloves.

c. Any portable jobsite toilets should be cleaned by the leasing company at least twice per week and disinfected on the inside.

d. Legacy will ensure that hand sanitizer dispensers are always filled.

e. Frequently touched items (i.e. door pulls and toilet seats) will be disinfected frequently.

f. Vehicles and equipment/tools should be cleaned at least once per day and before change in operator or rider.

g. OSHA has indicated that a reliable report that an employee has tested positive for COVID-19 does not typically require an employer to perform special cleaning or decontamination of work environments, unless those environments are visibly contaminated with blood or other bodily fluids. Notwithstanding this, Legacy will clean those areas of the jobsite that a confirmed-positive individual may have contacted, and it will do so before employees can access that workspace again.

h. Legacy will ensure that any disinfection shall be conducted using one of the following:
   - Common EPA-registered household disinfectant;
   - Alcohol solution with at least 60% alcohol; or
   - Diluted household bleach solutions (if appropriate for the surface).

i. The Company will maintain Safety Data Sheets of all disinfectants used on site.

F. Jobsite Exposure Situations

- Employee Exhibits COVID-19 Symptoms

If an employee exhibits COVID-19 symptom, the employee must remain at home until he or she is symptom free for 72 hours (3 full days) without the use of fever-reducing or other symptom-altering medicines (e.g., cough suppressants). Legacy will similarly require an employee who reports to work with symptoms to return home until he or she is symptom free for 72 hours (3 full days). To the extent practical, employees are required to obtain a doctor’s note clearing them to return to work.

- Employee Tests Positive for COVID-19

An employee who tests positive for COVID-19 will be directed to self-quarantine away from work. Employees that test positive and are symptom free may return to work when at least seven (7) days have passed since the date of his or her first positive test and have not had a subsequent illness. Employees who test positive and are directed to care for themselves at home may return to work when: (1) at least 72 hours (3 full days)
have passed since recovery; and (2) at least seven (7) days have passed since symptoms first appeared. Employees who test positive and have been hospitalized may return to work when directed to do so by their medical care providers. Legacy will require an employee to provide documentation clearing his or her return to work.

- **Employee Has Close Contact with an Individual Who Has Tested Positive for COVID-19**

Employees who have come into close contact with an individual who has tested positive for COVID-19 (co-worker or otherwise) will be directed to self-quarantine for 14 days from the last date of close contact with that individual. Close contact is defined as six (6) feet for a prolonged period.

If Legacy learns that an employee has tested positive, Legacy will conduct an investigation to determine co-workers who may have had close contact with the confirmed-positive employee in the prior 14 days and direct those individuals who have had close contact with the confirmed-positive employee to self-quarantine for 14 days from the last date of close contact with that employee. If applicable, the Legacy will also notify any sub-contractors, vendors/suppliers or visitors who may have had close contact with the confirmed-positive employee. If an employee learns that he or she has come into close contact with a confirmed-positive individual outside of the workplace, he/she must alert a manager or supervisor of the close contact and self-quarantine for 14 days from the date of close contact with that individual.

**G. OSHA Recordkeeping**

If a confirmed case of COVID-19 is reported, Legacy will determine if it meets the criteria for recordability and reportability under OSHA’s recordkeeping rule. OSHA requires construction employers to record work-related injuries and illnesses that meet certain severity criteria on the OSHA 300 Log, as well as complete the OSHA Form 301 (or equivalent) upon the occurrence of these injuries. For purposes of COVID-19, OSHA also requires employers to report to OSHA any work-related illness that (1) results in a fatality, or (2) results in the in-patient hospitalization of one or more employee. “In-patient” hospitalization is defined as a formal admission to the in-patient service of a hospital or clinic for care or treatment.

OSHA has decided that COVID-19 should not be excluded from coverage of the rule – like the common cold or the seasonal flu – and, thus, OSHA is considering it an “illness.” However, OSHA has stated that only confirmed cases of COVID-19 should be considered an illness under the rule. Thus, if an employee simply comes to work with symptoms consistent with COVID-19 but is not a confirmed diagnosis, the recordability analysis is not necessarily triggered at that time.
If an employee has a confirmed case of COVID-19, Legacy will assess any workplace exposures to determine if the case is work-related. Work-relatedness is presumed for illnesses that result from events or exposures in the work environment, unless it meets certain exceptions. One of those exceptions is that the illness involves signs or symptoms that surface at work but result solely from a non-work-related event or exposure that occurs outside of the work environment. Thus, if an employee develops COVID-19 solely from an exposure outside of the work environment, it would not be work-related, and thus not recordable.

Legacy Mechanical’s assessment will consider the work environment itself, the type of work performed, the risk of person-to-person transmission given the work environment, and other factors such as community spread. Further, if an employee has a confirmed case of COVID-19 that is considered work-related, Legacy will report the case to OSHA if it results in a fatality within 30 days or an in-patient hospitalization within 24-hours of the exposure incident.

**H. Confidentiality/Privacy**

Except for circumstances in which Legacy is legally required to report workplace occurrences of communicable disease, the confidentiality of all medical conditions will be maintained in accordance with applicable law and to the extent practical under the circumstances. When it is required, the number of persons who will be informed that an unnamed employee has tested positive will be kept to the minimum needed to comply with reporting requirements and to limit the potential for transmission to others. Legacy Mechanical reserves the right to inform other employees that an unnamed co-worker has been diagnosed with COVID-19 if the other employees might have been exposed to the disease so the employees may take measures to protect their own health. Legacy also reserves the right to inform sub-contractors, vendors/suppliers or visitors that an unnamed employee has been diagnosed with COVID-19 if they might have been exposed to the disease so those individuals may take measures to protect their own health.

**J. General Questions:**

Given the fast-developing nature of the COVID-19 outbreak, Legacy Mechanical may modify this plan on a case by case basis.

If you have any questions concerning this plan, please contact - Chad Barnes.