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Tohono O'odham Nation
Legislative Branch
COVID-19 Pandemic Response Plan

I. Background

In December of 2019 a new form of a coronavirus, COVID-19, began infecting humans. COVID-19 transmits from person-to-person at a rapid rate causing fever, cough and shortness of breath, and has a mortality rate 20-30 times higher than the flu. On March 11, 2020, the World Health Organization declared the COVID-19 outbreak a global pandemic. Individual cases of COVID-19 have been confirmed in Arizona. This COVID-19 Pandemic Response Plan is adopted to enable the Legislative Branch to mitigate the potential community spread of COVID-19 among Legislative Council representatives, staff, and Nation's members and to provide for the continuation of essential Branch operations in the event that the threat of community spread of COVID-19 becomes severe enough to require the closure of Legislative Branch facilities.

II. Phase 1- Preparation for Possible Community Transmission

As of the date of adoption of this plan, the Tohono O'odham Nation has not experienced community transmission of COVID-19, but individual cases in Arizona have been confirmed in Maricopa, Pinal, and Pima counties. Based on the current recommendations from the Centers for Disease Control, the Legislative Council adopts the following measures:

1. Out-of-state business travel is prohibited for Legislative Council Representatives (including the Council Chairperson and Vice Chairperson) and staff.
2. In-state business travel should be avoided, if possible, but may be approved in individual cases for activities deemed essential or critical to Branch operations.

3. Representatives and/or staff members approved for travel prior to the adoption of this plan and who are returning from out-of-state business travel to a region experiencing community-spread of COVID-19 will remain at home for 14 days prior to re-entering any Legislative Branch building.
4. Prior to out-of-state personal travel, Legislative Council representatives and staff shall notify supervisors. If personal travel is to an area with widespread, confirmed COVID-19 cases, the individual may be required to self-quarantine for 14 days prior to returning to the workplace. This will be assessed on a case-by-case basis by the supervisor and Legislative Branch officers.
5. Legislative Council representatives and Legislative Branch staff are encouraged to contact the Legislative Council officers with any concerns regarding COVID-19 transmission and work-related matters.
6. The Legislative Branch will no longer serve communal meals at Committee or Branch meetings or other gatherings.
7. All employees are encouraged to:
 - a. frequently wash hands with warm water and soap for at least 20 seconds;
 - b. cover coughs and sneezes;
 - c. promptly dispose tissues, napkins and similar items after use in closed sanitary receptacles;
 - d. make sure that rooms, offices and other workspaces are ventilated with the use of HVAC systems, windows and doors;
 - e. actively practice social distancing
8. At any time during the implementation of the Plan, any employee who is experiencing symptoms of COVID-19 identified by the CDC - fever, cough or shortness of breath - shall remain at home and inform their supervisor even if paid sick leave is not available or has not been approved. If a member of the employee's immediate family is experiencing any of the symptoms of COVID-19, the employee may take leave to help care for the immediate family member.
 - a. Employees remaining at home during this time because they are experiencing COVID-19 symptoms or to take care of an immediate family member are not required to provide documentation from a doctor or other health care services provider.

- b. By adoption of this Plan, the Legislative Council authorizes up to 14 days of paid administrative leave per employee (if the employee does not have a sufficient leave balance) who is experiencing COVID-19 symptoms or who is helping care for an immediate family member experiencing COVID-19 symptoms, and supervisors are directed to approve the use of such leave to mitigate the risk of COVID-19 transmission.
- c. The Legislative Council suspends the operation of any contrary provisions of Legislative Branch Personnel Policies that conflict with the provisions of this paragraph during the time period when the Response Plan is in effect.

III. Phase 2 – Response to Community Spread of COVID-19 in Arizona (outside of the Nation)

The Chairperson of the Legislative Council, after consulting with the Executive Director of the Department of Health and Human Services, may implement Phase 2 of this Plan when community spread of COVID-19 is occurring in Arizona, but outside of the Tohono O’odham Nation. Phase 2 of this Plan will take effect when the Council Chairperson sends an email notice to the Legislative Branch (or similar form of electronic or written notice) informing the Branch that Phase 2 of the COVID-19 Response Plan is being implemented. During Phase 2 of the response, the following measures will be in effect:

- 1. All business travel (both in-state and out-of-state) is prohibited.
- 2. Relevant provisions of the Committee Attendance Procedures and Legislative Rules will be suspended and no in-person meetings will be conducted.
- 3. The following process will be used for holding committee meetings:
 - a. Committee meetings will still be held on regular meeting days beginning at 9:00 a.m. with an email check-in to the Committee Staffer to keep record of attendance.
 - b. Prior to Committee meetings, the Committee Staffer will email the conference call number or other technological medium used to conduct the meeting to all meeting participants with a copy of the agenda.
- 4. The following process will be used for holding Legislative Council sessions:
 - a. Legislative Council general sessions will be held during session days.
 - b. Prior to Council session, the Legislative Secretary will provide notice to the Council, Legislative Branch Staff, KOHN, and members of the public of the

conference call number or other technological medium used to conduct the meeting.

- c. All documents discussed during open Council sessions will be emailed to the Legislative Council. Documents provided during closed sessions discussions will be password protected, will not be forwarded, and Council representatives agree to immediately delete the document after the discussion.
 - d. To the extent possible, all open Council sessions will continue to be broadcast on KOHN.
 - e. Members of the Legislative Council requesting to speak may email or text the Council Chairperson or Vice Chairperson to be recognized. All Legislative Rules pertaining to debate and voting not in conflict with this Plan will remain in effect.
 - f. Members of the public requesting to speak may email or text the Council Chairperson and Vice Chairperson to be recognized, provided that the ten minute time limit will remain in effect.
5. Council Representatives and employees who live in a community outside of the Nation where State or county government authorities have determined that community spread of COVID-19 is occurring will work remotely from home to the extent possible.
- a. The Council Chairperson, after consultation with the Executive Director of the Department of Health and Human Services, will notify the Branch when an area outside of the Nation is affected, and supervisors will inform employees who live in the affected communities to remain at home.
 - b. Supervisors and employees will discuss and make arrangements for remote work to the extent possible.
 - c. If it is not possible for an employee in an affected area to work remotely, then paid administrative leave shall be provided for up to 14 days per employee (in addition to the 14 days of paid administrative leave provided for during the Phase 1 response above).
 - d. The Legislative Council suspends the operation of any contrary provisions of Legislative Branch Personnel Policies that conflict with the provisions of this paragraph during the time period when the Response Plan is in effect.

IV. Phase 3 – Response to community spread of COVID-19 within the Nation

Phase 3 of this Plan provides for increased mitigation action when the Nation, state, county, or federal public health officials determine that community spread of COVID-19 is occurring or is imminent within the Tohono O’odham Nation. The Council Chairperson is authorized to implement the Phase 3 response when:

1. The Nation is informed by public health officials of the Nation, the United States, the State of Arizona, Pima County, Maricopa County, or Pinal County that community spread COVID-19 within the Tohono O’odham Nation is imminent or is already occurring;
2. Public health officials of the Nation, the United States, the State of Arizona, Pima County, Maricopa County or Pinal County confirm the presence of one or more patients with COVID-19 within the Nation; or
3. Public health officials of the Nation, the United States, the State of Arizona, Pima County, Maricopa County or Pinal County issue guidance or recommendations to employers such as the Nation to take actions included in Phase 3.

V. Process for Transitioning from Phase 2 to Phase 3

Phase 3 of this Plan will take effect when the Council Chairperson sends an email notice to the Legislative Branch (or similar form of electronic or written notice) informing the Branch that Phase 3 of the COVID-19 Response Plan is being implemented.

During Phase 3 of the response, the following measures will be in effect:

1. The offices of the Legislative Branch will be closed and only the Legislative Council Chairperson and Vice Chairperson will be authorized to enter the buildings on an as needed basis. Prior to terminating this Plan and opening the offices, the Legislative Council Chairperson may authorize Facility Maintenance staff to return in order to prepare for reopening the offices. All other employees will work remotely from home, to the extent possible.
2. In order for the public to access the Legislative Branch, notice of the email addresses and phone numbers for staff assigned to receive emails and phone calls during business hours will be provided to the public.
3. All business travel (both in-state and out-of-state) will continue to be prohibited, unless authorized on a case-by-case basis by the Legislative Council chairperson or vice-chairperson for crucial business travel where in-person attendance is necessary.
4. All regular, special, or emergency sessions of the Legislative Council will be conducted electronically (via phone, computer, and any other available technology) and continued to be broadcast to the extent possible on KOHN.

5. Supervisors and employees will work remotely to the extent possible. If it is not possible for an employee to work remotely, then paid administrative leave shall be provided per employee for the full extent of the office closures (in addition to the 14 days of paid administrative leave provided for during the Phase 1 response and the 14 days of paid administrative leave provided for during the Phase 2 response above). The Legislative Council suspends the operation of any contrary provisions of the Legislative Branch Personnel Policies that conflict with the provisions of this paragraph during the time period when the Response Plan is in effect.

VI. Phased Reopening of Legislative Branch Offices

When public health officials indicate that employees may safely return to offices, the Legislative Branch officers have the discretion to implement this portion of the Response Plan. During this Phase of the Response Plan, the Legislative Officers will have the discretion to implement the following measures to re-open Legislative Branch offices in such phases and on such timelines as the Legislative Branch officers determine appropriate, with the goal of preserving the health and safety of Legislative Council Representatives, staff, and members of the public:

1. The number of offices that are opened at one time will be limited initially to an office or offices determined necessary for operations and increased as determined safe to do so.
2. Physical screening measures (such as body temperature measurements) may be implemented to screen individuals prior to building entry and to prevent entry by persons who may be at risk of transmitting COVID-19. Written notice of any screening measures implemented will be posted at building entrances, distributed by public service announcement, and communicated by such other means needed to inform Representatives, staff, and the public.
3. The Council officers will set capacity limits on the total combined number of representatives, staff, and other individuals allowed to be present in chambers, committee meeting rooms, and Council offices at any one time to maintain social distancing and other COVID-19 mitigation strategies.
4. When in-person committee meetings resume, the Council officers will assign committee meeting locations for in-person meetings and will identify days for such meetings; provided that only one committee will meet at the modular at any one time to avoid larger numbers of people gathering in adjoining meeting rooms.
5. Committees are encouraged to limit the number of individuals physically attending meetings, to schedule times for attendance in advance to avoid having individuals

- waiting in buildings, and to use available technology to allow individuals to participate in meetings remotely.
6. Each Committee may continue to permit any member, staff member, or other individual to attend a committee meeting virtually (by phone, GoToMeeting, or other technology) even if other members attend a meeting in-person.
 7. When in person meetings resume, each committee may by consensus or majority vote decide to hold a virtual meeting for a single meeting or a series of meetings.
 8. A committee may by consensus or majority vote authorize a member who provides advance notice by email to join an in-person meeting by phone, GoToMeeting, or other virtual means to be counted as present.
 9. Legislative Council representatives, employees, and visitors will be required to wear face masks unless inside an individual office with no other person present. Notices of the requirement to wear face masks will be posted at all Legislative Branch doorways.
 10. After Legislative Branch buildings are re-opened, Committee meetings and Legislative Council sessions may continue to be conducted virtually through GoToMeeting or other technology.
 11. Legislative Branch business travel may resume for in-state or travel by Legislative Branch vehicle as authorized by the Legislative Council chairperson or vice-chairperson. Travel out-of-state by air may be authorized by the Legislative Council chairperson or vice-chairperson in individual cases for crucial business travel, provided that virtual participation will be encouraged when available. Travelers will observe all Centers for Disease Control and Prevention safety guidelines.
 12. No more than three individuals may wait in the modular lobby with six-foot spacing from each other and the receptionist. No more than two people may wait in the administration lobby with six-foot spacing from each other and the receptionist. These requirements will be posted in the administration lobby.
 13. All Legislative Branch staff and officials will be encouraged to frequently wash their hands.
 14. With the Council officers' advance approval, division supervisors will adjust in-person staffing to allow staff to work remotely on alternating days to reduce the overall number of people inside the buildings at one time.

15. Medically vulnerable individuals may be temporarily reassigned or authorized to work remotely, provided that the basis of the individuals' medical need will remain confidential subject to extension by the Council Chairperson.
16. To the extent permitted under applicable privacy laws, notice will be promptly given to Legislative Branch representatives and staff if a member of the Branch has been confirmed to have contracted COVID-19 or has been exposed to another person confirmed to have contracted COVID-19.
17. The Branch will take prompt COVID-19 mitigation measures if any staff member, official, or visitor to the Branch is diagnosed with or exposed to COVID-19 or if there is a presumptive diagnosis, including an immediate closure of the offices for cleaning.
18. Legislative Branch staff will record the names of individuals present on a daily basis in the Legislative Branch offices in the event notification of possible exposure is required.
19. Nothing in this phased reopening portion of the Response Plan prevents the Legislative Council Chairperson from reinstating a Legislative Branch office closure if the need arises.
20. Implementation of all or any portion of the phased re-opening can be reviewed, modified, or extended in duration by the Legislative Council Chairperson as necessary to protect the health and safety of Legislative Council Representatives, staff and members of the public.

VII. Terminating the Response Plan

The Chairperson of the Legislative Council, after consulting with the Executive Director of the Department of Health and Human Services, may terminate the implementation of this COVID-19 Response Plan when the Nation, state, county, or federal public health officials determine that the mitigation measures provided for in this Response Plan are no longer required to mitigate the community spread of COVID-19 within the Tohono O'odham Nation. Implementation of this COVID-19 Response Plan will terminate when the Council Chairperson sends an email notice to the Legislative Branch (or similar form of electronic or written notice) informing the Branch that implementation of the COVID-19 Response Plan has terminated. Upon termination of this Response Plan, any Legislative Branch Personnel Policies suspended to implement the Plan shall be reinstated.