

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

FLEX-N-GATE CHICAGO, LLC,

Employer,

and

Case No. 13-RC-265966

INTERNATIONAL UNION, AUTOMOBILE, AEROSPACE AND AGRICULTURAL
IMPLEMENT WORKERS OF AMERICA - UAW,

Petitioner.

**EMPLOYER’S REQUEST FOR REVIEW OF REGIONAL DIRECTOR’S
DECISION AND DIRECTION OF ELECTION AND REQUEST FOR
IMMEDIATE STAY OF MAIL BALLOT ELECTION**

Pursuant to Section 102.67 of the National Labor Relations Board’s Rules and Regulations, Flex-N-Gate Chicago, LLC (“Flex-N-Gate” or the “Employer”), the Employer in the above-captioned matter, respectfully requests immediate review of the Decision and Direction of Election (the “Decision”) issued by the Regional Director (“RD”) for Region 13 on October 13, 2020 requiring voting by mail for a potential unit of 434 eligible voters, plus about 25 Team Leads who would be permitted to vote subject to challenge.

Introduction and Overview

The RD’s Decision to vote by mail will have no safety impact on employees, but will drive down participation and drive up the number of void ballots. The employees at the facility are essential workers¹ and have been working in the facility safely. It makes little sense to conduct the election by mail when the employees who will be voting will all be in the facility anyway.

¹ <https://www.cisa.gov/critical-manufacturing-sector>.

The Employer has undertaken extraordinary safety measures at its facility to protect employees against COVID-19. Those measures have proven to be effective, resulting in zero person-to-person transmissions in a facility with nearly 600 total employees. The RD's Decision did not mention these specific results. Rather, the RD noted more generalized concerns and statistics about COVID-19, such as noting steps the States of New York, New Jersey and Connecticut are taking.

The Employer has developed a well-thought-out election safety plan that includes holding the voting in a very large, open area that will essentially simulate having the election outdoors; the positivity rate of Coronavirus cases for the Chicago area remains below the safety benchmark set by public health officials; and, in-person voting will promote employee free choice by maximizing participation and minimizing void ballots.

The fact remains that the workplace at issue here has proven to be safe and manual balloting should be conducted. Therefore, the Employer respectfully requests that the Board review the RD's decision, and stay the election pending such review of this matter.

Standard of Review

In *San Diego Gas & Electric*, 325 NLRB 1143 (1998), the Board affirmed its "longstanding policy" that representation elections should generally be conducted manually. *Id.* at 1144. This is because of the recognized "value of having a Board agent present at the election," as well as empirical evidence showing that the voter participation rate is generally higher in elections conducted manually than in mail ballot elections." *Id.* at 1146. Because of this strong preference for manual elections, the *San Diego Gas & Electric* Board articulated only three specific scenarios where Regional Directors should consider mail ballot elections: where the voters are scattered; where the voters' schedules are scattered; and situations where there is an ongoing strike or

lockout. *Id.* at 1145. Otherwise, it is only in “extraordinary” situations that Regional Directors should consider mail ballot elections.

As to the applicability of the “extraordinary” situations language to the COVID-19 pandemic, the Board noted in a recent case that it “would continue to consider whether manual elections should be directed based on the circumstances then prevailing in the region charged with conducting the election, including the applicability to such a determination of the suggested protocols set forth in GC Memorandum 20-10.” *Sunsteel, LLC*, 19-RC-261739 (Aug. 4, 2020).

Further, in July, the General Counsel released GC Memorandum 20-10, which set forth recommended protocols to follow in returning to manual elections, signaling a desire to return to the Board’s long-preferred method of holding a representation election. In this case, the RD noted, “The Employer submitted an election plan for administrative review that largely tracked GC Memorandum 20-10 (hereinafter GC 20-10).” Decision, p. 3.

Both Parties Agree with In-Person, Manual Balloting

This Board has recently granted review of an RD’s decision to hold a mail ballot election over a manual election. See *Aspirus Keweenaw*, 370 NLRB No. 13 (Aug. 25, 2020). Like that case, both of the parties in this case have *agreed to a manual election* under the protocols in General Counsel Memorandum 20-10. Both the Petitioner and the Employer have affirmatively stated that the Region should conduct a manual, in-person election in this matter pursuant to the direction set forth in General Counsel MEMORANDUM GC 20-10 dated July 6, 2020. See Decision, p. 3, “Both the Petitioner and the Employer requested a manual election;” Hearing Trans. pp. 16-17:

22 HEARING OFFICER BURROS: Mr. File, do you

23 wish to say anything about the date, place and

24 time?

25 MR. FILE: Yes, just briefly. The petition

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1 -- the Petitioner is requesting an in-person

2 manual ballot. The Union agrees with the

3 Employer's proposed dates as well as the location

4 and its safety plan and that Mr. Koenig just

5 discussed.

Both the Petitioner and the Employer requested a manual election. The Employer submitted an election plan for administrative review that largely tracked GC Memorandum 20-10 (hereinafter GC 20-10).

The Employer's Comprehensive Safety Precautions

The Employer has taken extraordinary measures to help ensure the health and safety of their workforce. Those measures include:

- Deep cleaning processes at the facilities;
- Employee return-to-work health screenings requiring that all employees certify they are free from COVID-19 symptoms by completing the Employer's health questionnaire on a regular basis;
- Daily temperature checks of all employees;
- Heightened containment and isolation protocols;
- Daily cleaning and disinfecting processes;
- Social distancing requirements;
- Enhanced personal protective equipment (PPE) for employees;

- All employees are required to notify Human Resources immediately of any changes to their health or changes to the answers previously given on the health questionnaire;
- Adherence to the recommendations provided by local, national and global health experts and government agencies;
- Educating employees on proper hygiene, self-monitoring and social/physical distancing;
- Encouraging employees to stay home if they are not well;
- Travel restrictions on all Flex-N-Gate employees;
- Limiting visitors/contractors to essential visits only;
- Creation of a COVID-19 Task Force to support all facilities;
- Deploying full-time cleaners to each facility.

See the following attached exhibits:

Exhibit 1 – COVID-19 HR Communication;

Exhibit 2 – Flex-N-Gate Zero In On Safety COVID-19 Manager and Supervisor Guide;

Exhibit 3 – Return-to-Work Screening Checklist (Health Questionnaire).

The Employer’s safety measures are not just “on paper.” Rather, the Employer has formed a plant Task Force to actively audit local COVID-19 efforts and to prevent contamination and control exposures. The Task Force uses a “FNG COVID-19 Audit Checklist” which covers such action items as:

- Cleaning efforts (FNG COVID-19 Deep Cleaning Checklist and COVID-19 Cleaning and Disinfecting PPT and Video);

- Plant entry procedures [CHRUF.06039 Return to Work Screening Checklist (Health Questionnaire) United States and CHSP.00020 – Response to High Temperature Readings and Symptomatic Individuals];
- Physical distancing efforts.

A minimum of one audit is completed for each 24-hour period of time. See Exhibit 4, Flex-N-Gate Chicago COVID-19 Checklists. The Employer asserted that it would re-verify compliance with all cleaning protocols in the days leading up to the election and would conduct a video inspection of the election area prior to the election. Finally, all visitors are limited to essential people only and all visitors are required to complete a health screen form and undergo temperature checking.

The Employer's overall safety measures have been effective as there have been zero person-to-person transmissions in the plant.

The Employer's Detailed Election Safety Plan

In addition to the overall precautions taken at the facility, the Employer developed and asserted that it would implement a detailed election safety plan in order for the NLRB to safely conduct an in-person election at the facility in this matter.

The election would take place in a spacious, open area away from production lines, which is behind a barrier wall. The area the Employer plans to use for the election is 3240 square feet, which allows plenty of room for social distancing for those waiting in line. The area proposed for the election has very tall ceilings allowing for ample air circulation. One-way traffic can easily be accommodated in the space and is easily accessible to the voters.

The Employer has three 10' x 10' tents that would be open on the top and front entry, but the sides act as barriers. This would add protection and distancing but still allows ample air

circulation. Tables will be set up six (6) feet apart, one for each of the observers, the Board agent, and the ballot box as needed. The large space overall will allow ample space on the opposite side of the tents for tables to be set up 6+ feet apart.

The Employer will mark a path on the floor from the entrance, to the voting booth and ballot box, and to a separate exit. The employees will be able to walk in the entrance, approach the voting booth, and leave following a one-way traffic pattern—all while maintaining a distance of well over six (6) feet from the nearest person. See Exhibit 5 – Election floor layout. The Employer proposed and the Petitioner has agreed to vote in small groups upon release by the Employer. This will space out the numbers of people and allow for maximum social distancing.

All tables would be equipped with safety barriers similar in size and make-up of Plexiglas dividers that are utilized in current office work areas, but would be set up on tables to protect the Board agent and party representatives. See Exhibit 6, photos of election space, tents and Plexiglas dividers. Ventilation in the plant is via three (3) forced air make up units in the facility, and the filters are changed regularly. If localized ventilation is desired by the Region, the Employer can add fans or anything as necessary.

Further, all observers and voters will be required to wear CDC-approved masks to any pre-election conference, the election itself, and the ballot counting. This requirement will be posted by the Employer in a conspicuous location next to the Notice of Election so all voters are aware of the requirement in advance. The Employer will provide sanitizers so that the voting booth surface and the area surrounding the ballot box can be sanitized frequently under the observation of both observers.

The Employer will provide a sufficient number of disposable pencils without erasers so that each voter can use their own pencil. Additionally, the Employer will provide tape so that

challenged ballots can be sealed. The Employer will provide masks, hand sanitizer, gloves, and wipes for the observers.

The Employer Will Provide All Required Certifications

For the 14 days prior to the election, the Employer will track whether any person who enters the building falls into any of the categories listed on “Attachment A” to the General Counsel’s Memorandum GC 20-10. The Employer will complete and submit the Certification (“Attachment A”) between 24 and 48 hours prior to the date and time of the election.

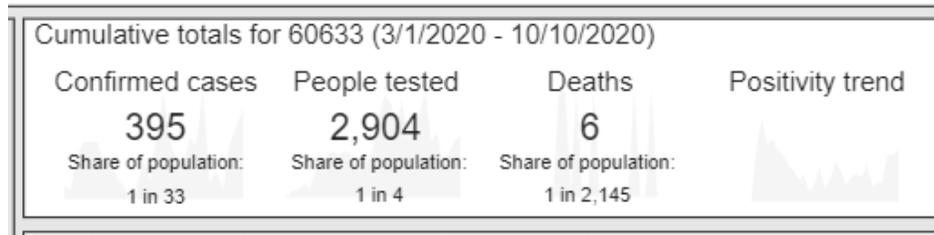
Each observer, representative or other party participating in the pre-election conference, observing the election, or participating in the ballot count will complete and submit the Certification attached as “Attachment B” to the General Counsel’s Memorandum GC 20-10 prior to the pre-election hearing.

Finally, the Employer agrees that it will notify the Regional Director within 14 days after the election if anyone entering the facility on the day of the election:

- Has tested positive for COVID-19 (or has been directed by a medical professional to proceed as if they have tested positive for COVID-19 despite not being tested) within the prior 14 days;
- Is awaiting results of a COVID-19 test;
- Is exhibiting symptoms of COVID-19, including a fever of 100.4 or higher, cough, shortness of breath, or;
- Has had direct contact with anyone in the previous 14 days who has tested positive for COVID-19 (or who is awaiting test results for COVID-19 or have been directed by a medical professional to proceed as if they have tested positive for COVID-19, despite not being tested).

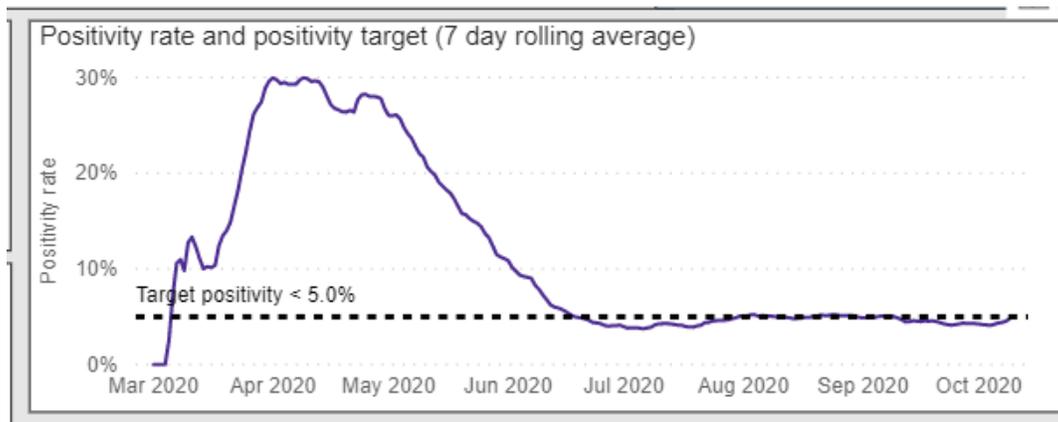
The Area Has Had Low Coronavirus Case Numbers

The City of Chicago reports that there have been only 395 total confirmed COVID-19 cases from March 1 through October 10, 2020 in Zip Code 60633 where the Employer's facility is located (last accessed 10/16/2020):



See <https://www.chicago.gov/city/en/sites/covid-19/home/covid-dashboard.html>.

Further, the City of Chicago Department of Health reports that the Coronavirus positivity rate has been below the target number for many weeks (last accessed 10/16/2020):



See <https://www.chicago.gov/city/en/sites/covid-19/home/covid-dashboard.html>.

Less Participation and More Void Ballots

A recent study published by union attorney Samuel Morris² found that mail in balloting leads to less participation and more void ballots. See Exhibit 7. Mr. Morris's review of recent elections conducted by the NLRB led to the following conclusions:

² Mr. Morris is a traditional labor lawyer who represents the UAW and other unions. See <https://www.gmlblaw.com/attorney/samuel-morris/>.

Lots of Void Ballots

During typical manual ballot elections, the number of ballots not counted due to voter error and mismarking as ineligible. But in this period of heavy mail balloting, factors such as voter error and mail delays result in many mail-in ballots being void, with a much higher likelihood that votes will not be counted.

For example, in a recent mail-in ballot election in New York, 55 ballots were voided out of the 153 cast. In another representation election, this time in California, 30 ballots were voided out of 223 votes cast.

In all elections tallied between Aug. 21 and Sept. 11 there were 4,262 employees eligible to vote in mail-in ballot elections and 183 ballots voided, a ratio of 4.2% of void to eligible. The ratio becomes more statistically significant when one contrasts the number of votes actually cast with the number of void ballots. During the same time frame as above, 2,252 employees cast ballots in mail-in elections with 183 voided for a ratio of 8.1%. Thus, in a close election, the results may hinge on whether a given employer or labor organization's supporters properly fill out their ballots and timely mail them.

Less Participation

Another disturbing emerging trend is in voter participation. Nearly half, or 48%, of the eligible voters in the mostly mail-in ballot elections between Aug. 21 and Sept. 11 did not vote. By contrast, the voter participation rate for largely in-person NLRB elections during the same time period in 2018 was 76%, with mostly in-person elections.

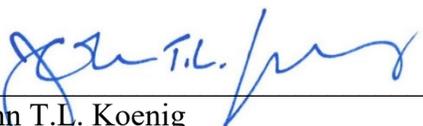
This statistical review by Mr. Morris would tend to show that the important goal of respecting employees' rights to choose whether or not to be represented are furthered by conducting in-person, manual balloting.

Conclusion

The Board has long preferred a manual election because elections overseen by a Board agent are more secure, and voter turnout is maximized in manual elections. Both parties here, Petitioner and Employer, have requested in-person manual balloting. The Employer's overall safety efforts and specific election safety plan are very robust and will allow the voting to be conducted in-person in as safe a manner as possible. The Employer's safety measures have prevented any person-to-person transmission in the plant. And, the overall case rates in the area where the plant is located remain below recommended levels. Finally, a study by a union-side labor lawyer shows that in-person voting will best protect employee free choice by maximizing participation and minimizing void ballots.

For all of the foregoing reasons, Flex-N-Gate Chicago, LLC requests that the Board grant review, vacate the Regional Director's Decision, stay the mail ballot election, and order a manual ballot election.

Dated: October 19, 2020



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**Exhibit 1 –
COVID-19 HR Communication**



COVID-19 Communication



1. What is Flex-N-Gate/Ventra's commitment to me when I am recalled to work?
2. Where can I find information about Flex-N-Gate/Ventra's efforts to make my return to work safe?
3. What cleaning protocols have been implemented at Flex-N-Gate/Ventra to ensure my safety in the workplace?
4. What will be the return to work protocol to ensure my safety?
5. How will I know that my workspace / workstation will be safe when I return to work?
6. How will HR communicate with me when I return to work?
7. What can I do to keep my work areas safe?

As we all continue to navigate through these difficult times we want to express our commitment to keeping our employees safe.

As we patiently wait the restart of the automotive industry, we want to review our company safety protocols to date. These measures meet and in most cases exceed those recommended guidelines for COVID-19.

We continue to review our facilities daily and take the necessary actions to protect our employees and prevent the spread of COVID-19.

The following protocols have been put into effect:

- Adhere to the recommendations provided by, local, national and global health experts and government agencies such as Canada Health, the Centre for Disease Control (CDC), the World Health Organization (WHO), local Health Departments, Federal, State/Provincial and Municipal Governments.
- Deep cleaning of our facilities.
- Educate our employees on proper hygiene, self-monitoring and social/physical distancing.
- We encourage our employees to stay home if they are not well.
- Remote work guidelines.

- Travel restrictions on all Flex-N-Gate employees.
- Limit visitors/contractors to essential visits only.
- Screening employees, visitors and contractors.
- Form a Covid-19 Task Force to support our facilities.
- Assign full-time cleaners to each facility.

While the threat remains low in our industry, it's prudent to be proactive. Our priority will continue to be the safety and welfare of our employees, their families and our customers.

Please don't hesitate to contact Health & Safety, Human Resources or your COVID-19 Task Force, if you have any questions or suggestions.



Getting the Message to our Team:

At Flex-N-Gate, we are committed to putting our people first and providing the most current information available.

We will begin sharing updates to our employees on COVID-19 and other essential topics through a various social media mechanisms.

This communication is to reach the global workforce and reflects our best knowledge at the time of writing.

We will continue to update our team members as we receive new information from our various official sources

Where Can I find more information (USA/CDN):

- Flex-N-Gate Corporate Website

www.flex-n-gate.com

 Flex-N-Gate Facebook

https://www.facebook.com/Flex-N-Gate-109941887315365/?view_public_for=109941887315365

 Flex-N-Gate LinkedIn Page

<https://www.linkedin.com/company/flex-n-gate/?viewAsMember=true>

 Flex-N-Gate Instagram

https://www.instagram.com/flexngate_corporate/

- I.T. to email employees

What cleaning protocols have been implemented at Flex N Gate/Ventra to insure my safety in the workplace?

Flex N Gate has established a COVID-19 Task force at each facility to ensure daily cleaning protocols are implemented

Each Flex N Gate facility has been deep cleaned to ensure a safe return for employees entering the facilities

Social /physical distancing protocols will be implemented at each facility

- Entrance / Exit into the facility
- Lunch rooms
- Meeting spaces
- Work spaces

Flex N Gate/Ventra is committed to providing a clean and safe work environment.

Each facility has created a COVID-19 Task force who are responsible for ensuring protocols are implemented at each facility – daily cleaning

Daily audits of the cleaning protocol will be conducted

PROTECTING OUR MOST VALUABLE ASSET OUR EMPLOYEES

while the auto manufacturers were shut down, we did a deep clean to help protect you

WHAT WE CLEANED AND SANITIZED

<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Light Switches <input checked="" type="checkbox"/> Door Handles <input checked="" type="checkbox"/> Hand Rails <input checked="" type="checkbox"/> All Break Areas <input checked="" type="checkbox"/> Vending Machines 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> All Refrigerators <input checked="" type="checkbox"/> All Equipment Push Buttons <input checked="" type="checkbox"/> Light Curtains <input checked="" type="checkbox"/> All Lift Assists Controls & Handles <input checked="" type="checkbox"/> All Forklifts Controls & Steering <input checked="" type="checkbox"/> All Time Clocks
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FLEX | N | GATE **ZERO IN On Safety**

FNG COVID-19 Deep Cleaning Checklist

Facility Name: _____ Area Cleaned: _____

Date cleaned: _____ Name of person(s) cleaning: _____

All of the following shall be thoroughly deep cleaned and disinfected with an EPA approved disinfectant or 70% alcohol solution. Protective gloves and other appropriate PPE shall be worn, ventilation used, as well as efforts such as "caution wet floor" signage used during cleaning efforts. Check each box as cleaning / disinfecting is completed.

<input type="checkbox"/>	Light switches
<input type="checkbox"/>	Door knobs / handles
<input type="checkbox"/>	Handrails / Guard rails
<input type="checkbox"/>	All restrooms cleaned top to bottom - sprayed down with disinfectant, mopped, toilets, sinks and all handles disinfected
<input type="checkbox"/>	All soap/sanitizer dispensing levers/handles
<input type="checkbox"/>	All break areas cleaned top-to-bottom - sprayed down with disinfectant, mopped, tables and chairs disinfected
<input type="checkbox"/>	Vending machine buttons
<input type="checkbox"/>	All refrigerators emptied and disinfected inside and out
<input type="checkbox"/>	All microwave ovens, inside as well as the buttons
<input type="checkbox"/>	Countertops and common spaces
<input type="checkbox"/>	Office desks (including drawer/cabinet handles), chairs, phones, keyboards and mice
<input type="checkbox"/>	Copy machines and similar common equipment
<input type="checkbox"/>	Training and meeting room tables and chairs
<input type="checkbox"/>	Drinking fountains
<input type="checkbox"/>	Fork lift controls, steering wheels, seats
<input type="checkbox"/>	All equipment controls such as push buttons, optical switches, light curtain test sticks, touchscreens
<input type="checkbox"/>	Lift assist controls and handholds
<input type="checkbox"/>	Table printers
<input type="checkbox"/>	Visitor areas such as Lobby kiosks, sign-in registers, pens, passthrough windows for visitors / truck driver paperwork
<input type="checkbox"/>	Time clocks / hand scanners thoroughly wiped and disinfected
<input type="checkbox"/>	MRO or lb counter s wiped and disinfected
<input type="checkbox"/>	Used PPE such as armguards, gloves, aprons, etc. laundered thoroughly or discarded and replaced
<input type="checkbox"/>	Replace filtration in all air recirculation equipment, furnaces, AC Units, air make-up units
<input type="checkbox"/>	All trash removed and replaced with fresh bags

CHSF.00010
Rev. 1
3/24/2020

THIS BUILDING HAS BEEN CLEANED & DISINFECTED TOP TO BOTTOM

Your role is to continue to STOP THE SPREAD OF GERMS

Avoid close contact and shaking hands with people who are sick.



Cover your cough or sneeze with a tissue, then throw the tissue in the trash.



Avoid touching your eyes, nose, and mouth.



Clean and disinfect frequently touched objects and surfaces.



If you have a fever, cough and/or difficulty breathing, seek medical attention.



Wash your hands often with soap and water for at least 20 seconds.



FNG / Ventra has taken Critical Measures to Reduce Exposure to Covid-19 in the Workplace:

- Developing and following a deep cleaning checklist, which guides cleaners through the equipment to be disinfected
- Deep cleaning using methods, products and mixtures approved by the EPA for use on the COVID-19 virus
- Deep cleaning areas such as restrooms, break areas, production equipment, as well as other "touch points" within the facility such as vending machines, time clocks, telephones, etc.

As FNG / Ventra returns critical operations back into production, we would like you to understand that you are returning to a clean environment.

Help prevent the spread of the coronavirus

Additional Temporary* Measures to Protect You:

- Lunch and break areas re-organized to allow greater Social/Physical Distancing
- Additional Staff are in place to clean and disinfect during the work shifts
- Self-declaration forms of exposure to Covid-19 have been put in place to protect all workers
- FNG will be incorporating the use of temperature scanners in order to ensure we are not allowing anyone suffering from a high temperature into the facility
- Limiting job rotations that are not fatigue inducing to minimize potential exposure
- Staggering shift times, as well as break times to allow limited crowds in areas such as entrances, break rooms and rest rooms
- Work Stations reviewed and efforts made to improve Social/Physical Distancing

* The preventative physical and social measures that have been put in place are part of our ongoing commitment to promote a safe workplace. We will continue to monitor and evaluate these measures and adjust them accordingly as this Covid-19 situation may warrant. Currently we anticipate that we will be providing preventative measures in place until June 30th 2020, subject to ongoing review and guidance

Suggestion of what you can do to help:

- Be Aware, Be Safe, Be Kind and do your best to be part of the solution to this global health crisis
- Take your temperature at home and if elevated, seek medical guidance
- Wash your hands with soap and warm water for at least 20 seconds after using the restroom, before eating, and regularly throughout the day
- Do your best to maintain social distancing
- Do not eat, smoke, or otherwise congregate in areas
- Do not share common items such as phones, keyboards and two-way radios. If this cannot be avoided, sanitize them between users



**COVID-19
SAFETY
STRATEGY**



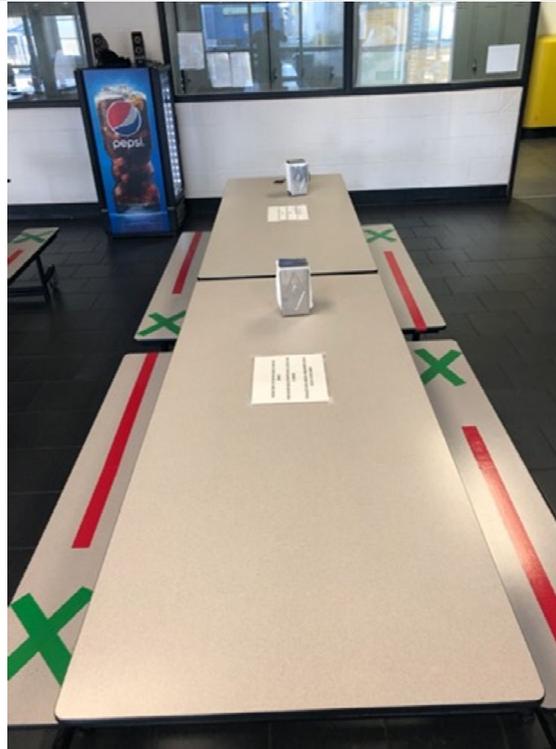
ZERO IN On Safety



ZERO IN On Safety

Why Social/Physical Distancing is important in our Facilities

- Keep a 6 foot (2 meters) distance between yourself and others
- Mitigate interactions with large groups of people – do not congregate
- Don't share common devices
- Bring your own lunch, drinks, thermos
- Plant COVID-19 task forces will monitor employee activities



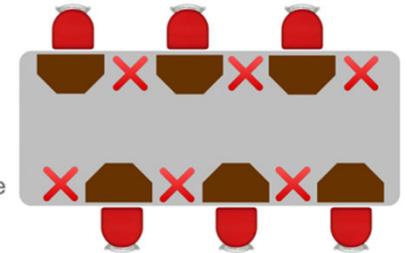
HELP STOP THE SPREAD!

HOW YOU CAN HELP -

- Maintain physical distance; do not congregate
- Continue to practice good hygiene:
 - frequent hand-washing
 - cough or sneeze into your arm
 - self-declare if unwell
- Do not share common devices (phones, keyboards, etc.)
- Bring your own lunch, drinks, thermos

Be Aware
Be Kind
Be Safe

Cooperate and do your best to be part of the solution to this global health crisis



What will be the return to work protocol to ensure my safety?

- Every employee must complete a Return to Work / Health screening questionnaire
 - To be completed on a monthly basis
- Daily Thermal scans will be given to each employee prior to entering the facility
- Every Guest/Contractor will also be required to complete a health screening questionnaire and thermal scan before entering the facility
- Any employee who does not complete the questionnaire or meet the requirements, will not be permitted to enter the facility

Your participation is important to help us take precautionary measures to protect you and everyone in the building. Thank you!

Daily Employee Entry:

- Upon recall, all employees must certify that they are free from COVID-19 symptoms by completing the company's health questionnaire
- All employees are required to notify Human Resources immediately of any changes to their health or changes to the answers previously given on the questionnaire
- Health questionnaire to be repeated monthly
- For the protection of all, every employee is expected to undergo a temperature test daily to determine if symptomatic or asymptomatic



**COVID-19 Return to Work Screening Checklist
(Health Questionnaire) - Canada**

EMPLOYEE NAME: _____

CLOCK #: _____ **DATE:** _____

To ensure the safety and well-being of everyone entering the workplace, please answer the following questions.

1. Do you have any of the following symptoms: fever/feverish, new or existing cough and difficulty breathing?
 YES NO
2. Have you travelled internationally within the last 14 days, for reasons other than approved essential work purposes (outside **Canada**)?
 YES NO
3. Have you had close contact with a confirmed or probable COVID-19 case?
 YES NO
4. Have you had close contact with a person with acute respiratory illness who has been outside **Canada** in the last 14 days?
 YES NO

If you answered YES to any of the above questions, please contact your local Public Health authority at <insert # for local public health service>, for further direction.

If you develop any of these symptoms, it is your responsibility to notify the HR Department immediately, contact Public Health, and follow proper protocol.

_____	_____
Human Resources Signature	Date Signed
_____	_____
Employee Signature	Date Signed

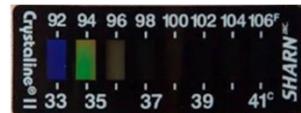
Revision Date: March 26, 2020 Rev # 1 1

Protocol – Thermal Devices

Handheld Units



Stickers



Mounted System for Larger Plants



Entrance Steps into the facility

Every employee is expected to undergo a temperature test upon entrance to the facility

Temperature readings will be conducted daily

Any persons temperature at or above 100.4/38C, will be ask to undergo a confirmation screening

- If confirmation scanning results in a 100.4/38C reading, individual will be provided additional isolation instructions.
- If confirmation scanning result indicates no fever, individual may enter the property

Visitor /Contractor Management:

All visitors should be denied access into the facility at this time, unless business essential including:

- Equipment integrators
- Safety audits/support

Visitors will be required to completed a Visitor Health Screen prior to entrance to each facility

Ensure visitors understand Flex N Gate safety policies during these times

Where possible, establish and publish visitor schedules

Visitors must also go through temperature screening protocol

FLEX-N-GATE COVID-19 VISITOR QUESTIONNAIRE Updated as of 3/30/2020

The safety of our employees, customers, families and visitors remains Flex-N-Gate's overriding priority. As the coronavirus disease 2019 (COVID-19) outbreak continues to evolve and spreads globally, Flex-N-Gate Safety and Security are monitoring the situation closely and will periodically update company guidance based on current recommendations from the Center for Disease Control and the World Health Organization.

To prevent the spread of COVID-19 and reduce the potential risk of exposure to our employees and visitors, we are conducting a simple screening questionnaire. Your participation is important to help us take precautionary measures to protect you and everyone in this building. Thank you for your time.

VISITORS NAME:	PERSONAL PHONE NUMBER (MOBILE/HOME):
VISITORS COMPANY/ORGANIZATION:	NAME OF FLEX-N-GATE HOST:
FACILITY NAME:	

If the answer is "yes" to any of the following questions, access to the facility will be denied.

Self-Declaration by the Visitor

- 1 Have you returned from any international travel* or been in close contact with anyone who has travelled internationally within the last 14 days?

Yes No
- 2 Have you had close contact with or cared for someone diagnosed with COVID-19 within the last 14 days?

Yes No
- 3 Have you experienced any cold or flu-like symptoms in the last 14 days (to include fever, cough, sore throat, respiratory illness, difficulty breathing)?

Yes No

SIGNATURE (VISITOR):	DATE:
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Note: If you plan to be onsite for consecutive days, please immediately advise your Flex-N-Gate host if any of your responses change. The information collected on this form will be used to determine your access rights to Flex-N-Gate facilities. For more information, see Flex-N-Gate privacy statement at www.flex-n-gate.com/PrivacyPolicy.html

Access to facility (circle one): Approved Denied

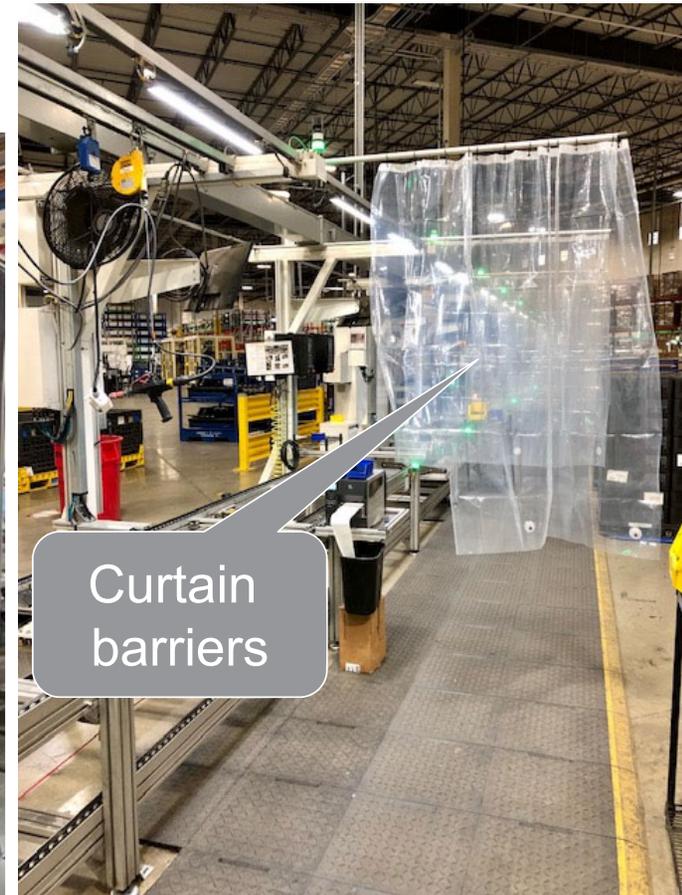
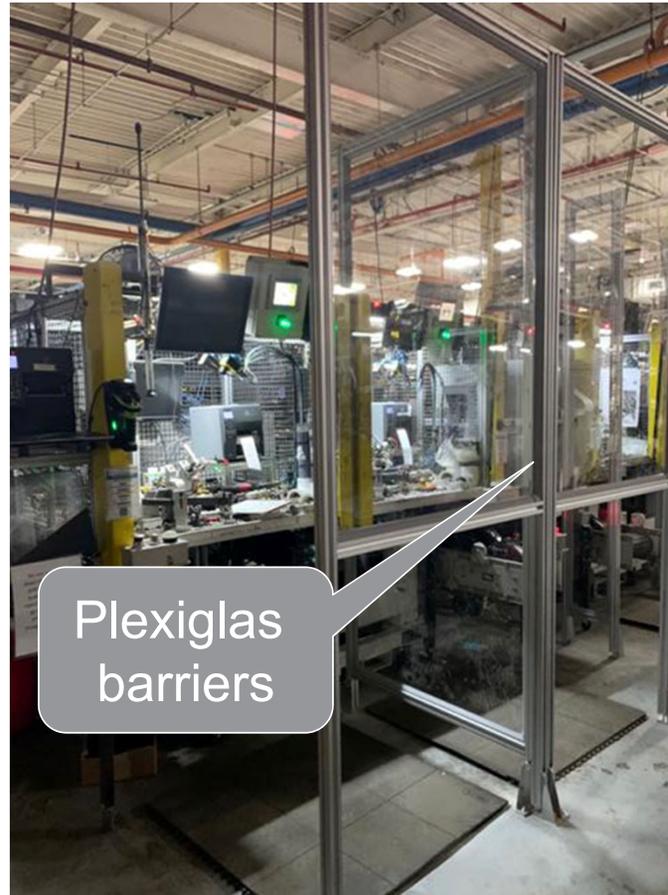
*The following exemptions apply to healthy people who otherwise meet the criteria outlined in the health screening questionnaire:

- Truck drivers that shuttle product from the USA to Canada and vice versa to FNG/entra Locations.
- Employees that commute daily from the USA to a Canada and vice versa (except for those who have travelled outside of the United States and/or Canada in the last 14 days).
- Carriers Companies/drivers that have attested as a company to following the FNG/entra COVID19 procedures).

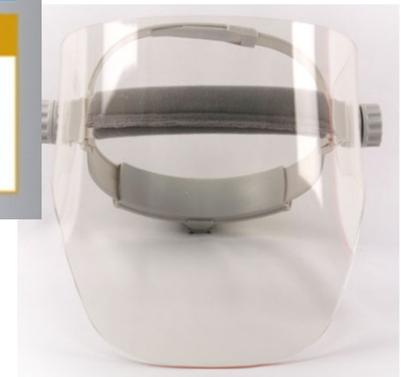
Will my workspace / workstation be safe to return to work?

- Every Flex N Gate is assessing and implementing safety strategies at the workstations
- Standard PPE protocols will be enforced to ensure every employees safety
- Job Rotations will be frozen temporarily to promote distancing
- Meeting protocols will adhere to social distancing and teleconferencing meetings will be recommended over in person meetings
- Every employee will be asked to keep their Workstation / desk clean to stop the spread of germs.

- Flex N Gate / Ventra is implementing safety strategies at workstations.
- Barriers are being installed and appropriate physical/social distancing markers will be placed within the plant.



- Standard PPE requirements apply for all manufacturing operations.
- The CDC recommends masks be used by people who are either sick, working in healthcare or performing decontamination activities.
- Employees may wear masks from home if they so desire.
- Verifying PPE Levels in the plants and updating re-order levels
- Ensure availability of soap, disposable hand towels, hand sanitizer etc.
- In areas where social/physical distancing is not possible employees will be provided face shields.

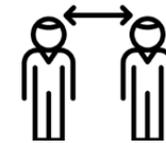




Temporarily Freeze Plant Job Rotations

- We are limiting job rotations temporary to promote distancing
- This specifically applies to job rotations that are not fatigue inducing
- In addition, all work stations are being reviewed. Efforts are being taken to improve social physical distancing.

Shift changes will be managed thoughtfully to reduce infection risk, and to leverage the opportunity they present to ensure optimal disinfection of the workplace.



Facility /
Cleaning
Crew

- Security stations near entry/exit doors

- Start/end times staggered
- Designated entrance/exit doors
- Doors will be propped open where applicable ensuring safety
- Employees will utilize the handscan wave for punching in and out

All
Employees

- Do not touch the time clock or entry door handle with an exposed finger(s) or hand
- Do not touch your face before you have had a chance to wash your hands
- Lead with your elbow

- Avoid gathering in crowds
- Remain in your car until your scheduled window of start time
- Ensure social distancing is maintained while you wait in line to enter the plant
- When you talk to someone in line, do not speak directly at them



Safe Meeting Protocols

1. When meeting, implement social distancing measures six feet (two meters) distance from each other
2. Plan for online or teleconferencing options
3. Wipe down surfaces before any face to face meeting
4. Consider all online or teleconference options. Limit face to face meetings
5. Cancel non-urgent and non-essential meetings or activities



Offices

1. Wash hands prior to returning to your office
2. Keep desk and tables clean
3. Wipe down keyboards and desk regularly
4. Wash hands if you've been in contact with anyone
5. Wash your hands before you eat



Handling Documents

1. Where possible, documents should be done via scanning and email
2. When hard-copy documents are required, the use of a drop box should be encouraged
3. When handling documents, ensure you are washing your hands regularly, and sanitize your hands before and after touching the documents

What can I do to keep my work areas safe?

Help stop the spread of germs

- Avoid close contact with others – do not shake hands
- Cough into your arm
- Avoid touching your mouth, eyes and nose
- Clean and disinfect regularly
- Seek medical help if you are running a fever and not feeling well
- Wash your hands frequently

Recognize the sign of COVID 19

- Fever, coughing, shortness of breath, symptoms appear 2-14 days after exposure

Stopping the Spread of Germs:

- Avoid Close Contact and shaking hands with people who are sick
- Cover your cough or sneeze
- Avoid Touching your eyes, nose and mouth
- Clean and Disinfect frequently
- If you have a fever, cough or difficulty breathing, see medical help
- Wash your hands often



Why washing with soap and water is most effective:

- Soap disrupts the chemical bonds that allows bacteria and virus to stick to surface, lifting them off the skin
- Rinsing yours hands will wash away any this bacteria
- Hand sanitizer is not as effective as soap

WASH YOUR HANDS

Wash your hands with soap and running water when **HANDS ARE VISIBLY DIRTY**

If your **HANDS ARE NOT VISIBLY DIRTY**, frequently clean them by using alcohol-based hand rub or soap and water

FLEX|N|GATE | ZERO IN On Safety

Protect yourself & others from getting sick

WASH YOUR HANDS

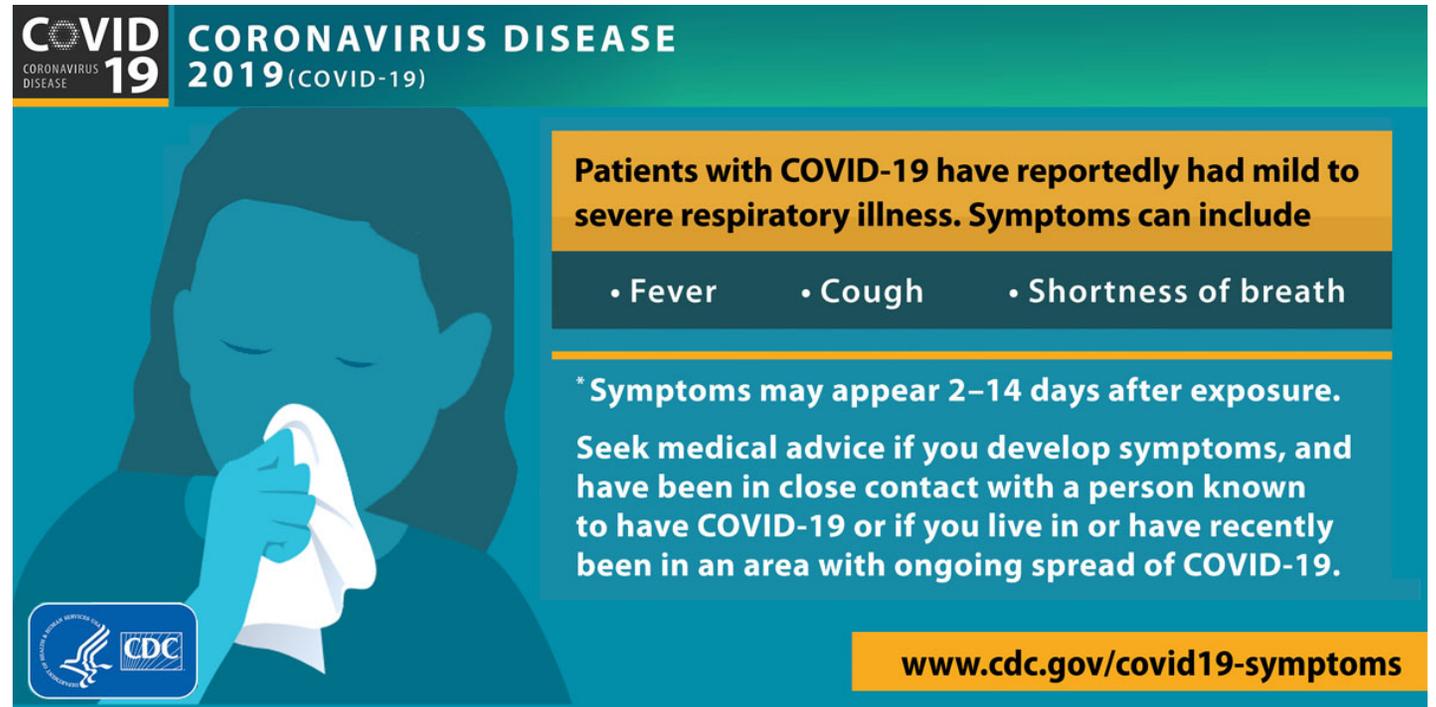
- after coughing or sneezing
- when caring for the sick
- before, during and after you prepare food
- before eating
- after toilet use
- when hands are visibly dirt

FLEX|N|GATE | ZERO IN On Safety

In the interest of ensuring a safe and healthy work environment, we recommend that you voluntarily monitor your health before coming to work.

Symptoms:

- Fever
- Cough
- Shortness of Breath
- Symptoms may appear 2-14 days after exposure
- Seek Medical Advice if you are showing symptoms



COVID 19
CORONAVIRUS DISEASE

CORONAVIRUS DISEASE 2019 (COVID-19)

Patients with COVID-19 have reportedly had mild to severe respiratory illness. Symptoms can include

- Fever
- Cough
- Shortness of breath

*** Symptoms may appear 2–14 days after exposure.**

Seek medical advice if you develop symptoms, and have been in close contact with a person known to have COVID-19 or if you live in or have recently been in an area with ongoing spread of COVID-19.

www.cdc.gov/covid19-symptoms

The infographic features a central illustration of a person coughing into their elbow. Logos for the Department of Health and Human Services and the CDC are visible in the bottom left corner.

Facility Specific Information

- You will be contacted by your respective facility when to return to work
- Weekly communications will be available beginning with social media outlets and at the facility upon return
- Contact your facility Human Resources Team Member for any questions

We look forward to getting back to work, but in the meantime we would like to wish everyone well.

**Stay Safe!
Stay Healthy!**



Exhibit 2 –
Flex-N-Gate Zero In On Safety COVID-19
Manager and Supervisor Guide

Zero In On Safety.

**COVID-19: MANAGER AND
SUPERVISOR GUIDE
REVISION: 7/24/2020**

Date: July 24, 2020



To Managers and Supervisors

Ensuring yours and our employees' safety is our top priority.

As we get back to work, it is important everyone understands the new world we live and work in, and what that means for your safety and well-being at our plants.

More than ever, we all must commit to one another to Zero In On Safety. We must, at all times, take the necessary steps to keep one another – and ourselves – as safe and healthy as possible so we can all get back to work -- and stay working.

We have implemented a number of new temporary initiatives to make sure all employees feel safe and protected. Some of these will impact the way our employees work and move about our plants, so it is important to know and enforce these new measures so we can keep our plants operating and, most importantly, keep everyone safe.

At Flex | N | Gate, we have gone above the CDC Guidelines to ensure our employees' safety. We will evaluate all these measures to determine the appropriate times to modify or remove these based on government regulations and recommendations. For now, taking these measures is essential to reduce the community spread of COVID-19. The biggest impact to community spread is the adherence of all employees to social distancing, regular hand washing, and not touching faces. The actions below further enhance the reduction of community spread:

- **Return to Work Screening**
- **Daily temperature checks**
- **Restricted visitors**
- **Heightened containment and isolation protocol**
- **Deep cleaning processes**
- **Social distancing requirements**
- **Enhanced personal protective equipment (PPE)**

As always, we each have a responsibility to one another to maintain a safe work environment. This means we conduct ourselves in a safe and respectful manner, speak up when we see a risk and act quickly to resolve issues. Our actions in the manufacturing facilities, with the support of all our employees, will allow us a safe operating environment for all.

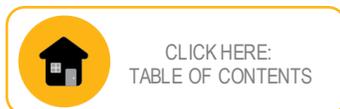
Rod Alward
Vice President Quality and Safety





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PREPARING TO RE-OPEN

COVID-19: TASK FORCE

Unprecedented times have caused a lot of anxiety in our workforce. In order to protect and reduce the anxiety within our employees, Flex|N|Gate has assembled COVID-19 Tasks Forces throughout the organization.

The Task Force is set up to ensure that necessary safety protocols are implemented in each plant and maintained during this crisis. CDC recommendations are reviewed and even enhanced by the Task Force at each individual facility.

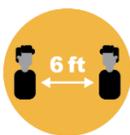
A local facility information sharing area is implemented at each plant, as well as the HSE database 'Velocity' which contains all COVID-19 material.

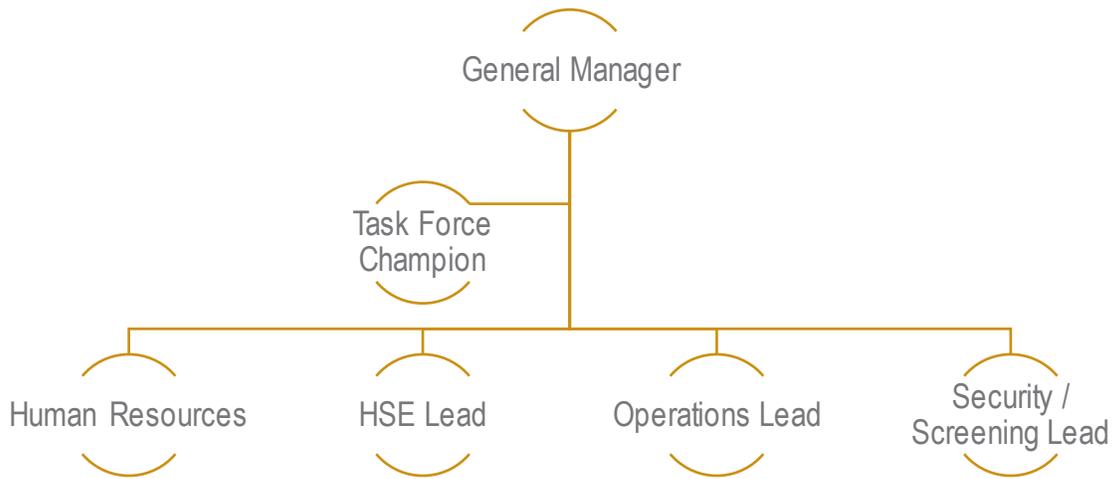
Communication will be critical in ensuring that the Employees return to a safe work environment and best practices are shared and implemented throughout the organization. The Task Forces will be the primary tool for preparation, planning, implementing and reviewing the success.



TASK FORCE GOALS AND OBJECTIVES:

- ✓ Informed Decision Making
- ✓ Meet and Exceed CDC Recommendations
- ✓ Ensure safe re-entry in Flex|N|Gate facilities and work areas
- ✓ Communication regarding COVID-19
- ✓ Actively support social distancing and hygiene practices
- ✓ Quick Reaction Team for COVID-19 situations





General Manager

The General Manager will assign Task Force team members and communicate responsibilities. The General Manager is responsible for the COVID-19 overall preparedness and compliance.

Task Force Champion

The Champion is the Spokesperson for the plant during the Companywide reviews and discussions. The Task Force Champion is responsible for executing the Task Force Goals and Objectives.

Human Resources

The Human Resource Department is responsible for communication and documentation regarding Flex|N|Gate's response to the COVID-19 crisis.

HSE Lead

The HSE Lead is responsible for auditing the Health and Wellness preparedness. The HSE Lead is responsible for setting up training and conducting the auditing of Social Distancing requirements, including monitoring PPE compliance.

Operations Lead

The Operations Lead is responsible for ensuring that Work Stations are compliant with Social Distancing recommendations.

Security / Screening Lead

The Security / Screening Lead is responsible to prevent un-authorized access into Flex|N|Gate facilities or work areas. Entrance to Flex|N|Gate facilities and work areas will only be allowed in accordance with the Health and Safety checks (e.g. Temperature, Health Questionnaire).





CLEANING & DISINFECTING OPERATIONS

Our entire Facility has been cleaned and disinfected using the 'COVID-19 Cleaning and Disinfecting (CDC Guidelines)'

The cleaning and disinfecting teams have been trained in accordance with the above guidelines. Cleaning and Disinfecting will be conducted based on the Risk Assessment.

Documentation is maintained by the HR Department and/or other department identified at the facility.

FLEX|N|GATE **ZERO IN On Safety**

FNG COVID-19 Deep Cleaning Checklist

Facility Name: _____ Area Cleaned: _____
 Date cleaned: _____ Name of person(s) cleaning: _____

All of the following shall be thoroughly deep cleaned and disinfected with an EPA approved disinfectant or 70% alcohol solution:
 Protective gloves and other appropriate PPE shall be worn, ventilation used, as well as efforts such as "caution wet floor" signage used during cleaning efforts.
 Check each box as cleaning / disinfecting is completed.

<input type="checkbox"/>	Light switches
<input type="checkbox"/>	Door knobs / handles
<input type="checkbox"/>	Handrails / Guard rails
<input type="checkbox"/>	All restrooms cleaned top to bottom - sprayed down with disinfectant, mopped, toilets, sinks and all handles disinfected
<input type="checkbox"/>	All soap/sanitizer dispensing levers/handles
<input type="checkbox"/>	All break areas cleaned top-to-bottom - sprayed down with disinfectant, mopped, tables and chairs disinfected
<input type="checkbox"/>	Vending machine buttons
<input type="checkbox"/>	All refrigerators emptied and disinfected inside and out
<input type="checkbox"/>	All microwave ovens, inside as well as the buttons
<input type="checkbox"/>	Countertops and common spaces
<input type="checkbox"/>	Office desks (including drawer/cabinet handles), chairs, phones, keyboards and mice
<input type="checkbox"/>	Copy machines and similar common equipment
<input type="checkbox"/>	Training and meeting room tables and chairs
<input type="checkbox"/>	Drinking fountains
<input type="checkbox"/>	Forklift controls, steering wheels, seats
<input type="checkbox"/>	All equipment controls such as push buttons, optical switches, light curtain test sticks, touchscreens
<input type="checkbox"/>	Lift assist controls and handholds
<input type="checkbox"/>	Label printers
<input type="checkbox"/>	Visitor areas such as lobby kiosks, sign-in registers, pens, passthrough windows for visitors / truck driver network
<input type="checkbox"/>	Time clocks / hand scanners thoroughly wiped and disinfected
<input type="checkbox"/>	MRO crib counters wiped and disinfected
<input type="checkbox"/>	Used PPE such as armguards, gloves, aprons, etc. laundered thoroughly or discarded and replaced
<input type="checkbox"/>	Replace filtration in all air recirculation equipment, furnaces, AC Units, air make-up units
<input type="checkbox"/>	All trash removed and replaced with fresh bags

CHSF.00010 Rev. 1

THIS BUILDING HAS BEEN CLEANED & DISINFECTED TOP TO BOTTOM

CLEAN:

If surfaces are dirty, start by cleaning them with soap and water in order to remove dirt and grime. Clean high touch surfaces using Flex|N|Gates 'Deep Cleaning Checklist' as a guide to what should be cleaned. Don't limit your cleaning to only the items on the checklist, all frequently touched items or potentially contaminated items should be cleaned as well. Once finished, Deep Cleaning Checklists should be forwarded to EHS or HR.

RECOMMENDED PPE:



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DISINFECT:

- Clean the area or item with soap and water or another detergent if it is dirty. Then, use disinfectant.
- Recommend use of EPA-registered household disinfectant. Follow the instructions on the label to ensure safe and effective use of the product. Many products recommend:
 - Diluted household bleach solutions may also be used if appropriate for the surface. Check to ensure the product is not past its expiration date. Unexpired household bleach will be effective against coronaviruses when properly diluted. Follow manufacturer's instructions for application and proper ventilation. Never mix household bleach with ammonia or any other cleanser.

RECOMMENDED PPE:



ELECTRONICS:

For electronics, such as tablets, touch screens, keyboards, remote controls, and ATM machines.

- Consider putting a wipe-able cover on electronics.
- Follow manufacturer's instructions for cleaning and disinfecting.
 - a. If no guidance, use alcohol-based wipes or sprays containing at least 70% alcohol. Dry surface thoroughly.

RECOMMENDED PPE:



LAUNDRY:

For clothing, towels, liners and other items

- Wear disposable gloves.
- Wash hands with soap and water as soon as you remove the gloves.
- Do not shake dirty laundry.
- Launder items according to the manufacturer's instructions. Use the warmest appropriate water setting and dry items completely.
- Dirty laundry from a sick person can be washed with other people items.
- Clean and disinfect laundry hampers according to the guidance above for surfaces.

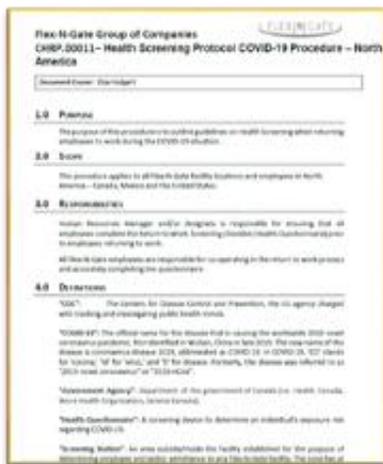
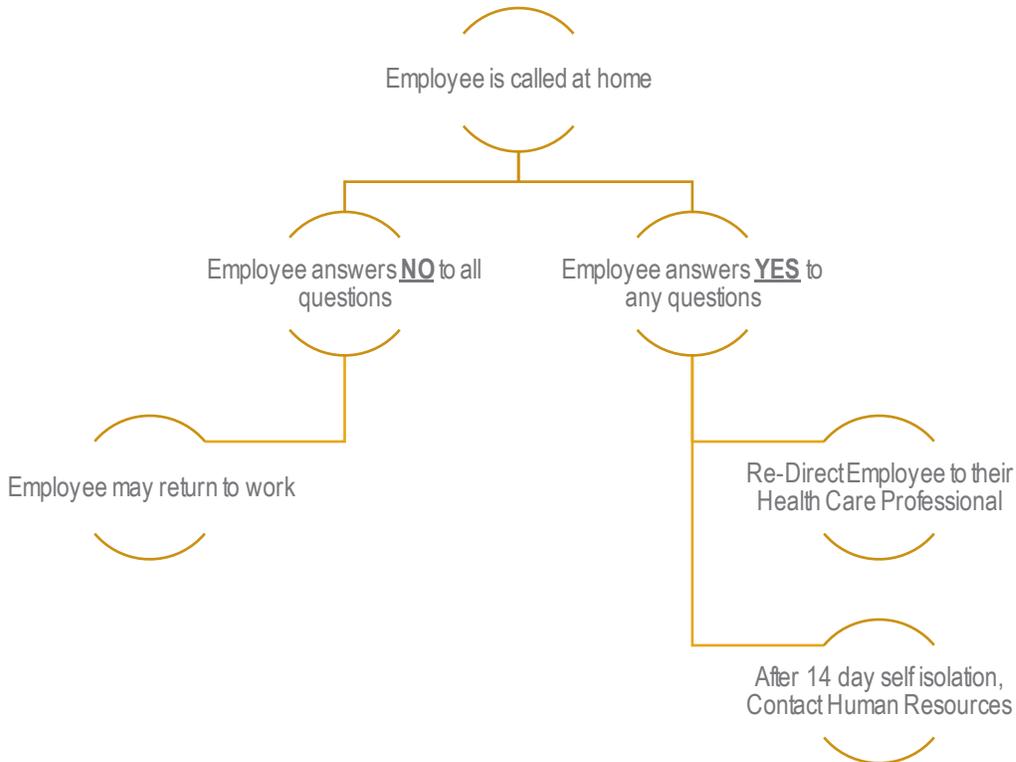
RECOMMENDED PPE:





EMPLOYEE PRE-SCREENING PROCEDURE

ALL employees must complete a phone screening conducted by HR before re-entry to Flex|N| Gate facilities and/or work areas. 'Employee Pre-Screening Procedure' Diagram displayed below



For more information, refer to Health Screening Protocol COVID-19 Procedure – North America CHRP.00011



 [CLICK HERE: TABLE OF CONTENTS](#)



WELCOMING EMPLOYEES BACK TO THE FACILITY

Employee Entrance

Upon recall, all employees will certify that they are free from COVID-19 symptoms by completing the company's health questionnaire.

All employees are required to notify Human Resources immediately of any changes to their health or changes to the answers previously given on the questionnaire.

Health questionnaires will be repeated monthly.

For the protection of all, every employee will undergo a temperature test daily to determine if a fever is present.

Specific instructions outlined in procedure 'Response to High Temperature Readings and Symptomatic Individuals'.

CHRUF.06039

FLEX|N|GATE COVID-19 Return to Work Screening Checklist
(Health Questionnaire) – United States

EMPLOYEE NAME: _____

CLOCK #: _____ DATE: _____

To ensure the safety and well-being of everyone entering the workplace, please answer the following questions.

1. Do you have any of the following symptoms: fever/feverish, new or existing cough and difficulty breathing?
 YES NO
2. Have you travelled internationally within the last 14 days, for reasons other than approved essential work purposes (outside U.S.)?
 YES NO
3. Have you had close contact with a confirmed or probable COVID-19 case?
 YES NO
4. Have you had close contact with a person with acute respiratory illness who has been outside the United States in the last 14 days?
 YES NO

If you answered YES to any of the above questions, please self-quarantine and call your local Health Care Provider for further direction.

If you develop any of these symptoms, it is your responsibility to notify the HR Dep immediately, and follow proper protocol.

Human Resources Signature _____ Date Signed _____

Employee Signature _____ Date Signed _____

Revision Date: March 26, 2020 Rev # 1

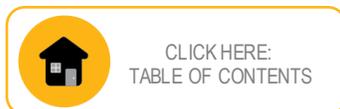


In addition to the phone pre-screen, this document MUST be signed prior to any employee returning to work.

Visitor / Contractor Management

All visitors will be denied, unless business essential. Ensure visitors follow the Flex|N|Gate Visitor Health Screen Questionnaire CSEF.0007 rev 2. Ensure visitors understand Flex|N|Gate safety policies during these times. Where possible, establish and publish visitor schedules. Visitors will also go through temperature screening protocol.

IF YOU ARE SYMPTOMATIC – CONTACT HUMAN RESOURCES AND STAY AT HOME





Temperature Checking Device(s)

Scan Zones will be identified at each Facility.

Employee temperatures will be taken daily before shift begins to ensure employees do not have a fever.

* Flex|N|Gate temperature guidelines are listed below. Local government temperature regulations supersede Flex|N|Gate guidelines.

TEMPERATURE	THERMOMETER READING (F)	ACTION
100.3 Degrees F or LOWER 37.9 Degrees C or LOWER	GREEN	EMPLOYEE MAY ENTER
100.4 Degrees F or HIGHER 38.0 Degrees C or HIGHER	RED	SECONDARY METHOD REQUIRED . IF ABOVE 100.4 = FOLLOW ISOLATION PROTOCOL (DIAGRAM BELOW)

METHOD #1: Thermal Imaging

1. The thermal imaging device scans every employee that passes through the scan zone.
2. A temperature reading of the person’s forehead is taken.
3. A green box will appear on the forehead of a person with a temperature of 100.3 degrees F or lower and indicate their temperature.
4. A red box will appear on the forehead of a person with a temperature of 100.4 degrees F or higher, indicate their temperature and alert the appropriate authority to begin Isolation Protocol.



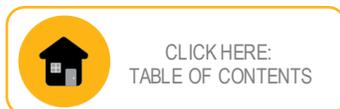
METHOD #2: Temperature Gun

1. Press trigger to turn on device
 - a. Device will remain on for several seconds
2. Check upper left corner of screen for “Body” and bottom for F (Fahrenheit)
 - a. If it says “Surface” push “Mode” until “Body” is Selected
 - b. If it is set to C (Celsius) press and hold the SET button and then press ADJ until temperature changes to Fahrenheit
3. Aim the device at person’s bare forehead within 3 inches (No contact)
4. Press down trigger (you do not have to hold it down)
5. Temperature will display on screen in 0.5s or less for several seconds
6. Sanitize device between changes in device operators and daily



METHOD #3: Forehead Temperature Indicator strip

The strip is applied directly to the forehead. A temperature reading will appear on the strip.



Isolation Procedure / Protocol

If an employee in the plant meets a protocol for quarantine/isolation:



1. **ISOLATE** the affected employee:
 - Escort employee to the temporary Isolation Room and put a mask on them
2. **INFORM** Task Force Leader or designee to contact Human Resources
3. **DETERMINE** who they are in close contact with (**Contact Tracing**)
4. **QUARANTINE** Affected employees who were in close contact with employee
5. **STOP WORK** in affected area
6. **CLEAN AND AUDIT** affected work area(s) using Flex | N | Gate Deep Cleaning Checklist
7. **RETURN TO WORK** to affected area following decontamination process.

See **Contact Tracing Protocol** below

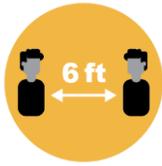
Contact Tracing Protocol

Purpose: Identify and isolate any symptomatic contact as quickly as possible **AND** reduce opportunity for transmission to others

PERSON	EXPOSURE TO	RECOMMENDATIONS
Individual who has close contact LESS than 6 feet for MORE than 10 minutes	Person with symptoms of COVID-19 within past 24 hours	If Asymptomatic, self-monitor, ok to Work
Individual who works directly beside someone MORE than 6 feet OR with a BARRIER in place		Self-monitor, OK to Work
Transient Interactions (Walking by, Brief interactions)		No Action, OK to work

MAJOR SYMPTOMS COVID-19	FEVER
	COUGH
	SHORTNESS OF BREATH
	DIFFICULTY BREATHING
	NEW LOSS OR TASTE OF SMELL





WORK STATION READINESS

Work Station Assessment

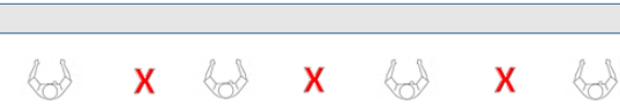
All work stations have been assessed using the 'Work Station Risk Assessment' form. The assessment will identify the risks that need to be managed prior to employees returning. As we bring workers back, we should continue to monitor and evaluate work stations for improvements.




Work Station Risk Assessment

STATION: _____

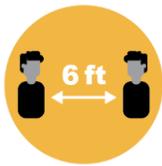
- The purpose of this form is to document risk assessments with the goal of determining where physical distancing can be achieved at work stations.
- Please provide a response to all sections unless unfeasible or not applicable.
- Ensure to document actions taken where able.
- Please use this form for every work station that is being assessed.

Consider:	YES	NO	N/A
1. Does the work station provide sufficient physical distancing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the work station a shared work space?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Have surfaces that could become contaminated been identified?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Can rotation practices be limited and/or one worker assigned to a work station?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Can production line timing be reduced to allow for further employee spacing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Can Plexiglas or other effective barriers be placed between employees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Are persons able to load/unload alternately (one at a time) to maintain distancing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Can two-person lifts be replaced by one person using lift assist devices?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. For those who interact with external individuals aware of distancing measures? (i.e. Truck drivers to remain in vehicle after surrendering keys at docks).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Can part carts be located between employees, rather than on outside of stations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<div style="display: flex; align-items: center; justify-content: center;">  </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Can stations on lines be staffed alternately, rather than at every station?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<div style="display: flex; align-items: center; justify-content: center;">  </div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ACTIONS TAKEN:

- Spacing increased between Work Stations if possible
- If Spacing not available between Work Stations, Barriers added (e.g. Plastic screens, Plexiglass, etc.)
- Eliminated job rotations, unless it is fatigue inducing



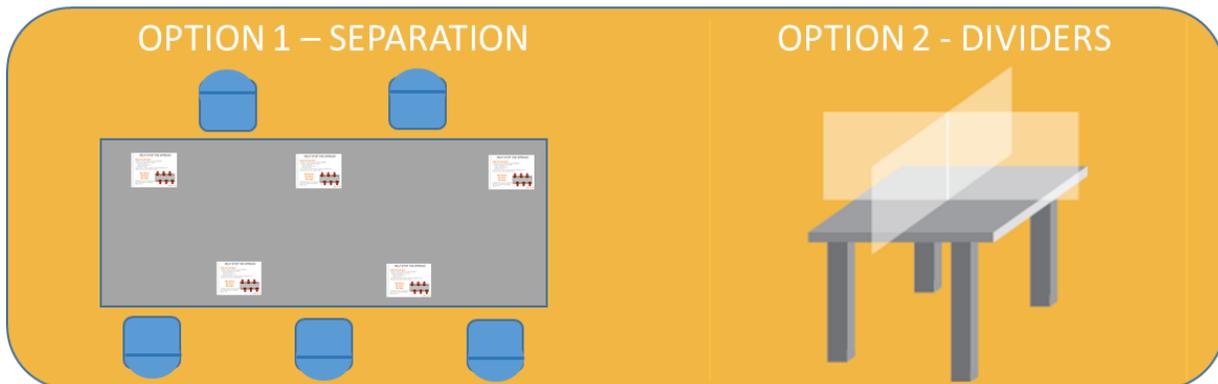


COMMON AREA READINESS

Break rooms and lunch rooms have been cleaned and disinfected in accordance with the standards listed above. Enforcing Social Distancing will be critical in any high traffic area.

- Keep a 6 foot distance between yourself and others.
- Mitigate interactions with large groups of people – do not congregate.
- Don't share common devices.
- Bring your own lunch, drinks, and thermos.
- Plant COVID-19 task forces will monitor employee activities.

** 6 feet separation is not necessary, if other methods of protection utilized. (e.g. Plastic screens, Plexiglass, etc.)*



Locker Rooms

- Locker rooms can continue to be operational; however, locker room use must be scheduled and monitored.
- Individual facilities may decide to close locker rooms.
- The cleaning and disinfecting procedure applies to locker rooms if open for use.

Fans

- The **recommendation** is to turn **off** all low level fans.
- Fans can be used plant wide as temperature warrants.





PERSONAL PROTECTIVE EQUIPMENT (PPE)

PPE continues to have a vital role in the protection and safety of our employees, including the prevention and spread of COVID-19 virus

ROLE	PPE REQUIRED
Cleaning Staff	 
Employee Health: <ul style="list-style-type: none"> Temp Screener, Suspect Employee, ect. 	 
All Manufacturing Areas / MP&L Areas (only excluding office areas)	 <i>And/or</i> 
Office Areas When outside of cubical/office If walking and/or in conference room, face covering is required	 <i>And/or</i> 

GLOVE REMOVAL

- Grab bottom of glove
- Pull off glove turning inside out
- Ball up and discard safely
- Reach inside glove **DO NOT TOUCH EXTERIOR**
- Pull off glove turning inside out
- Ball up and discard safely





PPE— MANDATORY AND RECOMMENDED USES



MASK USE, FACE SHIELD USE AND EYE PROTECTION:

Wide scale mandatory mask/face shield use is required.

Mandatory use is required in the following situations:

- All plants must require the 100% use of a facial covering in all areas on the shop floor including offices on the shop floor. This applies even if greater than 6 feet separation or less than with a barrier.
- Plant offices/Common spaces – Similar to the public restaurant rule – you must wear a face covering if you are away from your desk. This means, if you leave your desk to go to the washroom/lunch area/photocopier etc., you must wear a facial covering
- If there is a current Safety Glasses requirement at the facility or work area, those policies will remain in effect.
- If a Legal requirement (Government mandate or public health order).
- An employee becomes ill at work. Follow Isolation protocol.
- Task Force or supervisor managing ill employee.
- Cleaning Staff and Temperature Scanners.



VINYL OR SURGICAL GLOVE PROTECTION USE:

Wide scale mandatory glove protection use is not required.

Mandatory use is required in the following situations:

- When / if employee becomes ill at work. In accordance with Isolation protocol.
- Cleaning Staff and Temperature Scanners.





COMMUNICATION

Communication will be critical in protecting the employees, communities and facilities. Multiple methods of communication will be used.

POSTERS

Communication Posters are placed in high traffic areas for maximum exposure.

Additional posters can be found in Velocity EHS COVID-19

PAMPHLETS

Pamphlets are available for all employees.

SMALL GROUP MEETINGS

Meetings will be held in small groups in accordance with Social Distancing Guidelines as needed.

**PROTECTING OUR MOST VALUABLE ASSET
OUR EMPLOYEES**

while the auto manufacturers were shut down, we did a deep clean to help protect you

WHAT WE CLEANED AND SANITIZED

<input checked="" type="checkbox"/> Light Switches	<input checked="" type="checkbox"/> All Refrigerators
<input checked="" type="checkbox"/> Door Handles	<input checked="" type="checkbox"/> All Equipment Push Buttons Light Curtains
<input checked="" type="checkbox"/> Hand Rails	<input checked="" type="checkbox"/> All Lift Assists Controls & Handles
<input checked="" type="checkbox"/> All Break Areas	<input checked="" type="checkbox"/> All Forklifts Controls & Steering
<input checked="" type="checkbox"/> Vending Machines	<input checked="" type="checkbox"/> All Time Clocks

FLEX|N|GATE | ZERO IN On Safety

COVID-19 PROTECT YOURSELF!

FOLLOW THESE PREVENTIVE MEASURES

 Cover your cough or sneeze with a tissue, then throw the tissue in the trash.	 Try to keep yourself 6 feet from others and avoid crowds	 If soap and water are not available use a hand sanitizer with at least 60% alcohol
 Wash your hands often with soap and water for at least 20 seconds.	 Avoid touching your eyes, nose, and mouth.	 Clean and disinfect frequently touched objects and surfaces.

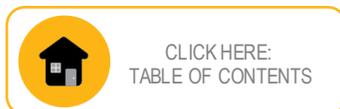
FLEX|N|GATE | ZERO IN On Safety





FAQ

QUESTION	RESPONSE
Am I supposed to read this to my employees?	No, this is intended as a resource for front line leaders, to use for communication as necessary
How do I know if my work station is cleaned?	The COVID-19 Task Force has identified the frequencies for which a station is to be cleaned. Auditors will be checking the compliance.
What do I do if an employee says they are feeling sick?	Follow the Isolation procedure / protocol on page 11.
How do I handle employees who are not practicing Social Distancing (i.e. hugging, handshakes, fist bumps, etc.)?	Address the same way as other Safety violations (i.e. PPE compliance, cell phone violation, etc.)
In work areas without 6 ft. of distancing or barriers, is there required PPE?	Yes, face shields are required if less than 6 ft. of distancing and no barrier
In work stations where 6ft distance is not available if employee does not want to wear the COVID-19 PPE they can still work?	No – mandatory PPE for now if less than 6ft and no additional barrier
Areas where 6ft is provided but employees still do not feel adequately protected they can request COVID-19 PPE and we will provide it for them?	No – They are free to bring in homemade masks though and we encourage it.
If an employee is wearing a face shield, do they have to wear safety glasses?	Yes. COVID-19 PPE is required in addition to normally required PPE
Will locker rooms, conference rooms and/or office areas be available for employee use?	If Social Distancing and COVID-19 protective measures (6 ft. minimum and/or barriers) facility areas may be utilized. For more facility specific details, refer to your local COVID-19 Task Force.



Reference Documents

The following documents can be retrieved in Velocity. Please contact your Task Force members for access and/or more details.

- COVID-19 Audit Checklist
- COVID-19 Cleaning and Disinfecting Training Presentation
- COVID-19 Deep Clean Checklist
- COVID-19 Health Screening Protocol - North America **CHRP.00011**
- COVID-19 Plant Readiness Audit Form
- COVID-19 Visitor Questionnaire **CSEF.00007**
- Internal Contact Tracing form guideline
- Posting for Entry Doors
- Response to High Temperature Readings and Symptomatic Individuals **CHSP.00020**
- Return to Work Health Questionnaire – US **CHRUF.06039**
- Return to Work Health Questionnaire – CANADA **CHRUF.02052**
- Scanning of Persons Entering Property for Fever Procedure **CSEP.00011**
- Work Station Risk Assessment sample



All documents translated in Spanish can also be found in Velocity EHS COVID-19

SPECIAL NOTICE

Flex | N | Gate has taken reasonable preventive health and safety measures to protect its employees and other individuals, including contractors and visitors. We do not promise that the measures will be a dequate or fully protect from the virus; our actions are based reasonably on the guidance available to us. We may remove, modify or add measures at any time. Our precautionary measures are not intended to be a substitute for professional medical advice and/or health and safety governmental measures; our measures are not and do not constitute medical advice or health and safety. We disclaim any responsibility arising out of or in any way related to COVID-19, including the measures we have taken. Individuals present on our work sites must strictly adhere to all health and safety measures for such site. Suppliers remain exclusively responsible for ensuring their employees and contractors comply with all Flex | N | Gate site measures, and any Supplier measures for such individuals.

As FNG / Ventra returns critical operations back into production, we would like you to understand that you are returning to a clean environment.



CLICK HERE:
TABLE OF CONTENTS

**Exhibit 3 –
Return-to-Work Screening Checklist
(Health Questionnaire)**



COVID-19 Return to Work Screening Checklist (Health Questionnaire) – United States

EMPLOYEE NAME: _____

CLOCK #: _____ **DATE:** _____

To ensure the safety and well-being of everyone in our workplace and to permit you to return to work, we are relying on you to **carefully read** and **correctly answer** each of the following questions:

1. Do you currently experience COVID-19 symptoms: fever, dry cough, shortness of breath, lost of taste or smell, nausea or vomiting?

YES NO

2. Has a Health Care Provider directed you to self-isolate in the last fourteen days as a confirmed or probable COVID-19 case?

YES NO

3. Over the past 24 hours, have you taken any medications to reduce COVID-19 fever symptoms?

YES NO

4. Have you travelled internationally within the past 14 days, for reasons other than approved essential work purposes required to fulfill your job responsibilities for Flex-N-Gate (outside U.S.)?

YES NO

If you answered YES to any of the above questions, you are not ready to return to work: please self-quarantine and call your local Health Care Provider for further direction.

If you develop any COVID-19 symptoms, you agree to notify the HR Dep immediately, and follow the appropriate company protocol.

Human Resources Signature

Date Signed

Employee Signature

Date Signed

Instructions for recalling employees to work:

- Employee is called at home and the questionnaire is reviewed over the phone.
- If the employee answers **NO** to all the questions, they may RTW.
- When the employee RTW, they have to check in to the screening station and review the health questionnaire again and sign off.
- If the employee answers **YES** to any of the questions, re-direct them to self-quarantine and call their Health Care Provider for further direction.
 - Employee is to follow up with HR after the 14 day self-isolation/quarantine period.
 - When the 14 day period is complete, re-do the questionnaire or provide medical clearance, (not mandatory, but, is acceptable).

**Exhibit 4 –
Flex-N-Gate Chicago COVID-19 Checklists**

FNG COVID-19 Deep Cleaning Checklist

Facility Name: _____ Area Cleaned: _____
 Date cleaned: _____ Name of person(s) cleaning: _____

All of the following shall be thoroughly deep cleaned and disinfected with an EPA approved disinfectant or 70% alcohol solution:
 Protective gloves and other appropriate PPE shall be worn, ventilation used, as well as efforts such as "caution wet floor" signage used during cleaning efforts.
 Check each box as cleaning / disinfecting is completed.

<input type="checkbox"/>	Light switches
<input type="checkbox"/>	Door knobs / handles
<input type="checkbox"/>	Handrails / Guard rails
<input type="checkbox"/>	All restrooms cleaned top to bottom - sprayed down with disinfectant, mopped, toilets, sinks and all handles disinfected
<input type="checkbox"/>	All soap/sanitizer dispensing levers/handles
<input type="checkbox"/>	All break areas cleaned top-to-bottom - sprayed down with disinfectant, mopped, tables and chairs disinfected
<input type="checkbox"/>	Vending machine buttons
<input type="checkbox"/>	All refrigerators emptied and disinfected inside and out
<input type="checkbox"/>	All microwave ovens, inside as well as the buttons
<input type="checkbox"/>	Countertops and common spaces
<input type="checkbox"/>	Office desks (including drawer/cabinet handles), chairs, phones, keyboards and mice
<input type="checkbox"/>	Copy machines and similar common equipment
<input type="checkbox"/>	Training and meeting room tables and chairs
<input type="checkbox"/>	Drinking fountains
<input type="checkbox"/>	Forklift controls, steering wheels, seats
<input type="checkbox"/>	All equipment controls such as push buttons, optical switches, light curtain test sticks, touchscreens
<input type="checkbox"/>	Lift assist controls and handholds
<input type="checkbox"/>	Lable printers
<input type="checkbox"/>	Visitor areas such as iLobby kiosks, sign-in registers, pens, passthrough windows for visitors / truck driver paperwork
<input type="checkbox"/>	Time clocks / hand scanners thoroughly wiped and disinfected
<input type="checkbox"/>	MRO crib counters wiped and disinfected
<input type="checkbox"/>	Used PPE such as armguards, gloves, aprons, etc. laundered thoroughly or discarded and replaced
<input type="checkbox"/>	Replace filtration in all air recirculation equipment, furnaces, AC Units, air make-up units
<input type="checkbox"/>	All trash removed and replaced with fresh bags

CHSF.00010 Rev. 1 3/24/2020

FNG COVID-19 Audit Checklist

Facility Name:		Area Audited:	
Date audited:		Name of person(s) Auditing:	

Deep Cleaning / Disinfecting

When was the last Deep Cleaning Checklist been completed for this area? Date: _____ Time: _____

Do all of the following appear to have been cleaned, disinfected, and in sanitary condition?

Yes___ No___	Light switches		
Yes___ No___	Door knobs / handles		
Yes___ No___	Handrails / Guard rails		
Yes___ No___	All restrooms cleaned top to bottom		
Yes___ No___	All soap/sanitizer dispensing levers/handles		
Yes___ No___	All break areas cleaned top-to-bottom		
Yes___ No___	Vending machine buttons		
Yes___ No___	All refrigerators emptied and disinfected inside and out		
Yes___ No___	All microwave ovens, inside as well as the buttons		
Yes___ No___	Countertops and common spaces		
Yes___ No___	Office desks, chairs, phones, keyboards and mice, etc.		
Yes___ No___	Copy machines and similar common equipment		
Yes___ No___	Label printers		
Yes___ No___	Training and meeting room tables and chairs		
Yes___ No___	Drinking fountains		
Yes___ No___	Forklift controls, steering wheels, seats		
Yes___ No___	Lift assist controls and handholds		
Yes___ No___	All equipment controls such as push buttons, optical switches, light curtain test sticks, touchscreens		
Yes___ No___	Visitor areas such as iLobby kiosks, sign-in registers, pens, pass-through windows for visitors / truck driver paperwork		
Yes___ No___	Time clocks / hand scanners thoroughly wiped and disinfected		
Yes___ No___	Used PPE such as armguards, gloves, aprons, etc. laundered thoroughly or discarded and replaced		
Yes___ No___	All trash removed and replaced with fresh bags		

Entrances / Physical Distancing / Administrative

Yes___ No___	Has a COVID-19 task force been established at the facility?		
Yes___ No___	Is physical distancing followed at the entrance / time clock area (tape on floor, barriers, reminders, etc.)		
Yes___ No___	Are health questionnaires being completed by all employees upon return to work and prior to facility access?		
Yes___ No___	Are temperatures being read prior to entry into the facility for each shift?		
Yes___ No___	Are the Zero In On Safety - COVID-19 Pamphlets printed and available to employees as they return?		
Yes___ No___	Where possible, is job rotation temporarily limited to promote distancing?		
Yes___ No___	Where possible, are start times and break times staggered to help maintain physical distancing?		
Yes___ No___	Where possible, are physical distancing principals and guidelines being promoted and followed in work cells?		
Yes___ No___	Have break areas and lunch rooms been organized to accommodate physical distancing?		
Yes___ No___	Are printed documents reminding employees of physical distancing on tables in the break areas?		
Yes___ No___	Are employees being encouraged to wash hands prior to eating and after using eh restrooms?		
Yes___ No___	Are hand washing guidelines posted in restrooms?		

FLEX-N-GATE COVID-19 Plant Start Up Readiness Audit

Auditor(s):	Audit Date:
--------------------	--------------------

This status list is to determine plant readiness for when operations resume following the pandemic of Covid-19 or to identify any areas that require attention. The goal is to ensure all added safety measures are in place for the safety and well-being of employees upon start up. Each plant is to complete this checklist and return to your Regional Health and Safety Manager prior to operation start up (dates yet to be determined).

Status / Scoring

1 = Complete

0 = Not Complete

	Requirements	Explanatory Notes and Comments	
1	Establish plant level Task Force and Task Force Leader		1
2	Task Force training completed		1
3	Task Force assignments clear, including Leader		1
4	Act as Coronavirus response team		1
5	Put up Cleanliness Protection posters		1
6	Post separation signs in Cafeterias		1
7	Verify availability of PPE and its correct use by employees		1
8	Make Return to Work Pamphlets available at doors for employees		1
9	Establish employee entry / exit location which allows physical distancing		1
10	Verify aisles and exits are clear once physical distancing is established		1
11	Set up Isolation Room or Area		1
12	Received non-contact temperature checking device(s)		1
13	Received secondary temperature checking devices (strips)		1
14	Organize/train on process for temperature checks at doors		1
15	Assess work stations for social distancing		1
16	Implement actions determined in assessments		1
17	Train cleaners on deep cleaning/disinfecting operations		1
18	Organize daily schedule for cleaning		1
19	Audit daily and deep clean activities		1
20	Set up physical distancing monitoring		1
21	Establish and maintain central location for documentation		1
22	Establish team reporting delivery method to avoid gatherings		1
23	Establish Task Force update frequency to senior management		1
24	Verify appropriate locations of hand-sanitizing stations		1
25	Ensure fans are shut down temporarily		1
26	Verify appropriate PPE waste/laundry receptacles and disposal process		1
27	Emergency Evacuation Plans updated to provide for social distancing		1

	27 points possible		Score: 27
			100%

STATION: _____

1. The purpose of this form is to document risk assessments with the goal of determining where physical distancing can be achieved at work stations.
2. Please provide a response to all sections unless unfeasible or not applicable.
3. Ensure to document actions taken where able.
4. Please use this form for every work station that is being assessed.

Consider:	YES	NO	N/A
1. Does the work station provide sufficient physical distancing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Is the work station a shared work space?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Have surfaces that could become contaminated been identified?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Can rotation practices be limited and/or one worker assigned to a work station?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Can production line timing be reduced to allow for further employee spacing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Can Plexiglas or other effective barriers be placed between employees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Are persons able to load/unload alternately (one at a time) to maintain distancing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Can two-person lifts be replaced by one person using lift assist devices?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. For those who interact with external individuals aware of distancing measures? (i.e. Truck drivers to remain in vehicle after surrendering keys at docks).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Can part carts be located between employees, rather than on outside of stations? 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Can stations on lines be staffed alternately, rather than at every station? 	<input type="checkbox"/>		





COVID-19 Cleaning & Disinfecting (CDC Guidelines)

[VIDEO LINK](#) – CDC's "6 Steps to Prevent COVID-19"



ZERO IN On Safety



COVID-19 Cleaning & Disinfecting (CDC Guidelines)



- ▲ **Wear Disposable Gloves** to Clean & Disinfect
- ▲ **Wear a Face Shield or Protective Mask & Safety Glasses** to Clean & Disinfect

Clean

1. If surfaces are dirty, start by cleaning them with soap & water in order to remove dirt and grime.
2. Clean high touch surfaces using Flex-N-Gate's Deep Cleaning Checklist as a guide to what should be cleaned.
3. Don't limit your cleaning to only the items on the checklist, all frequently touched items or potentially contaminated items should be cleaned as well.
4. Once finished, Deep Cleaning Checklists should be forwarded to H&S or HR.



ZERO IN On Safety

COVID-19 Cleaning & Disinfecting (CDC Guidelines)



Disinfect

- We prefer using pre-mixed disinfecting solutions (Clorox, Lysol, etc.) although bleach or alcohol solutions are acceptable if mixed appropriately.
- Before mixing these solutions for cleaning, get approval from your H&S department representative.

- Clean the area or item with soap and water or another detergent if it is dirty. Then, use disinfectant.
- **Recommend use of EPA-registered household disinfectant** [↗](#).
Follow the instructions on the label to ensure safe and effective use of the product. Many products recommend:
 - Keeping surface wet for a period of time (see product label)
 - Precautions such as wearing gloves and making sure you have good ventilation during use of the product.
- **Diluted household bleach solutions may also be used** if appropriate for the surface. Check to ensure the product is not past its expiration date. Unexpired household bleach will be effective against coronaviruses when properly diluted.
Follow manufacturer's instructions for application and proper ventilation. Never mix household bleach with ammonia or any other cleanser.
Leave solution on the surface for at least 1 minute
To make a bleach solution, mix:
 - 5 tablespoons (1/3rd cup) bleach per gallon of water
 - OR
 - 4 teaspoons bleach per quart of water
- **Alcohol solutions with at least 70% alcohol.**



COVID-19 Cleaning & Disinfecting (CDC Guidelines)



Soft surfaces

For soft surfaces such as **carpeted floor, rugs, and drapes**

- **Clean the surface using soap and water** or with cleaners appropriate for use on these surfaces.
- **Launder items** (if possible) according to the manufacturer's instructions. Use the warmest appropriate water setting and dry items completely.
- OR
- **Disinfect with an EPA-registered household disinfectant.** [These disinfectants](#) [↗](#) meet EPA's criteria for use against COVID-19.



Electronics

For electronics, such as **tablets, touch screens, keyboards, remote controls, and ATM machines**

- Consider putting a **wipeable cover** on electronics.
- **Follow manufacturer's instruction** for cleaning and disinfecting.
 - If no guidance, use **alcohol-based wipes or sprays containing at least 70% alcohol.** Dry surface thoroughly.



COVID-19 Cleaning & Disinfecting (CDC Guidelines)



Laundry

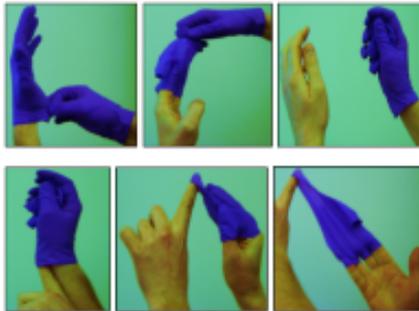
For clothing, towels, linens and other items

- Wear disposable gloves.
- Wash hands with soap and water as soon as you remove the gloves.
- Do not shake dirty laundry.
- Launder items according to the manufacturer's instructions. Use the warmest appropriate water setting and dry items completely.
- Dirty laundry from a sick person can be washed with other people's items.
- Clean and disinfect clothes hampers according to guidance above for surfaces.



COVID-19 Cleaning & Disinfecting (CDC Guidelines)

Glove Removal



Gloves must be removed avoiding skin contact with the exterior of the glove and possible contamination.

1. Grasp the exterior of one glove with your other gloved hand.
2. Carefully pull the glove off your hand, turning it inside-out. The contamination is now on the inside.
3. Ball the glove up and hold in your other gloved hand.
4. Slide your ungloved finger into the opening of the other glove. Avoid touching the exterior.
5. Carefully pull the glove off your hand, turning it inside out again. All contamination is contained.
6. Discard appropriately.



COVID-19 Cleaning & Disinfecting (CDC Guidelines)

Trash Removal



- Dispose of all cleaning supplies such as paper towels, rags and gloves in proper waste containers.
- These cleaning products are **NOT** considered hazardous waste or bloodborne waste, but must be disposed of in controlled, sanitary way to avoid further contamination.
- Trash liners (trash bags) must be used and must be changed regularly.
- Do not allow trash containers to become overfilled, never let them overflow.
- Once filled, trash bags must be taken directly to an outside dumpster, do not let full trash bags accumulate within the facility.



COVID-19 Cleaning & Disinfecting (CDC Guidelines)

Cleaning and disinfecting your building or facility if someone is sick



- **Close off areas** used by the sick person.
- **Open outside doors and windows** to increase air circulation in the area.



- Clean and disinfect **all areas used by the sick person**, such as offices, bathrooms, common areas, shared electronic equipment like tablets, touch screens, keyboards, remote controls, and ATM machines.



COVID-19 Cleaning & Disinfecting (CDC Guidelines)

When Cleaning



- **Wear PPE** for all tasks in the cleaning process, including **handling trash**.
 - Additional personal protective equipment (PPE) might be required based on the cleaning/disinfectant products being used and whether there is a risk of splash.
 - PPE should be removed carefully to avoid contamination of the wearer and the surrounding area.
- **Wash your hands often** with soap and water for 20 seconds.
 - Always wash immediately after removing gloves and after contact with a sick person.
 - Hand sanitizer: If soap and water are not available and hands are not visibly dirty, an alcohol-based hand sanitizer that contains at least 60% alcohol may be used. However, if hands are visibly dirty, always wash hands with soap and water.
- **Additional key times to wash hands** include:
 - After blowing one's nose, coughing, or sneezing.
 - After using the restroom.
 - Before eating or preparing food.
 - After contact with animals or pets.
 - Before and after providing routine care for another person who needs assistance (e.g., a child).



**Exhibit 5 –
Election Floor Layout**

**Exhibit 6 –
Photos of Election Space,
Tents and Plexiglas Dividers**







LEX | N | G A
CHICAGO

THIS IS 6 FEET







Exhibit 7 –
Mail-In Ballot Considerations For NLRB
Union Elections, Published by
Union Attorney Samuel Morris



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Mail-In Ballot Considerations For NLRB Union Elections

By **Samuel Morris** (September 22, 2020, 12:45 PM EDT)

The National Labor Relations Board historically disfavors mail-in ballot voting. Yet out of necessity and health considerations, since the onset of the pandemic, the board has routinely authorized mail-in ballot voting.

In July, the NLRB's Office of the General Counsel published a memorandum outlining manual voting procedures in light of the pandemic. With no letup in the pandemic, the NLRB's trend of wholesale authorization of mail-in ballot elections continues. This article highlights the effects of that trend.



Samuel Morris

Laboratory Conditions, the 24-Hour Rule and Electioneering

It is a well-established board rule that the employer may not engage in electioneering in the form of a required meeting within 24 hours leading up to an employee casting her ballot. This is known as the 24-hour rule.

The rule was born out of the NLRB's stated goal of fostering what it calls laboratory conditions during critical phases of the election process. During those 24 hours, the board reasoned, the employee is supposed to be free from captive-audience meetings.

Captive-audience meetings occur when an employer takes advantage of the presence of the employees to call a mandatory meeting on company time to discuss the upcoming election. The question of when precisely the 24-hour rule goes into effect and duration during a manual voting election is easily answered because that employee will cast a ballot at a specified time.

A much more difficult question is presented with respect to a mail-in ballot election. That question was addressed in a 61-year-old NLRB case — Oregon Washington Telephone Co.

In a mail-in ballot election, the NLRB's laboratory conditions and corresponding prohibition against electioneering and captive-audience meetings go into effect 24 hours prior to the NLRB dispatching ballots and remain in effect until the date prescribed on the NLRB notice by which all ballots must be returned.

The case of Peerless Plywood Co. originally set forth the rule that "employers and unions alike will be prohibited from making election speeches on company time to massed assemblies of employees within 24 hours before the scheduled time for conducting an election."^[1]

In a rare pre-pandemic mail-in ballot scenario, the Oregon Washington Telephone case held that:

Employers and unions alike will be prohibited from making election speeches on company time to massed assemblies of employees within the period set forth in the notice, i.e., from the time and date on which the "mail in" ballots are scheduled to be dispatched by the Regional Office until the terminal time and date prescribed for their return.^[2]

The Oregon Washington Telephone gag rule was extended in Guardsmark Inc.^[3] in 2016, adding the 24-hour period before the election to the quiet period. In mail-in ballot elections, the name of the 24-hour rule becomes a misnomer because in practice, the laboratory conditions remain in effect for

weeks. The prohibition starts 24 hours before the mailing date and ends on the date the region sets for the ballots' return.

Who Is Harmed by Ordering Mail-In Ballot Elections?

Historically, labor organizations have sought mail-in ballot elections, though sparsely obtained them. This is likely due, at least in part, to the fact that the employee may cast his ballot in the comfort of his home rather than in his workplace.

Employers often complain that mail-in ballot elections are ripe for interference because the employees are susceptible to coercion in the form of secret meetings and home visits. Questions about the parties' direct influence in the mail-in ballot execution process have not been addressed by the board.

But since the advent of mail-in ballot voting due to the pandemic, unions have seen fewer favorable results than before the pandemic.

Pandemic Win Rate

Between June 1 and Sept. 11, there were 335 elections and 221 results favoring unions, a win rate of 65%.^[4]

Prepandemic Win Rate

In all of 2019 there were 1,466 elections and 1,091 certifications — a union win rate of 74.4%.^[5] In 2018 there were 1,415 elections and 1,016 certifications — a 71.8% win rate for unions.^[6] In 2017 it was the same story: 1,468 elections with 1,068 certifications — a union win rate of 72.7%.^[7] The average union win rate over the past three years is 72.96%, 8% greater than the pandemic mail-in ballot average.

Lots of Void Ballots

During typical manual ballot elections, the number of ballots not counted due to voter error and mismarking is negligible. But in this period of heavy mail balloting, factors such as voter error and mail delays result in many mail-in ballots being voided, with a much higher likelihood that votes will not be counted.

For example, in a recent mail-in ballot election in New York, 55 ballots were voided out of the 153 cast.^[8] In another representation election, this time in California, 30 ballots were voided out of 223 votes cast.^[9]

In all elections tallied between Aug. 21 and Sept. 11 there were 4,262 employees eligible to vote in mail-in ballot elections and 183 ballots voided, a ratio of 4.2% of void to eligible.^[10]

The ratio becomes more statistically significant when one contrasts the number of votes actually cast with the number of void ballots. During the same time frame as above, 2,252 employees cast ballots in mail-in elections with 183 voided for a ratio of 8.1%. Thus, in a close election, the results may hinge on whether a given employer or labor organization's supporters properly fill out their ballots and timely mail them.

Less Participation

Another disturbing emerging trend is in voter participation. Nearly half, or 48%, of the eligible voters in the mostly mail-in ballot elections between Aug. 21 and Sept. 11 did not vote.^[11] By contrast, the voter participation rate for largely in-person NLRB elections during the same time period in 2018 was 76%, with mostly in-person elections.

Practice Tips

The necessity of allowing mail-ballot elections during the pandemic has wreaked havoc on voting participation and results, and no immediate return to regular in-person voting is in the offing.

Practitioners should not take this pandemic turn of events lightly. Before agreeing to a mail-in ballot, assess how it will be viewed by eligible voters:

- Is your desired voter likely to return the ballot?
- How will having it sent to their house affect their choice?
- Can your campaign be sufficiently focused on the logistics of mail-in balloting?
- Can the desired voters be sufficiently schooled on how to fill out and return the ballot so as to keep it from being voided?
- Do your desired voters have their current address listed and do they check their mail?
- Will the campaign violate the rule banning captive-audience meetings, which will extend to many weeks for the mail-in voting process?

Samuel Morris is an attorney at Godwin Morris Laurenzi & Bloomfield PC.

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[1] [Peerless Plywood Co.](#) , 107 N.L.R.B. 427, 429 (1953).

[2] [Oregon Washington Tel. Co.](#) , 123 N.L.R.B. 339, 341 (1959).

[3] [Guardsmark, Inc.](#) , 363 N.L.R.B. 103 (2016).

[4] See National Labor Relations Board, Recent Election Results, <https://www.nlr.gov/reports/graphs-data/recent-election-results> (last visited Sept. 16, 2020).

[5] Id.

[6] Id.

[7] Id.

[8] Id.

[9] Id.

[10] Id.

[11] Id.

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OFFICE OF THE GENERAL COUNSEL

MEMORANDUM GC 20-10

July 6, 2020

TO: All Regional Directors, Officers-in Charge, and Resident Officers

FROM: Peter B. Robb, General Counsel

SUBJECT: Suggested Manual Election Protocols

After discussions with Regional Directors, the NLRB Division of Operations-Management, NLRB COVID-19 Task Force Members and our internal union, we are releasing the following suggested manual election protocols. These suggested protocols were developed collaboratively in an effort to determine how best to conduct manual elections safely and efficiently in this unprecedented environment. The Regional Directors have authority delegated by the Board to make initial decisions about when, how, and in what manner all elections are conducted. They have made, and will continue to make, these decisions on a case-by-case basis, considering numerous variables, including, but not limited to, the safety of Board Agents and participants when conducting the election, the size of the proposed bargaining unit, the location of the election, the staff required to operate the election, and the status of pandemic outbreak in the election locality. We recognize that the Board has the ultimate authority to make decisions on when, how and in what manner elections are conducted, whether on review of Regional Director decisions or through other guidance or rules.

SUGGESTED MANUAL ELECTION PROTOCOLS

1. Election Mechanics

- A. Polling times procedures for releasing voters must be sufficient to accommodate social distancing/cleaning requirements, without endangering participants by unnecessarily elongating exposure among Board Agents and observers.
- B. Any election agreement or Direction of Election should specify:
 - The maximum number of representatives for each party who can attend the pre-election conference and the ballot count;
 - Whether there will be a voter release schedule to ensure that voters are not crowded, depending on circumstances of the election;
 - The number of voter lists; and
 - The number of observers per party during the election, which should be limited to one each where feasible.
- C. Only one voter will approach the observers' table(s) and election booth(s) at a time to ensure social distancing.
- D. After clearance by the observers, the Board Agent will place an individual ballot on table for the voter and then step back to maintain social distance.

- E. Voting will include use of newer cardboard booths, if available, which are easier to keep clean than the older aluminum booth. The Board Agent will disinfect the booth before it is brought back into the NLRB office and before any other employees handle it.
- F. If more than one booth is used, booths must be more than six feet apart.

2. Certifications required:

- A. No earlier than 48 hours before the election but no later than 24 hours before the election, the employer must (Attachment A):
 - Certify in writing that the polling area is consistently cleaned in conformity with established CDC hygienic and safety standards;
 - Certify in writing how many individuals have been present in the facility within the preceding 14 days, who:
 - have tested positive for COVID-19 (or has been directed by a medical professional to proceed as if they have tested positive for COVID-19, despite not being tested) within the prior 14 days;
 - are awaiting results of a COVID-19 test;
 - are exhibiting symptoms of COVID-19, including a fever of 100.4 or higher, cough, or shortness of breath; or
 - have had direct contact with anyone in the previous 14 days who has tested positive for COVID-19 (or who is awaiting test results for COVID-19 or has been directed by a medical professional to proceed as if they have tested positive for COVID-19, despite not being tested).
- B. If the above certifications are not timely provided, the Regional Director or designee (i.e. manager or supervisory employee) has the discretion to cancel the election.
- C. Based on the certifications, the Regional Director will consider whether the election should be held as scheduled.
- D. Each party, party representative and observer participating at the pre-election conference, serving as an election observer, or participating in the ballot count, must certify in writing that, within the preceding 14 days (Attachment B):
 - They have not tested positive for COVID-19 (or has been directed by a medical professional to proceed as if they have tested positive for COVID-19, despite not being tested) within the prior 14 days;
 - They are not awaiting results of a COVID-19 test; or
 - They have not had direct contact with anyone in the previous 14 days who has tested positive for COVID-19 (or who is awaiting test results for COVID-19 or has been directed by a medical professional to proceed as if they have tested positive for COVID-19, despite not being tested).
 - Individuals who do not provide such certifications will not be permitted to be physically present at the pre-election conference, to serve as an observer, or at the ballot count.
 - Individuals who are not a party, party representative or an observer, must stay at least 15 feet away from the Board Agent at the pre-election conference or the ballot count.

3. All parties must agree in writing to notify the Regional Director, within 14 days after the day of the election, if any individuals who were present in the facility on the day of the election:

- have tested positive for COVID-19 (or has been directed by a medical professional to proceed as if they have tested positive for COVID-19, despite not being tested) within the prior 14 days;
- are awaiting results of a COVID-19 test;
- are exhibiting symptoms of COVID-19, including a fever of 100.4 or higher, cough, shortness of breath; or
- have had direct contact with anyone in the previous 14 days who has tested positive for COVID-19 (or who are awaiting test results for COVID-19 or have been directed by a medical professional to proceed as if they have tested positive for COVID-19, despite not being tested).

4. Election Arrangements to Be Included in Election Agreement

- A. Spacious polling area, sufficient to accommodate six-foot distancing, which should be marked on the floor with tape to insure separation for observers, Board Agent, and voters.
- B. Separate entrance and exit for voters, with markings to depict safe traffic flow throughout polling area.
- C. Separate tables spaced six feet apart so Board Agent, observers, ballot booth and ballot box are at least six feet apart.
- D. The Employer will provide markings on the floor to remind/enforce social distancing.
- E. The Employer will provide sufficient disposable pencils without erasers for each voter to mark their ballot.
- F. The Employer will provide glue sticks or tape to seal challenge ballot envelopes.
- G. The Employer will provide plexiglass barriers of sufficient size to protect the observers and Board Agent to separate observers and the Board Agent from voters and each other, pre-election conference and ballot count attendees, as well as masks, hand sanitizer, gloves and wipes for observers.
- H. The Agency will provide to the Board Agent(s) running the election a face shield, mask, disposable clothes covering if requested, hand sanitizer, gloves and disinfecting wipes.
- I. An inspection of the polling area will be conducted by video conference at least 24 hours prior to the election so that the Board Agent and parties can view the polling area.
- J. In accordance with CDC guidance, all voters, observers, party representatives, and other participants should wear CDC-conforming masks in all phases of the election, including the pre-election conference, in the polling area or while observing the count. Signs will be posted in or immediately adjacent to the Notice of Election to notify voters, observers, party representatives and other participants of this requirement.

Election Agreements and DDEs must include the details set forth above. Rather than including a lengthy narrative description of safety measures directly on the Notice of Election (“NOE”) the NOE must affirm that appropriate safety measures will be enforced prior to and during the election and subsequent count.

Procedures for Assignment of Manual Elections:

- A. Regional Directors are encouraged to assign the election to Board Agents who have volunteered to run the election.

5. Elections Requiring Travel

- A. The Agency will supply the Agent with hand sanitizer, gloves and disinfecting wipes to clean the car throughout the trip and pumping gas. See [CDC guidelines for pumping gas](#)¹.
- B. Concerns regarding hotel arrangements and travel via air will be handled at the Regional level. Guidance on cleaning measures undertaken by various hotel chains can be found on [FedRooms](#).
- C. Board Agents who want to use taxis or private vehicles to travel to and from local elections, even if reachable by mass transit, must secure approval from the Regional Director in advance of the election.

Finally, although we appreciate the effort of all who have assisted in developing these Suggested Guidelines, we recognize that the COVID-19 pandemic is still evolving and that circumstances can change. In the end, the decisions on election procedures and the safety of all participating in an election remain in the sound discretion of the Regional Director.

/s/

P.B.R.

Attachments

¹ <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/essential-goods-services.html>

Case Name: _____

Case Number: _____

CERTIFICATIONS*

The polling area is consistently cleaned in conformity with established CDC hygienic and safety standards

_____ Yes _____ No

Within the preceding 14 days, the number of individuals have been present in the facility who:

Have tested positive for COVID-19 (or has been directed by a medical professional to proceed as if they have tested positive for COVID-19, despite not being tested) within the prior 14 days	
Are awaiting results of a COVID-19 test	
Are exhibiting symptoms of COVID-19, including a fever of 100.4 or higher, cough, or shortness of breath	
Have had contact with anyone in the previous 14 days who has tested positive for COVID-19 (or who is awaiting test results for COVID-19 or has been directed by a medical professional to proceed as if they have tested positive for COVID-19, despite not being tested)	

By: _____

Title: _____

Date: _____

* Must be submitted to the Regional Director no earlier than 48 hours before the election but no later than 24 hours before the election. If the certification is not timely provided, the Regional Director or designee has the discretion to cancel the election.

Case Name: _____

Case Number: _____

CERTIFICATIONS*

Within the preceding 14 days, the individual named below (please initial below):

Has not tested positive for COVID-19 (or has been directed by a medical professional to proceed as if they have tested positive for COVID-19, despite not being tested) within the prior 14 days	
Is not awaiting results of a COVID-19 test	
Is not exhibiting symptoms of COVID-19, including a fever of 100.4 or higher, cough, or shortness of breath	
Has not had contact with anyone in the previous 14 days who has tested positive for COVID-19 (or who is awaiting test results for COVID-19 or has been directed by a medical professional to proceed as if they have tested positive for COVID-19, despite not being tested)	

By: _____

Title: _____

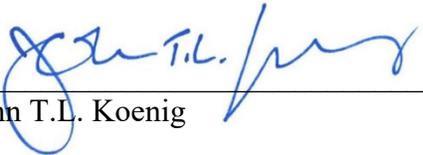
Date: _____

* Must be submitted to the Board agent into order to participate in the pre-election conference or at the ballot count or serve as an observer.

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of October, 2020, the foregoing was e-filed with the Office of Executive Secretary/Board, and a copy of the foregoing was served upon the following parties via electronic mail:

Joshua File
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John T.L. Koenig