

SURVEILLANCE TESTING AND CONTACT TRACING PLAN

For **RPE Productions, LLC** (Employer)

The purpose of this Agreement is to establish the mandatory surveillance testing and contact tracing guidelines to be followed by the signatory employer or other entity (Employer) below to allow for exemption from Rapid Response Closure under the current Public Health Order. Following the execution of this agreement and the submission to the New Mexico Department of Health (DOH) and the New Mexico Environment Department (NMED) of a facility-specific surveillance testing and contact tracing plan (collectively referred to hereafter as “Plan”), a rapid response resulting from surveillance testing will not count towards advancement on the Rapid Response COVID-19 closure under the current public health order (PHO).

Surveillance Testing Requirements – NM DOH/NMED

- a. All employees who are not currently required to self-quarantine or self-isolate shall be tested every two weeks within two consecutive days. The recurring testing schedule may be established in a manner that provides overlap to ensure continuity of operations. As an example, an employer may divide employees into two equal groups: Group A and Group B. Employees in Group A are tested over two consecutive days during the first week. Employees in Group B are tested over two consecutive days during the second week.

EMPLOYER PROTOCOLS - Employer is going above and beyond this requirement in that we have separated our employees into 3 Groups. Employer requires pre-hire testing for ALL of our employees using Molecular SARS-CoV2 RT-PCR nasal swab tests. Employer requires two negative result tests before any employee can report to any of our work sites.

- i. Employees who undergo testing receive clear and appropriate information on the purpose of the test, type of test, reliability of the test and how the test is performed.

EMPLOYER PROTOCOLS – Employer pays for all employee testing.

- ii. Employees are provided with clear information on interpreting their results, actions to be taken depending on the test result, who will receive results, how the results will be used, and any consequence for refusing to be tested. All testing results will be submitted electronically by our labs to the NM Department of Health.

EMPLOYER PROTOCOLS - Employer uses “CLEAR TO WORK” and “NOT CLEAR TO WORK” language when distributing results to employees to comply with HIPPA regulations. Positive cases are given information about ISOLATION, monitoring symptoms, and seeking professional medical assistance if needed. To become/remain an employee, mandatory testing is required.

GROUP A consists of about 150 employees and they are tested 5 times a week, Monday through Friday, with a Molecular SARS-CoV2 RT-PCR nasal

swab. We receive results the same day and distribute those results to the employee.

GROUP B consists of about 250 employees and are tested 2 times a week, Monday and Thursday, with a Molecular SARS-CoV2 RT-PCR nasal swab. We receive results the same day and distribute those results to the employee.

GROUP C works from home and does not interact with our on-site employees.

- b. Testing should be conducted by a private provider at the Employer's expense. Employers with 50 or less employees can schedule testing at any DOH or DOH partner location.
EMPLOYER PROTOCOLS - Testing is currently conducted by two private providers, VIP Start Network, LLC at I-25 Studios, 9201 Pan American Fwy NE, Albuquerque, NM 87113 and Backlot DX, LLC at 2500 7th St, Las Vegas, NM 87701. We will also be taking collections at NM-161, Guadalupita, NM 87732. Both labs have been approved by NM DOH and are CLIA certified through the FDA. All testing results will be submitted electronically by our labs to the NM Department of Health.
- c. The Employer shall ensure that the COVID-19 test obtained or provided to its employees is a DOH-approved COVID-19 test.
EMPLOYER PROTOCOLS - The tests provided to our employees is the FDA EUA approved SARS-CoV2 RT-PCR test kit.
- d. Employees testing positive must self-isolate and not return to work until they are no longer considered contagious as described in DOH's Policies for the Prevention of Control of COVID-19 in New Mexico.
EMPLOYER PROTOCOLS - Employees testing positive are put into 10-day ISOLATION and may only return to work with a medical confirmation that they are symptom free. They will not test again until 90 days have elapsed per the current CDC guidelines. The 90 day period is to be determined by their doctor.
- e. Employers must ensure continuity of operations based on employee COVID-19 test results and cannot knowingly allow COVID-19 positive employees in the workplace.
EMPLOYER PROTOCOLS - To ensure continuity of operations based on employee COVID-19 test results, Employer has created a Health, Safety, and Environment (HSE) Department, lead by a certified COVID Compliance Officer, Erica Sperber, who oversees all COVID-19 protocols, including test result communication and isolation or quarantine enforcement and monitoring.
- f. The employer's surveillance strategy must be implemented in a manner that abides by all applicable laws protecting employee privacy and confidentiality.
EMPLOYER PROTOCOLS - Employer follows all HIPPA requirements and regulations and do not share sensitive information with any employees.

2. Contact Tracing Requirements – NM DOH/NMED

- a. The employer shall establish a COVID-19 coordinator or team who will be responsible for supporting DOH contact tracing efforts within the workplace. The coordinator and/or team shall provide DOH with contact tracing data and information according to the state's protocols.

EMPLOYER PROTOCOLS - Employer has established an HSE Department, lead by a certified Covid Compliance Officer (CCO), Erica Sperber, who oversees all COVID-19 protocols. The CCO conducts contact tracing and will be responsible for communicating and sharing information with the NM DOH according to the state's protocols.

- b. Upon confirming a positive COVID-19 case, Employer will notify NMED's Occupational Health and Safety (OSHA) program within four (4) hours via the following online form: <https://nmgov.force.com/rapidresponse/s/>
- c. The employer shall immediately isolate potentially contaminated work areas where an infected employee was in the workplace in the preceding 5 days until cleaning and disinfection is completed in accordance with current Centers for Disease Control and Prevention (CDC) guidelines

EMPLOYER PROTOCOLS - Employer has contracted a COVID-19 mitigation sanitization company, ProTexus, to clean and sanitize any area that is potentially contaminated immediately following removal of an infected employee. ProTexus uses products and practices in accordance with current Centers for Disease Control and Prevention (CDC) guidance.

- d. The employer shall immediately implement contact tracing protocols, for any COVID-19 positive employee consistent with CDC guidance and the State of New Mexico guidelines.

EMPLOYER PROTOCOLS - Upon confirming a positive COVID-19 case, Employer immediately implements contact tracing protocols consistent with CDC guidelines.

- i. Close contacts are assessed from 48 hours prior to the date of onset symptoms or 48 hours prior to test collection date for asymptomatic cases, including work, household, and social close contacts.

EMPLOYER PROTOCOLS – Contact tracing starts immediately when the employee goes into isolation. Close contacts are assessed from 48 hours prior to the first display of COVID-19 symptoms or 48 hours prior to the date of the positive case employee's positive test result whichever is earliest. Employer treats every positive result as a true positive regardless of potential false or asymptomatic cases. Contact tracing includes work, household, and social close contacts.

- ii. A close contact is defined as: staying in the same close environment withing 6 feet (2 meters) of a confirmed COVID-19 case for 3 minutes or more or anyone who had contacted with the employee's body fluids and/or secretions such as were coughed on/sneezed on, shared utensils or saliva while the case was ill (beginning 2 days prior to illness onset and continuing until resolution of illness).

- e. The employer shall ensure that all close contacts of a positive employee are quarantined in accordance with DOH's Policies for the Prevention and Control of COVID-19 in New Mexico.

EMPLOYER PROTOCOLS - Employer ensures that all close contacts of a positive employee are QUARANTINED for 14 days and are not allowed to return to work until they are symptom free and have received two negative tests using SARS-CoV2 RT-PCR tests. This company protocol goes above and beyond the DOH's Policies for the Prevention and Control of COVID-19 in New Mexico.

3. Additional Terms and Conditions

- a. An Employer with multiple and independent locations who agree to the terms of this Agreement must include each location in the Plan and immediately notify DOH and NMED when a given company location is no longer participating in the program.
EMPLOYER PROTOCOLS - Employer is currently working in Albuquerque, Las Vegas, and Buena Vista, New Mexico. Company agrees to immediately notify DOH and NMED if or when we add a location or when a given location is no longer participating in the program.
- b. The Employer shall ensure that the Plan created pursuant to this Agreement is posted in a conspicuous location for the duration of the period it remains in effect in a common area for all employees to inspect.
EMPLOYER PROTOCOLS - Employer ensures that this Plan will be posted in several areas at our working locations for the duration of the period it remains in effect for all employees to inspect.
- c. All of Employer's employees shall be trained on the Plan. Employer must keep documentation on record showing employees received the training.
EMPLOYER PROTOCOLS - All employees are required to complete Employer's COVID-19 training and sign documentation. Employer keeps documentation on record showing employees have completed their pre-hire training.
- d. Employer agrees to comply with the Public Health Orders, COVID Safe Practices, and Privacy Laws, etc., prescribed by DOH and/or NMED.
- e. Employer agrees to keep records on site covered by the plan and provide them to agents of the state upon request. All testing results will be submitted electronically by our labs to the NM Department of Health.
- f. Enforceability. Failure to comply with any provision herein shall result in the termination of this agreement. Employer shall be prohibited from re-enrolling in the plan/agreement and the state will refuse to approve a future plan.
- g. Plan will be submitted to both NMENV-OSHA@state.nm.us and NMDOH-COVID-PLAN@state.nm.us.
- h. Only those businesses and entities defined as "essential businesses" in the operative Public Health Order may participate in this program. Employer's media services business has been defined as an "essential business".
- i. This Agreement shall remain effective for the duration of the Emergency Declaration governing this Public Health Emergency or until Employer's participation in this program ceases voluntarily or by breach of this Agreement.

4. Employer Certification

As the responsible official signing this document, I certify under penalty of law that this agreement and the associated Plan were prepared under directions or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for the gathering of the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant

penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

EMPLOYER:

Employer RPE PRODUCTIONS, LLC

By 

Name ERICA SPERBER

Title COVID COMPLIANCE OFFICER

Date JANUARY 12, 2021