



## SCEYE - MORIARTY AND ROSWELL FACILITIES COVID-19 SURVEILLANCE TESTING AND CONTACT TRACING PLAN

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In addition to Sceye's antibody (Ab) testing policy and quarantine policy (the "**Policies**"), Sceye has adopted this Surveillance Testing and Contact Tracing Plan (this "**Plan**") to exempt Sceye's Moriarty and Roswell facilities from a Rapid Response Closure under the most current Public Health Order from the New Mexico Department of Health (the current order is dated December 2, 2020) and any subsequent Public Health Order that may affect requirements for complying with a New Mexico Department of Health Rapid Response. Sceye's Ab testing policy and quarantine policy are incorporated into this Plan by reference, and if there is any conflict between the terms of the policies and this Plan, the terms of this Plan shall control.

This Plan and the Policies, which conform to Equal Employment Opportunity law—including the Americans with Disabilities Act, as well as state and local law—are enumerated below.

### **1. SURVEILLANCE TESTING REQUIREMENTS**

1.1 Bi-weekly COVID-19 testing. All employees who are not currently required to self-quarantine or self-isolate shall take a COVID-19 test every two weeks, with such tests to be completed within two consecutive days.

1.2 Testing Procedure. The COVID-19 tests meet the criteria set forth by the Department of Health and will be administered to all employees and staff of each facility by a private provider, Southwest Labs, beginning on Monday, January 4, 2021, to be completed by the close of business on Tuesday, January 5, 2021. The tests will be conducted every subsequent two weeks in the same fashion, and Sceye will cover the expense of all testing. The bi-weekly testing will continue until the New Mexico Department of Health deems it safe to discontinue such testing.

1.3 Confidentiality. All medical information of employees and any other staff will be kept confidential, except as otherwise required by law. "Medical information" includes information about whether a particular employee has symptoms of, or a diagnosis of, COVID-19 and any contact tracing information. In the event Sceye is legally required to disclose the identity of an employee and that employee's medical information, Sceye will make every effort to limit the number of people that learn such information. Medical information files will be kept separate from employee personnel files in accordance with ADA requirements and will be stored for three months in a secure location onsite at the Sceye Moriarty facility for both locations. Further, only designated senior Human Resources

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personnel will have access to the information while it is stored onsite. After the three-month storage period has elapsed, such information will be destroyed.

**1.4 Employees Who Test Positive and Have Symptoms. Any employee who tests positive for COVID-19 and has symptoms must self-isolate and remain away from any Sceye facility until:**

- a) (i) 10 days have passed since symptoms first appeared, (ii) 24 hours have passed with no fever without the use of fever reducing medication, and (iii) the employee's other COVID-19 symptoms have improved; **OR**
- b) If the employee had severe COVID-19 illness (i.e., hospitalization in an intensive care was required), (i) at least 24 hours have passed without a fever with no use of fever reducers, (ii) COVID-19 symptoms have improved, and (iii) 20 days have elapsed since symptoms first appeared.

**1.5 Employees Who Test Positive but Have NO Symptoms. Any employee who tests positive for COVID-19, and is asymptomatic, must self-isolate and remain away from the workplace until 10 days have elapsed since the date your test specimen was collected that resulted in a positive test.<sup>1</sup>**

**1.6 Sceye Obligations Regarding Infected Employees.** Sceye is prohibited from knowingly allowing employees who are positive for COVID-19 into the Moriarty facility.

**1.7 Refusal to Test.** Any employee who refuses to be take a COVID-19 test is prohibited from accessing Sceye facilities, as such an employee will pose a direct threat to workplace safety. A "direct threat," under the ADA is "a significant risk of substantial harm to the health or safety of the individual or others" in the workplace. Any employee that refuses to be tested may be permitted to work remotely with a manager's approval and provided that employee's current deliverables can be completed offsite/remotely.

## **2. CONTACT TRACING REQUIREMENTS**

**2.1 COVID-19 Team.** Pursuant to the Surveillance Testing and Contact Tracing Plan Agreement that Sceye has entered into with the New Mexico Department of Health and the New

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<sup>1</sup> The test-based method of determining when it is safe to end self-isolation is no longer recommended by the New Mexico Department of Health; thus, Sceye follows the methods set forth in Sections 1.4 and 1.5. See N.M. DEP'T OF HEALTH, POLICIES FOR THE PREVENTION AND CONTROL OF COVID-19 IN NEW MEXICO, at 9-10 (Oct. 23, 2020).



Mexico Environment Department, Sceye hereby establishes a contact tracing team, which shall be comprised of Dayan Hochman-Vigil, Scott Huxtable, Shurette Neuman, and Deborah Taylor (herein, the "**Team**").

2.2 Team Duties. The Team is responsible for maintaining the daily facility access log, adhering to contact tracing requirements as outlined in Surveillance Testing and Contact Tracing Plan Agreement, and reporting any positive COVID-19 case in the workplace within 4 hours to <https://nmgov.force.com/rapidresponse/s/> or to another approved reporting address.

2.3 Sceye Duties and CT Protocol. When it becomes known that an employee is infected, Sceye will ensure that areas where the infected employee was at any time during the preceding five days are immediately isolated and disinfected in accordance with current Centers for Disease Control guidance. Additionally, after Sceye learns that an employee is infected, Sceye will execute its Contact Tracing protocol (the "**CT protocol**"). The CT protocol applies to all "close contacts." That is, the CT protocol applies to any employee who:

- a) for 3 minutes or more, stayed within 6 feet of an individual with a confirmed COVID-19 case, regardless of mask usage by either party; or
- b) had contact with an infected employee's body fluids (i.e., were coughed or sneezed on).

2.3.1 Assessing Close Contact. An individual is deemed to be infectious and able to spread the virus from 48 hours prior to the onset of illness—or for asymptomatic cases, 48 hours prior to the date of the test collection—until the individual has completed self-isolation.

2.3.2 **Employees in Close Contact; 14-Day Quarantine.** **An employee who has been in close contact with an infectious person must quarantine for 14 days after the date of last exposure.** Employees in close contact are strongly encouraged to get tested for COVID-19, but a negative test will not excuse any employee from the full 14-day quarantine period. Such testing should be done at least 3 days after the last date of exposure and ideally 7-10 days since last exposure. **The quarantine period for close contacts is longer than the self-isolation period for infected employees because the *incubation* period for the virus after a close contact is longer than the time for which a person with COVID-19 will be infectious.**

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2.4 Plan Shall Be Conspicuously Posted. This Plan shall be posted in a conspicuous common area in both facilities for all employees to inspect.

Your continued, and outstanding, efforts to maintain a healthy workplace are appreciated.

With my signature below, I hereby acknowledge receiving and reading this Plan. I understand it is my responsibility to abide by the Plan's requirements.

\_\_\_\_\_  
Name (printed)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date