



COVID-19 Transit Manager Peer Roundtable – Summary

March 26, 2020

Below are questions, experiences, and comments from roundtable participants, organized by topic. We have listed answers to questions that are available so far. We are waiting on responses from FTA for some of the questions and will update this document with answers received at a later date. Note that National RTAP does not endorse any of the specific products mentioned in this summary.

Funding and Allowability of Expenses

Questions for FTA:

- Is there guidance about how to take advantage of the FTA COVID funding assistance or any other federal relief funding?
 - Guidance is available on how to use FTA COVID-19 funding assistance through 5311 grants at <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19>. Guidance is forthcoming on how to access Coronavirus Aid, Relief, and Economic Security (CARES) Act, which was approved on March 27, 2020, through FTA. FTA received \$25 billion for transit providers and state and local governments for operating and capital expenses, which will be distributed through FTA formulas, with an estimated \$1.8 billion for rural systems under Section 5311.
- What if an agency has to temporarily suspend all services due to lack of employees, ridership, etc.? Does emergency funding cover this as well?
 - <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19>
 - The CARES Act provides funds to prevent, prepare for, and respond to COVID-19. Although the priority for the funding is operational expenses, FTA will generally consider all expenses normally eligible under the Section 5307 and 5311 programs that are incurred on or after January 20, 2020 to be in response to economic or other conditions caused by COVID-19 and thus eligible under the CARES Act.
 - In addition, CARES Act funds are available for operating expenses for all FTA Section 5307 and 5311 recipients, including administrative leave for transit workers.
 - All funds made available under the CARES Act may be used for operating expenses.

- In general, operating expenses are those costs necessary to operate, maintain, and manage a public transportation system. Operating expenses usually include such costs as driver salaries, fuel, and items having a useful life of less than one year, including personal protective equipment and cleaning supplies. See the program circulars for more information on eligible operating expenses.
- The CARES Act funding can be used for administrative leave, such as leave for employees due to reductions in service or leave required for a quarantined worker.
- Administrative leave is an administratively authorized absence from duty without loss of pay or reduction in an employee's available leave. In the context of the COVID-19 public health emergency, administrative leave could include, but is not limited to, leave for an employee who is not required to work due to a reduction in service or leave for a worker who is quarantined after potential exposure to an individual infected with COVID-19.
- Will there be grant money for the extra time and expense involved in the cleaning of offices and vehicles?
 - The CARES Act provides additional funding. See answer above.
- What will qualify as COVID-19 related expense under the CARES Act?
 - Expenses explicitly listed in the CARES Act are operating expenses, medical expenses, undergraduate and graduate student unmet educational expenses, and salaries.
- What is the start date for 5311 subrecipients to incur expenses at the 80/20 match rate?
 - March 13, 2020
- Is the more favorable match rate only for measures taken in regard to the Coronavirus, or to all activities under 5311 operations? In other words, a) COVID related expenses are eligible AND b) operating expenses in general can be reimbursed at the 80/20 rate?
- The possibility of an increased 5311 local match rate of 80/20, without an increase of 5311 money, this will just use these funds faster. What's the possibility of INCREASED 5311 funds?
 - The CARES Act provides additional 5311 funding to deal with the COVID-19 crisis.
- For states who currently provide 5311 subrecipients as sliding scale match rate of 56.08/43.92 for operations, would the better match rate to be used for emergency activities also be the sliding scale of 89.73/43.92? If their subrecipients do choose to use the better match rate, how should this be reported to FTA?
- How should rural transit agencies quantify loss of ridership due to coronavirus to request funds from Congress?

- Agencies should keep accurate and detailed records on a daily basis. Additional information on this question may be provided from FTA at a later date.
- According to the Emergency Paid Sick Leave Act, if an employee experiences symptoms of COVID-19, they would be eligible for 80 hours of Emergency Paid time off and would be able to use that prior to any employee provided leave. Does this affect our FTA grants and if so, how?
- What is the FTA policy on paying salaries and benefits for furloughed employees (on standby leave) who are grant funded? We decided to pay drivers while our service is suspended, which is very important to our drivers and our future operations; is this allowed?
 - <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19>
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- The memo issued by OMB on March 19, 2020 seems to say that everyone is guaranteed time off with pay. Does that memo apply to transit programs?
 - Yes.
- If a transit system delivers meals, groceries, etc. to seniors and others that are sheltering in place, will these operations be covered under the emergency funding or otherwise reimbursable with FTA?
 - <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19>
 - Capital and operating activities undertaken in response to COVID-19 are eligible for reimbursement under the Section 5037 Formula Program and Section 5311 Formula Program. FTA Acting Administrator K. Jane Williams has issued a Notice of Concurrence with declarations of emergency issued by Governors that relate to COVID-19. Accordingly, for recipients in states in which the Governor has declared such an emergency (49 U.S.C. 5324), FTA will permit 5307 or 5311 funding to be used for COVID-19-related public transportation capital or operating expenses at an 80 percent federal share, regardless of whether operating expenses generally are an eligible expense for a recipient.

- Pursuant to FTA's Emergency Relief rule at 49 CFR part 602, eligible activities include emergency protective measures to eliminate or lessen threats to public health and safety, such as performing enhanced cleaning/sanitizing of rolling stock, stations, bus shelters, etc.; placing hand sanitizer dispensers in high traffic areas; and providing personal protective equipment as appropriate.
- We have been told that every action taken which does not meet the requirements of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards - 2 CFR 200 requires written concurrence from FTA at the state level. We've heard this from FTA Region and our own state. What is the official guidance from FTA about this?
- How will future funding be impacted by low ridership, employees not feeling comfortable driving during this time, and having to reduce services?
- Rural transit systems are running out of cleaning supplies. Some of our microbreweries are making hand sanitizer but they are only selling it in large quantities (\$256 gallons which is about \$57/per gallon). We assume that since the product is unavailable through normal purchasing as we need it, that this price will not be a problem to charge to the 5311 operating grant, is that right?
 - <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19>
 - FTA has established an Emergency Relief docket that allows recipients in states in which the Governor has declared an emergency related to COVID-19 to request temporary relief from federal requirements under 49 U.S.C. Chapter 53 as well as the provisions of any non-statutory FTA requirements. The ER docket should only be used to request a waiver of federal requirements. All other questions regarding COVID-19 should be directed to FTAResponse@dot.gov.
 - Some federal requirements include specific provisions related to emergencies, and therefore, no FTA waiver is necessary. For example, federal procurement standards established in 2 CFR part 220.317-326 permit the use of a noncompetitive (sole source) procurement when the circumstances of an emergency (or public exigency) would not permit a delay resulting from competitive solicitation.
- The FTA guidance on coronavirus specifically called out the use of preventive maintenance for cleaning supplies in the 5311 and 5307 programs. 5310 also offers preventive maintenance funding. Are cleaning supplies also available expenses for 5310 agencies as they are also impacted by this?

Service Changes and Staffing/Paid-Time Off Related Issues

Participants' experience, comments, and questions for their peers:

- We are doing free grocery deliveries in all four main communities to help keep people home. Deliveries are dropped on the doorstep.
- We are delivering meals to people who can't leave the house.
- We are now just transporting dialysis and medical rides only
- We added earlier routes for new early morning senior shopping hours.
- We suspended service, due our governor's order to shelter in place, and our city also instituted the same order. We are on remote island, which heightened the concern to try to maintain service. We decided to pay drivers while service is suspended. We provide fixed-route service. This decision to pay drivers while service is suspended is very important to both the operation and to the drivers.
- While there is a reduction in volume, we are utilizing that time to conduct additional training.
- We are getting caught up on all of our training, deep cleaning the buses, etc., for those whose routes were affected
- Are we going to be allowed to pay part-time drivers for a minimum amount of hours even if there is no work for them? There is only so much cleaning they can do can offer.
- Has anyone discussed with your employees the Emergency Paid Sick Leave Act?
- There is a poster through DOL that those of us less than 500 employees are required to post.
- Department of Labor (DOL) Families First Coronavirus Response Act: <https://www.dol.gov/agencies/whd/ffcra>. "FFCRA helps the United States combat the workplace effects of COVID-19 by reimbursing American private employers that have fewer than 500 employees with tax credits for the cost of providing employees with paid leave taken for specified reasons related to COVID-19."
- We have amended our time off policy to accommodate for the emergency leave. We have employees beginning to utilize this week.
- We are establishing COVID-19 PTO and have a decision matrix to help in guiding the use: www.estransit.com/wp-content/uploads/2020/03/ESTA-Special-Board-Meeting-032720.pdf
- Has anyone had their drivers apply for unemployment and just claim their earning each week? Then the unemployment can help with what they are not earning.
- On the driver paid time off issue, we are working with our bookkeeper on how to continue payroll if this goes into effect. We have not had any need for it yet, but we are developing a policy to make it available if needed.

- We are rotating our drivers in and out based on available shifts. Administrative leave is granted for those forced home due to lack of shifts (full-time benefitted).
- In order to prevent full layoffs, we are staggering staff taking longer breaks to prevent simply sending someone home. So far, it's working. We have all services running, but with drastic reduction in ridership resulting in the staggered longer breaks.
- All our drivers are part time and receive no benefits.

Screening Passengers and Drivers and the Legality of Refusing Rides

Questions for FTA:

- Can transit agencies legally deny trips to passengers who are showing symptoms, who share that they tested positive, are going to a COVID-19 clinic/test site, or are in a "hot spot"? How does this work with ADA regulations, etc.?
- Does FTA have recommended procedures for screening passengers or recommended criteria for refusing anyone service?
- What about recommended procedures for when an employee or passenger tests positive? Should agencies shut down or just deep clean? What should agencies do about informing the public?
- How do HIPAA requirements effect transit service requirements during the pandemic? What questions can a transit Agency ask a passenger on demand response service before allowing someone to board?

Participants' experience, comments, and questions for their peers:

- Are districts taking temperatures of drivers before they begin shifts?
- Do those that are still running fixed route service have a screening process/ health check for riders? Have they set up some sort of criteria or are they refusing anyone service?
- We are asking 3 questions and holding off from transporting sick passengers.
- Screenings: 1. Fever of 100+ 2. Sore Throat? 3. Cough? 4. Been exposed to any current or known illness? If we get a yes, we ask/request that the passenger refrain from using our transportation services for at least 24 hours from the last symptom or sign.
- Tests take several days to come back. We usually would not know if someone is confirmed positive.
- The only way you would know is if the rider disclosed it. I believe under HIPAA laws you are NOT allowed to ask, at least in regular circumstances.

- There is an issue with taking temperatures, because transmission happens 3-5 days before symptoms in most cases. By the time that the fever shows up, it is already too late.
- Dialysis center has asked if we will provide transportation for a patient that tests positive. We had no answer at the time of the question. Anyone have policies on this?
- We have three passengers that go to dialysis at the same time in a minivan, got clarification on what to do.
- The Medicaid call centers are telling us that we are NOT required to transport a COVID positive. They CAN take an ambulance.

Cleaning, PPE and Other Strategies for Protecting Drivers and Passengers

Questions for FTA:

- Does FTA have suggestions on how to get [EPA approved](#) disinfectant supplies or specific strategies for protecting drivers and passengers (cleaning, PPE, distancing, etc.)?
 - See CDC Recommendations for Workplace Preparedness & Protection section of <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19>
- What are the OSHA requirements?
 - In the event of a shortage of masks, a reusable face shield that can be decontaminated may be an acceptable method of protecting against droplet transmission. www.osha.gov/Publications/OSHA3990.pdf

Participants' experience, comments, and questions for their peers:

- What are you doing to clean and sanitize your vehicles? Who are you having do the sanitizing? How often are you planning to do it? Are you able to get sanitizing supplies?
- We disinfect inside the vehicle after every passenger.
- We use 409, disinfectant wipes. We are allowing people to come in and deep clean our vehicles and office. Hand sanitizer is available to our drivers and customers (homemade with 100% aloe and isopropyl alcohol (at least 60%) at 1/3 aloe and 2/3 alcohol).
- Regarding PPE and vehicle cleaning, our bus washers apply a hospital grade disinfectant called Virex, and wear nitrile gloves and N95 mask while doing so. This is done nightly to all buses, and twice daily to Dial-A-Ride vans.
- We also spray 99% alcohol after each person off loads.

- Each vehicle has a supply of hand sanitizer, disinfectant wipes (mostly down to a bleach solution now) and drivers are required to wash their hands every time they get out of their bus and back at the office.
- We ask people to use hand sanitizer as they enter the bus.
- We got cleaning supplies from the local school district, given that schools are closed.
- Our local breweries are distilling beer to make sanitizer.
- We purchased backyard handheld foggers (Ryobi) and are using them to fog the buses with disinfectant.
- If anyone is looking for an effective machine to sanitize their buses, this is an expensive option, but does the job in 3-4 minutes with almost no waiting for drying. We are currently sanitizing 2 x per day. Product to use with it is in high demand, but I recommend it highly. <https://www.thecloroxcompany.com/release/clorox-professional-announces-clorox-total-360-system/6159da38-7fc0-44e1-8f4f-d40b4f84b4a3/>
- The stepped-up cleaning, especially on high touch surfaces, should continue even after this crisis ends.
- All changes made to policies and practices should be recorded during this time to see what should go into emergency policies and what should become standard operating procedure. So many of our agencies were not able to find cleaning supplies last minute so after this they will make sure to keep a certain amount of cleaning materials in stock.
- Be VERY careful not to have different cleaners mix. Good rule of thumb - Do not mix anything with bleach or ammonia. Remember to use ammonia in a well-ventilated area. You will get ammonia clouds. You should even be careful with the 409.
- With N95 masks in short supply, what other types of masks are agencies using to protect drivers? We were told N95 masks are overkill for our operators and that standard “surgical masks” are okay since the operators are a few feet away from passengers.
- According to the CDC the masks will not PREVENT you from contracting COVID-19, it will only keep it from spreading if you have it by containing your sneeze or cough.
- We have a small supply of medical masks and more on order. A wife of one of my drivers has made a dozen for us, and now is making them for the local hospital and more for transit as needed.
- I reviewed OSHA requirements yesterday. Since we operate paratransit sized vehicles, and are within 6 feet when securing wheel chairs or assisting passengers constantly, they are on the Medium Risk requirements, which does require N95 masks. We are unable to get them, because the priority is health care only at this point.

- We got dust masks from the Ace hardware store in order to have something for someone with symptoms.
- We have flipped our first few rows up in our cut away buses. We have asked everyone to use hand sanitizers boarding the buses.
- Drivers don't handle money or credit cards.
- We don't allow anyone to sit in the front passenger seat in mini vans and limit the number of riders on each vehicle. No more than 3 ride in a cutaway.
- Some of our agencies who started delivering meals leave the package on the front step, call the consumer and to let them know the food is there, and watch them receive the food. This way they try to lessen their exposure, but also ensure that they receive the food.
- We taped off the driver area and require back door loading only to protect drivers.
- We've moved the white standee line on the floor back, 6 ft behind the driver.
- Our rural routes are limiting the amount of people on buses to 1-4 and we are keeping inventories of people who have ridden their buses.
- We use minivans, so it's virtually impossible to get any kind of social distancing.

NTD Reporting and Other Compliance Issues

Questions for FTA:

- Will the program and financial report due dates be extended?
- How should we report the hours/ miles if we use a vehicle for home delivered meals?
- This year is an NTD sampling year for us. Any word on what will happen with this year's NTD sampling?
- Question regarding random drug testing. We are running into the problem that the testing site we use is not always available at the time we send the employee for their test. Will there be some flexibility given to transit agencies that are having problems getting the required random testing completed and at a variation of hours?
 - U.S. DOT issued Guidance on Compliance with DOT Drug and Alcohol Testing Regulations (www.transportation.gov/odapc/compliance-with-dot-drug-and-alcohol-testing-regulations). DOT-regulated employers must comply with applicable DOT training and testing requirements. They should make a reasonable effort to locate the necessary resources. As a best practice at this time, employers should consider mobile

collection services for required testing if the fixed-site collection facilities are not available. If employers are unable to conduct DOT drug and alcohol testing due to the unavailability of testing resources, the underlying modal regulations continue to apply. Employers should review the applicable DOT Agency requirements for testing to determine whether flexibilities allow for collection and testing at a later date.

Participants' experience, comments, and questions for their peers:

- A participant said FTA sent an e-mail out on March 25 saying that "Effective today, march 25th, agencies should suspend sampling activities for NTD Reporting purposes if those activities involve onboard data collectors or "ride checkers". If you report for a transit system that normally uses this method to sample Unlinked Passenger Trips (UPT) for the monthly report (form MR-20), please contact your assigned validation analyst to discuss alternatives. For all other system that use this method for sample data for the estimation of Passenger Miles Traveled (PMT), FTA will issue additional guidance at a later date. Please retain all records for sample data that has already been collected but discontinue this activity until further notice."

Other

Participants' experience, comments, and questions for their peers:

- Do you have any transportation demand management (TDM) tools to indicate traffic changes?
- I am keeping a "lessons learned" list and a COVID-19 file. Here's what I have so far:
 - Have a backup or emergency supply of all things cleaning and disinfectant as well as gloves, masks and face shields – just in case.
 - We now have a Contagious Virus Response Plan that includes agency stand-down and stand-up guidelines (being incorporated with our Emergency Response Plan for other situations as well).
 - Get to the table of the county emergency response team early. Be pushy if needed to be included. (Some don't see the need for transit to be involved.).
 - Make sure all of the stakeholders that need your contact info have it.