



COVID-19 SPECIAL PROJECTS

“A Virus Like Any Other Virus”:

Limited Scope Review of State Building Management in Response to COVID-19 by the Central Services Division of the Department of Accounting and General Services

Introduction

IN LATE MARCH, as the number of COVID-19 cases in Hawai‘i started to rise, the Governor ordered Hawai‘i residents to stay at home and work from home, with certain limited exceptions for those working in businesses or operations identified as “essential.”

In accordance with that order, which took effect starting March 25, many state employees were allowed to work remotely, effectively closing a number of state offices. Many state employees started returning to their offices in early June after the Governor announced the State had moved to the “Act with Care” phase in its Reopening Strategy for Businesses and Operations. The virus continued to spread in Hawai‘i compelling the City and County of Honolulu to reinstate a stay-at-home order for O‘ahu residents on August 25, which was extended through September 23. Health experts have cautioned residents to continue practicing preventative measures, explaining that a variety of effective vaccines will likely not become widely distributed until well into 2021.

This limited scope review looks at the measures DAGS has implemented in response to the COVID-19 pandemic.

We found that management’s focus to just “keep the lights on” has led to incomplete and inconsistent efforts to safely re-open and operate its buildings during the COVID-19 pandemic.

We initiated a limited scope review of the measures implemented by the Department of Accounting and General Services (DAGS) in response to the COVID-19 pandemic to protect the health and safety of state employees working in DAGS-managed buildings, as well as visitors to those buildings and DAGS’ own maintenance and custodial staff. We intended to determine the additional cleaning and disinfection procedures and other processes (or controls) that DAGS’ Central Services Division had developed specific to the novel coronavirus. Our work included a review of the Governor’s emergency proclamations relating to COVID-19. We also reviewed the Central Services Division’s policies and procedures related to its day-to-day operations as well as its pandemic response, including signage that the division has posted in its buildings. Finally, we interviewed the State Comptroller and the Administrator of the Central Services Division on O‘ahu.¹

In our review, we found that the focus of the Central Services Division management is to just “keep the lights on,” which has led to incomplete and inconsistent efforts by the Central Services Division to safely re-open and operate its buildings during the COVID-19 pandemic. The division’s questionable compliance with – and apparent limited awareness of – applicable state and federal guidelines compromises the safety and health of those working in or visiting DAGS-managed buildings.

Methodology

In preparing the present report,² we examined how a division within DAGS – the Central Services Division – responded to the challenge of COVID-19 in Hawai‘i. We sought to understand the division’s response specifically in relation to state buildings managed by DAGS, including efforts to comply with relevant requirements relating to the safety and health of visitors and occupants in its buildings. We also attempted to determine whether the Central Services Division was prepared to address the risks associated with the presence or spread of COVID-19 in those state buildings falling within its management and operation. We examined the Central Services Division’s response to the challenges

¹ Given the limited nature and scope of our review, we did not interview neighbor island building managers or custodial staff on any island; therefore, we were unable to ascertain if the limited approach taken by management on O‘ahu is shared by the more than 80 custodians on staff, each of whom is responsible for cleaning, on average, approximately 25,000 square feet of space per day.

² We note that this report is not based on a performance audit. Our review and the procedures we describe herein were more limited than would be necessary for a performance audit conducted in accordance with U.S. Government Auditing Standards. COVID-19 prevented the site visits and live interviews that usually undergird a performance audit. And additional time would have been necessary to conduct an in-depth performance audit of a state agency or one of its divisions.

Under One Roof

One DAGS division manages more than 40 buildings across the state.

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES Office Space Inventory as of February 2019				
Building / Civic Center	Location	Building Area ^[1] (Sq Ft)	FTE ^[2]	
OAHU				
1 Hale Auhau	Honolulu	49,040	203	
2 Kakuhihewa Building	Kapolei	217,000	757	
3 Kalanimoku Building	Honolulu	234,796	683	
4 Kamehameha V Post Office Building	Honolulu	9,123	19	
5 Kāne'ohe Civic Center	Kāne'ohe	6,301	38	
6 Kekauloohi Building	Honolulu	25,402	15	
7 Kekūanaō'a Building	Honolulu	67,565	219	
8 Keoni Ana Building	Honolulu	61,632	62	
9 Kīna'u Hale	Honolulu	92,900	367	
10 King Kalākaua Building	Honolulu	109,675	374	
11 Leiopapa A Kamehameha Building	Honolulu	157,878	366	
12 No. 1 Capitol District Building	Honolulu	129,067	177	
13 OR&L Annex	Honolulu	2,340	0	
14 OR&L Main Building	Honolulu	21,405	47	
15 Princess Ruth Ke'elikōlani Building	Honolulu	253,346	907	
16 Princess Victoria Kamāmalu Building	Honolulu	88,661	313	
17 Queen Lili'uokalani Building	Honolulu	95,962	458	
18 Shafter Flats	Honolulu	98,008	125	
19 State Capitol Building	Honolulu	326,440	0	
20 Wahiawā Civic Center	Wahiawā	12,140	46	
21 Waipahu Civic Center	Waipahu	57,093	121	
22 Washington Place	Honolulu	16,300	0	
23 Washington Place Governor's Residence	Honolulu	4,583	0	
Subtotal		2,136,657	5,296	
MAUI				
1 Kahului Civic Center	Kahului	17,000	10	
2 Kaunakakai Civic Center	Kaunakakai	24,716	48	
3 Lahaina Civic Center	Lahaina	17,000	0	
4 Wailuku State Office Building No. 1	Wailuku	37,832	174	
5 Wailuku State Office Building No. 2	Wailuku	6,866	12	
Subtotal		103,414	244	
HAWAII				
1 Former Honoka'a Courthouse	Honoka'a	2,050	0	
2 Hilo State Office Building	Hilo	107,657	205	
3 Honoka'a Maintenance Facility	Honoka'a	0	7	
4 Honoka'a State Office Building No. 1	Honoka'a	3,387	6	
5 Honoka'a State Office Building No. 2	Honoka'a	1,075	6	
6 Honoka'a, Cottage No. 10	Honoka'a	2,100	0	
7 Kealahou State Office Building	Kealahou	24,991	37	
8 Kona Civic Center	Captain Cook	3,246	0	
9 Kona Civic Center State Office Building No. 1	Captain Cook	3,852	14	
10 Kona Civic Center State Office Building No. 2	Captain Cook	4,196	10	
11 Naalehu State Office Building	Naalehu	2,352	5	
12 North Kohala State Office Building	Kapaa	3,480	4	
13 Waimea State Office Building	Kamuela	5,300	10	
Subtotal		163,686	304	
KAUAI				
1 Former Līhu'e Courthouse	Līhu'e	19,743	62	
2 Līhu'e State Office Building	Līhu'e	42,204	187	
Subtotal		61,947	249	
STATE TOTAL		2,465,704	6,093	

DAGS is directly responsible for numerous facilities statewide, including more than 40 buildings which provide the workspaces for more than 6,000 state employees.

Source: Department of Accounting and General Services, "DAGS Tenants and Space Assignments, Updated February 27, 2019" excluding baseyards located on Maui, Moloka'i, Honoka'a, Kona, and Kauai.

^[1] Gross floor area - area included within surrounding exterior walls (or exterior walls and fire walls); excludes vent shafts and courts; areas of the building not provided with surrounding walls are included in the building area if such areas are included within the horizontal projection of the roof of the floor above.

^[2] Full time employees.

posed by the pandemic using two basic sets of criteria. The first set includes the criteria provided by applicable law, notably a series of emergency proclamations issued by the Governor under the Hawai‘i Emergency Management Act, Chapter 127A, Hawai‘i Revised Statutes.

The second set of criteria involves guidance documents issued by the Centers for Disease Control and Prevention (CDC) relating to safe practices in the COVID-19 era. The guidance documents cover familiar safe practices such as face coverings, physical distancing, and frequent use of hand sanitizer. But they also cover safe practices for cleaning and disinfecting frequently touched surfaces, selecting disinfectants effective against the novel coronavirus, preparing workplaces for COVID-19, and the re-opening of public buildings.

We then assessed the division’s compliance with these two sets of criteria in light of information we gleaned from interviews with key DAGS and Central Services Division personnel as well as from documents provided in response to our requests.³

Background

DAGS is headed by the State Comptroller, who concurrently serves as the department’s director. The department is directly responsible for numerous facilities statewide,⁴ including more than 40 buildings which provide the workspaces for more than 6,000 state employees. DAGS’ administrative rules cite the need for “the safe, orderly, convenient, and efficient use and enjoyment of facilities under the jurisdiction, management, and operation of the department of accounting and general services.” Any activity in state buildings “which presents a clear and present danger to the public health and safety is prohibited.”

According to DAGS’ website, the Central Services Division, one of eight divisions within DAGS, “plans, coordinates, organizes, directs and controls a variety of centralized services,” which includes maintenance and repair of state buildings as well as custodial services in those

³ We interviewed both the Administrator on O‘ahu, as well as the State Comptroller and head of DAGS, using the Microsoft Teams platform. We also requested relevant documents from Central Services Division and DAGS. We would like to acknowledge the cooperation of DAGS and its Central Services Division. Although this report focuses primarily on DAGS-managed facilities and practices on O‘ahu, we would also like to express our appreciation to DAGS’ janitorial staff working statewide during the COVID-19 pandemic and beyond.

⁴ The term “facilities” includes buildings as well as parking structures and health centers under DAGS’ jurisdiction along with state buildings under the jurisdiction of other state agencies, including the Departments of Health, Human Services, Agriculture, Transportation, and the Office of the State Librarian. The 43 buildings managed by the department are in addition to what the department describes as “baseyards” on Maui, Moloka‘i, Hawai‘i Island, and Kaua‘i.



Guidance Documents and Internal Controls

GOVERNMENT AGENCIES rely on guidance documents to clarify statutes or regulatory text and to inform the public about complex policy implementation topics.¹ Internal control – effected by an agency’s oversight body and management – provides reasonable assurance an agency’s objectives will be achieved.² Specifically, control activities are the policies, procedures, and techniques that ensure management’s directives are carried out. Management objectives include the effectiveness and efficiency of operations; reliability of reporting for external or internal use; and compliance with applicable laws and regulations. Control activities are an integral part of an agency’s planning, implementing, achieving effective results, and stewardship of government resources. Further, to improve accountability, agencies should clearly articulate their missions in the context of statutory objectives and develop implementation plans for the goals and objectives, as well as measures of programs toward achieving them.³ Established time frames can also help ensure dedicated implementation of a program.

¹ *Regulatory Guidance Processes: Selected Departments Could Strengthen Internal Control and Dissemination Practices*, U.S. Government Accountability Office, April 2015.

² *Standards for Internal Control in the Federal Government*, U.S. Government Accountability Office, September 2014.

³ *Performance Measurement: An Important Tool in Managing for Results*, U.S. Government Accountability Office, May 1992.

buildings. A Central Services Division Administrator (Administrator) oversees DAGS-managed buildings on O‘ahu, and three district managers oversee DAGS-managed buildings located on the neighbor islands. We confirmed with the Comptroller that the Administrator manages DAGS-managed buildings on O‘ahu only; DAGS-managed buildings on the neighbor islands are the responsibility of three district managers, one on Hawai‘i Island, one on Maui, and one on Kaua‘i, who report directly to the Comptroller. On O‘ahu, three building managers, who report to the Administrator, oversee the division’s day-to-day activities; the building managers’ duties include the supervision of over 80 custodians.

The Comptroller described DAGS’ role as that of a property manager, making sure there is paint on the wall, the electricity is running, and the air conditioning is cool enough. Similarly, the Administrator described the relationship between DAGS and the agencies occupying DAGS-managed buildings as basically landlord and tenant. According to the Administrator, the agencies and programs that occupy DAGS-managed

buildings (tenants or building occupants) are responsible for maintaining the interior spaces they occupy.

Decades later, it remains unclear whether DAGS consistently verifies that cleaning tasks have been completed

An updated custodial task list and other documented processes are even more important during a pandemic.

A 1996 audit of DAGS' custodial services programs found, among other things, that DAGS' management was not requiring supervisors to use task lists designed to remind custodians of the nature and frequency of tasks to be performed, to use checklists designed to record the completion of assigned tasks, or to conduct formal inspections designed to document the quality of work to be performed. The audit recommended DAGS adopt a formal cleanliness standard and use task lists, checklists, and inspections, as well as other management tools to ensure custodial tasks were completed.⁵ The audit also recommended DAGS develop formalized training, instead of relying on informal, on-the-job training.

A follow-up report in 2004 found DAGS still did not see the importance of using management controls, including the frequent use of checklists and inspection forms; was still heavily reliant on informal, on-the-job training; and had yet to establish procedures to address situations potentially hazardous or dangerous to its custodial staff or others.⁶

In our limited scope review, we found little has changed. When we asked to see a copy of a current task list for custodians, the Administrator, who has held the position for the past four years, candidly told us he had not seen the task list before we asked for it. Although he did not know when the task list was first created, he did confirm it was not updated after a reduction in force around 10 years ago. The Comptroller was unsure if custodial staff on the neighbor islands used the task list.

The Comptroller admitted DAGS' operations in this area have been "informal and inconsistent." This self-characterization of department practices is consistent with what we first reported almost 25 years ago in our 1996 audit. A 25-year lack of progress is unacceptable for a state agency responsible for the upkeep of state buildings. Without

⁵ A copy of Report No. 96-12, *Audit of Custodial Services Programs of the Department of Accounting and General Services, the Judiciary, the Department of Education, and the University of Hawai'i* can be found at <https://files.hawaii.gov/auditor/Reports/1996/96-12.pdf>.

⁶ A copy of Report No. 04-09, *Follow-Up Audit of Custodial Services Programs of the Department of Accounting and General Services, the Judiciary, the Department of Education, and the University of Hawai'i* can be found at <https://files.hawaii.gov/auditor/Reports/2004/04-09.pdf>.



Keeping Tenants in the Dark?

DAGS PROVIDED US A COPY of a janitorial task list. According to the Administrator, it was at least ten years old and had not been updated. The Administrator had no idea how the task list filtered down to the custodial staff. The list is composed of three columns – “TASKS (WORK TO BE DONE),” “FREQUENCY (HOW OFTEN),” and “REMARKS (WHAT TO DO).” Task categories include restroom maintenance, floor maintenance, and “cleaning, dusting, and miscellaneous tasks.” Examples of daily tasks include cleaning and wiping drinking fountains and sanitizing restroom floors. Monthly tasks include vacuuming offices, halls, and common areas, and cleaning and dusting stairways and railings. The stripping and waxing of floors is done annually. However, the task lists are generic and are not customized for the specific building or space (for example, the number of stalls in a restroom) and do not take into consideration the number of building occupants or visitors.

As previously mentioned, written procedures are an absolute requirement.

Copies of task lists are not provided to tenants even though we recommended that improvement decades ago. While tenants should not be supervising the work of the division’s janitorial staff, they should have a clear understanding of services DAGS is expected to provide and confidence that the janitorial tasks developed by the Central Services Division adequately protect their health and safety. With such an understanding, tenants can provide feedback to supervisors, including the building managers, if janitorial services are being performed appropriately or not.

Besides helping to establish a proper control environment, such a disclosure and subsequent tenant feedback would be a standard part of maintaining responsive janitorial services; however, customer service does not appear to be a priority. During our discussion, the Comptroller made a point to say employees do their very best and go beyond what they are called to do; however, he also admitted that when you enter a DAGS-managed building, “You’re on your own.”

documented policies and procedures, it is difficult – if not impossible – for management to know whether agency staff are performing their responsibilities as intended. It is also difficult to identify “causes” where agency objectives are unmet or only partially achieved. State agencies must also create internal controls, or processes, designed to provide management with assurance that agency objectives will be achieved and the risk of fraud, waste, and abuse will be reduced. Those processes should include a clear “tone-at-the-top,” demonstrating management’s commitment to an appropriate “control environment,” which includes written policies and procedures.

The custodial task list is a necessary part of such a control environment; it provides clear, consistent, and standardized instructions to janitors about their custodial responsibilities, helping to ensure that tasks are performed appropriately and completed as often as management intends. The Central Services Division’s reliance on informal, oral instructions provides little assurance that its janitorial staff receives consistent, uniform directions. As importantly, it is difficult for janitorial staff to be held accountable and equally difficult to hold management accountable.

Emergency Measures

THE GOVERNOR'S emergency proclamations are not mere guidelines. Rather, under the Hawai'i Emergency Management Act, the proclamations issued during a period of emergency have the force and effect of law.¹ While the Governor has previously issued periodic emergency proclamations – involving things like flooding on Maui or Kaua'i, volcanic eruptions on Hawai'i Island, or a hurricane – a string of 17 statewide, back-to-back emergency proclamations over a period of nine months (such as those related to COVID-19) is unusual and probably unprecedented in Hawai'i State history.

¹ Hawai'i Revised Statutes (HRS) Section 127A-11(a)(2); HRS Section 127A-25.

The importance of the custodial task list as well as other documented processes, such as supervisor checklists, is heightened by the current public health emergency caused by the pandemic. It is critical that the Central Services Division communicate clear directions about additional COVID-specific cleaning and disinfection protocols that it has implemented (or will implement) to protect the health and safety of tenants and visitors as well as its own janitorial staff; it is equally critical that any updates to those protocols be timely communicated and documented. Checklists and formal inspections should also be used consistently to ensure required tasks are appropriately completed, especially because of the serious public health issues caused by COVID-19.

It is equally important for the Central Services Division to develop clear, written procedures applicable to its contractors, including those performing routine maintenance work, such as air conditioning system repairs. Tenants should not be responsible for directing DAGS contractors to clean and disinfect equipment and surfaces that contracted employees touched; furthermore, tenants should not be responsible for obtaining health status information from DAGS contractors entering their office spaces, such as whether they recently had contact with someone diagnosed with COVID-19, nor should tenants be responsible for collecting information for potential contact tracing purposes. We simply cannot emphasize enough the importance of written policies and procedures that are developed to, among other things, minimize the risk that state employees and visitors will contract the virus in DAGS-managed buildings.

“A virus like any other virus” – DAGS’ approach to safe practices is loosely coordinated and communicated

The Governor’s emergency proclamations related to COVID-19 impose a number of requirements relating to safe practices and social distancing for all businesses and operations, including government operations.⁷ In addition, under the Governor’s emergency proclamations in effect since mid-May, all businesses and operations are also required to follow applicable CDC, industry, and regulatory guidance related to COVID-19 prior to and after reopening.

⁷ Beginning with the Eighth Supplementary Proclamation (effective May 18, 2020) “operations” include government operations. See Eighth Supplementary Proclamation, Exhibit G; Ninth Supplementary Proclamation, Exhibit G; Tenth Proclamation, Exhibit F; Twelfth Proclamation, Exhibit F. In addition, the Ninth Supplementary Proclamation expressly directed “state ... agencies” to abide by a series of eleven specific “safe practices to the fullest extent possible[.]”

When we asked the Comptroller whose responsibility it was to ensure the safety of state employees and visitors in DAGS-managed buildings, he candidly told us he did not think anybody had that responsibility. In discussing his perception of DAGS' duties and responsibilities, he told us "the activity within the building has never been a DAGS responsibility...other than the lobby being clean."

Although the Comptroller claims that DAGS collects and follows CDC-issued guidance, it appears that the department may not have reviewed all relevant guidance documents or the full content of those documents

Compliance with guidance issued by the CDC has been mandated by the Governor's emergency proclamations related to COVID-19 since mid-May, and DAGS has repeatedly reassured building tenants that DAGS is committed to following CDC recommendations since mid-March. Yet, the Central Services Division's compliance appears to have been uneven in some important respects.

One example stands out. The guidance jointly issued by the CDC and the Environmental Protection Agency (EPA) titled *Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools, and Homes* states that its guidance is part of "the larger United States Government plan" relating to "[r]eopening the country." According to the *Reopening Guidance*, "EPA-approved disinfectants are an important part of reducing the risk of exposure to COVID-19." Therefore, the guidance is to "disinfect using an EPA-approved disinfectant." EPA has compiled a list of disinfectant products that have been shown to be effective against viruses like the one that causes COVID-19.⁸ Information about EPA-approved surface disinfectants is made available on what is called "List N."

We asked DAGS for any internal emails, policies and procedures, or other written communications from January 2020 through June which (a) mention or specify disinfectants that are effective against the novel coronavirus, SARS-CoV-2,⁹ or (b) mention the list of disinfectants approved by EPA as effective against SARS viruses (i.e., List N). DAGS responded that it had no such documents.

⁸ EPA has expertise in such matters. Under the Federal Insecticide, Fungicide, and Rodenticide Act, EPA evaluates the efficacy of antimicrobial products intended to control pathogens that can be detrimental to public health. The pathogens include viruses that can contaminate hard surfaces and play a role in transmitting such viruses to people.

⁹ SARS-CoV-2 is the technical name of the coronavirus that causes the disease COVID-19.

We asked the Administrator whether his division had re-evaluated the disinfectants it was currently using in light of COVID-19. He responded that they looked at the products and made sure they complied with CDC guidance. When we requested a written record of that re-evaluation, he stated that “we didn’t document us checking, just took a look at the items they’re using.”

Asked whether the re-evaluation of disinfectants that the division normally uses included making sure the disinfectants were approved by EPA as effective against COVID, the Administrator responded, “I don’t think so. We were just depending on the CDC’s guidance.” We note that the CDC’s *Reopening Guidance* emphasizes the recommended use of “EPA-approved disinfectants” three separate times; each time the *Reopening Guidance* mentions “EPA-approved disinfectants,” it hyperlinks the phrase to the EPA’s website for List N. The Administrator was not familiar with List N.

Checking the List

EPA provides guidance on how to access List N, which includes a listing of disinfectant products that have been shown to be effective against viruses like the one that causes COVID-19. The Administrator had never heard of List N.

WHICH DISINFECTANTS KILL COVID-19?
FIND OUT AT [EPA.GOV/LISTNTOOL](https://www.epa.gov/listntool)
EPA expects all products on List N to kill SARS-CoV-2, the specific coronavirus that causes COVID-19

I already have a product. Does it kill SARS-CoV-2?

Find the EPA Registration Number on the label

Enter only the first two parts of the Registration Number

If that number is on List N, EPA expects the product to kill SARS-CoV-2

I need to find a product to kill SARS-CoV-2.

Use List N's Search Tool to browse products

Use the first two parts of the EPA registration number when searching for products to purchase

If you need a more advanced search, choose "Export to CSV," Use Excel, Sheets, or Numbers to filter

Source: U.S. Environmental Protection Agency

Our immediate concern is less with whether the particular contents of List N are minutia beneath the attention of someone at the administrator level. Rather, we are more concerned that the Administrator, who is responsible for custodial services in DAGS-managed buildings on O’ahu, had never heard of List N.

This raises the important question whether at least some of the relevant CDC guidance documents were not read by either DAGS or its Central Services Division, or if they were read, were not successfully communicated to anyone in a relevant decision-making capacity. The Administrator assured us multiple times in our interviews that the Central Services Division was following CDC guidance. And as far back as April 16, 2020, DAGS stated its intent to defer to CDC guidance, and its documented hygienic protocols refer to CDC directions for cleaning and sanitation. But guidance documents have specific requirements within them. This calls into question whether anyone in DAGS or the Central Services Division is extracting the relevant requirements so that all of them can be identified and therefore followed faithfully. The answer to that question appears to be “no.”

DAGS’ ad hoc approach to implementing emergency proclamations

When asked who was responsible for reading the Governor’s various emergency proclamations, the Administrator responded, “all of us,” although he later admitted having only “skimmed through” the Ninth Supplementary Proclamation, which was then in effect. When asked who at DAGS was responsible for staying abreast of the various guidance documents regarding COVID-19, the Comptroller replied, “That’s a good question.” He noted that DAGS is not an expert on health and relies on guidance from the Hawai‘i Department of Health and assistance from the Department of Human Resources Development. He affirmed that “it’s the responsibility of all my administrators to be reading official documents and internalizing them for their respective programs.” Yet, he also admitted that the responsibility for reading, understanding, and implementing the emergency proclamations was “ad hoc” and that he had not thought to assign that role to a particular person.

Although the Comptroller stated that DAGS maintains a list of CDC guidance documents, he acknowledged the department does not have a breakdown of the requirements within those various documents. The Comptroller also conceded that DAGS had no centralized repository for the various kinds of CDC, state, county, and regulatory requirements for safe practices to mitigate the spread of COVID-19. “We’re not equipped to do it yet,” he stated.

When asked who at DAGS was responsible for staying abreast of the various guidance documents regarding COVID-19, the Comptroller replied, “That’s a good question.”

DAGS cannot assure us that it is capable of fully and consistently implementing enhanced cleaning

DAGS: No COVID-19 related training needed

THE FEDERAL

Occupational Safety and Health Administration's *Guidance on Preparing Workplaces for COVID-19* requires some degree of up-to-date education and training for workers regarding COVID-19 risk factors. Similarly, the State of Hawai'i's Occupational Safety and Health regulations require employers to control all existing and potential hazards within the workplace in a timely manner.

The same regulations require Hawai'i employers to develop training programs "for all employees so that they have an understanding of the hazards to which they may be exposed, and the procedures or practices needed to protect them from these hazards."

The Administrator noted janitor training had not been updated due to COVID-19. "We didn't see a need to update it," he said. He added, "We haven't sent out any memos to staff" regarding COVID-19 related requirements. The Comptroller, however, readily agreed that training, specific to COVID-19, should have occurred.

Issued on April 16, 2020, the Fifth Supplementary Proclamation Related to COVID-19 required that essential businesses and operations regularly disinfect high-touch surfaces. Subsequent proclamations continued the requirement. However, it is difficult to conclude that DAGS and its Central Services Division have fully complied with this requirement.

According to the Administrator, the way the division's custodians clean has not changed much during the pandemic, but the frequency of their cleaning has. And additional training is not required because, he explained, "COVID-19 is a virus like any other virus."¹⁰ However, the Governor's emergency proclamations require that the coronavirus that causes COVID-19 *not* be treated like any other virus. That is why the proclamations require businesses and operations to, among other things, "regularly disinfect all high-touch surfaces."

DAGS does recognize the need for enhanced cleaning. On March 19, 2020, before the State shut down, DAGS issued a list of frequently asked questions addressed to building tenants. That document stated, in part, that the Central Services Division was "committed to providing janitorial services, enhance[d] cleaning and sanitation services during this period to help prevent the spread of COVID-19." The document also noted that "janitorial staff have adjusted their schedules and workloads to focus on sanitation duties first."

Around the same time, the Comptroller met with Central Services Division building managers to discuss the particulars of enhanced cleaning. According to the Comptroller, the results of that discussion were orally communicated to custodial staff. With respect to disinfecting, the Administrator characterized the instruction to staff as "telling them they need to be disinfecting and wiping down a lot more often; basically we're telling them get it done as often as they can." According to the Administrator, this means cleaning and disinfecting high-touch surfaces in the common areas (such as railings and elevator buttons) as often as staff can. However, DAGS has not documented those instructions or embodied them in policies or procedures.

The Administrator said that before COVID-19, elevator buttons, door handles, and railings would have been cleaned once a month. He said that after COVID-19, "We are trying to get to those things at least once a day." However, the Central Services Division has not enumerated what is included in "high-touch surfaces." When it comes to identifying

¹⁰ As noted, COVID-19 is a disease resulting from the coronavirus named SARS-CoV-2.

“high-touch surfaces,” the Administrator said, “we have to go by common sense,” and “even CDC hasn’t come out with a specific list.”

However, the CDC guidance document issued April 29, 2020, *Cleaning and Disinfecting Your Facility*, specifically identifies high-touch surfaces, including “[t]ables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, sinks, etc.” In addition, *Reopening Guidance*, jointly issued by CDC and EPA, states, “Surfaces frequently touched by multiple people, such as door handles, desks, phones, light switches, and faucets, should be cleaned and disinfected at least daily. More frequent cleaning and disinfection may be required based on level of use.”

Since there is no routine practice or procedure for checking whether the once-a-day disinfecting of regularly touched surfaces is completed, we asked the Administrator how he knew the enhanced cleaning was being performed. He responded that managers need to depend on the people working under them. He added that the building managers visit every building at least twice a week and some could visit every day; he pointed out that janitor supervisors are also at the buildings. However, we note that these checks are not documented, and the division’s checklist of janitorial tasks has not been updated to include the additional tasks required by enhanced cleaning.¹¹ That means custodians are not regularly prompted by a routine checklist to perform the enhanced duties and as noted in our 1996 audit, managers have no way of knowing what janitorial staff are able to complete during a work shift. It also means management cannot use the checklist as a means of verifying that enhanced cleaning tasks are actually performed.

So, how often are frequently touched surfaces cleaned and disinfected by Central Services Division’s custodial staff? The honest answer is that there is no way of knowing; it is largely a matter of trust. While the division aspires to clean and disinfect frequently touched surfaces once a day, there is no way to verify if they are, in fact, cleaned that frequently. And, without specific policies and procedures, we also question DAGS management’s ability to objectively assess compliance.

¹¹ The Comptroller was unable to tell us if the task list is being used in DAGS-managed buildings on neighbor islands, and the Administrator was unable to assure us that all custodial staff had been provided with copies. In fact, according to the Administrator for O’ahu, the task list was not updated following a reduction in force around 2010 and the first time he had reviewed the task list was after we requested a copy.

Six-foot distancing requirement is not communicated

The Ninth Supplementary Proclamation related to COVID-19 required all persons to maintain a minimum of six feet of physical separation from all other persons to the fullest extent possible. CDC guidance similarly requires six feet of physical separation. That requirement is applicable throughout DAGS facilities, including to employees and visitors when using elevators. However, the Administrator said that he “stayed away from” the matter, noting CDC guidance does not specify how many people should ride in an elevator at one time.

Employees and visitors to state facilities may be challenged when it comes to observing the six feet of required physical distancing when sharing stairwells and elevators. According to the Administrator, physical distancing in elevators was specifically considered and discussed, but if DAGS were to require riders to practice physical distancing, DAGS might have to limit ridership to one person at a time.

Elevator Pitch

DAGS provides no specific guidance on elevators to tenants other than the vague directive to follow social distancing requirements. According to the Administrator, he “stayed away from” the matter since CDC guidance does not specify how many people should ride in an elevator at one time.



Source: Department of Accounting and General Services

Nonetheless, we reiterate that the Governor’s emergency proclamations and CDC guidance require six feet of physical separation. The elevator sign provided to us by DAGS instructs riders to “practice social distancing” but offers little direction on how to accomplish that in an elevator. In May, a tenant sent an email to DAGS questioning the “small size” of a building’s elevator, claiming the diagonal of the elevator lacked even a five-foot separation. Internal responses indicate DAGS was aware other tenants were also looking for guidance. But DAGS provided no specific guidance on elevators to the tenant other than the vague directive to follow social distancing requirements “within reason.” While DAGS was concerned with the situation, that concern did not translate into further specifics. Instead, the Administrator lamented that DAGS “faces so many different problems and complaints and needs to really examine these things as people will get so nit-picky on every word in a sign and requirement we set.”

We agree that everyone – employees and visitors alike – must be responsible for following safe practices; however, DAGS should provide specific guidance that effectively reinforces those requirements, one of which is to maintain a six-foot physical distance between persons. While DAGS’ elevator signage includes the words “practice social distancing” combined with a graphic indicating six feet of separation, the signage provides no information as to whether the particular elevator allows for that amount of separation between riders and includes other vague or ambiguous directions, such as “avoid overcrowding.” We strongly suggest DAGS post signage specific to each elevator in its buildings – stating the maximum number of riders per elevator car necessary to maintain what its signs mandate, i.e., practice social distancing.

The Administrator’s concern about tenant complaints should not outweigh either the division’s responsibility to protect public health and safety or to comply with the Governor’s proclamations and CDC guidance.

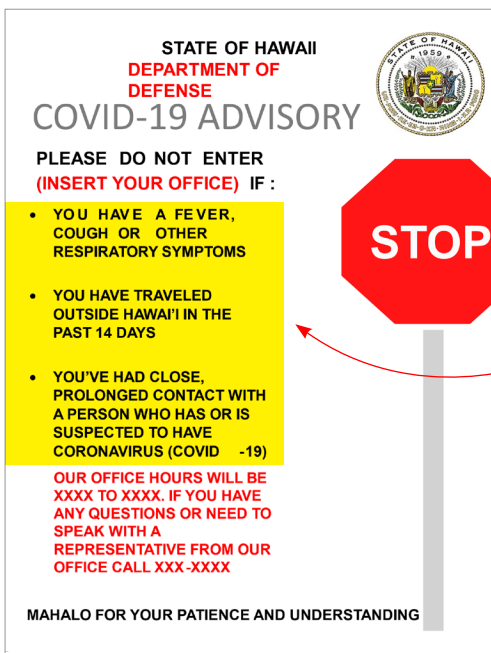
Entrance warning signs are incomplete and outdated

Effective April 17, 2020, signs must be posted at the building entrances to all essential businesses and operations. Under the Governor’s proclamations, the signs must inform those entering the building that they should wear a face covering while in the facility, avoid entering “if they have a cough or fever or otherwise do not feel well,” and should maintain a six-foot distance from others. DAGS’ building managers are responsible for posting signs at building entrances.

DAGS’ own COVID-19 workplace guidelines provide that signs be posted at facility entrances and include the appropriate language about coughing.

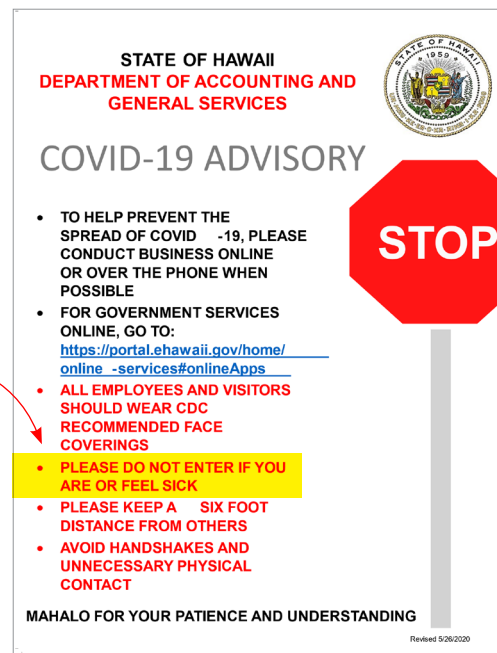
Inexplicably, the DAGS’ entrance sign (largely templated on the Hawai‘i DOD entrance sign) omits arguably the most important warning language: “Do not enter if you have a fever, cough, or other respiratory symptoms.” This is despite the fact that the Governor’s emergency proclamations require the use of the cough or fever language, and DAGS’ own COVID-19 workplace guidelines provide that signs be posted at facility entrances and include the appropriate language about coughing. The Administrator told us that he was under the impression

Early Warning Signs



Source: Hawai‘i Department of Defense

Unlike the Hawai‘i Department of Defense, DAGS does not include required warning language in its warning signs posted at its building entrances.



Source: Department of Accounting and General Services

that DAGS’ warning signs contained the language referring to cough and fever. While the Comptroller characterized the omission as a “technicality,” the novel coronavirus causing COVID-19 is a respiratory virus, and one of the main vehicles for spreading the virus is droplets propelled into the air by human coughing. Additionally, coughing may be a sign that a person is symptomatic with the virus. Exclusion of the required language may raise the risk of COVID-19 transmission within buildings operated, managed, and maintained by DAGS.

We also found that the signs do not reflect current health and safety requirements. At the time the signs were posted in May, face coverings were required for employees if they had any contact with customers but were only recommended for others. However, starting with the Governor’s Ninth Supplementary Proclamation related to COVID-19, effective June 10, 2020, face coverings are no longer optional; all people entering DAGS-managed buildings – both employees and visitors – are *required* to wear face coverings of the kind described and recommended by the CDC. In addition, under the Governor’s Ninth Supplementary Proclamation, all employees were required to wear face coverings of the kind described and recommended by the CDC “while at their place of employment.” Subsequent proclamations have maintained the mask requirement, although in some of them it is mandated as part of the requirement that all persons must comply with county regulations and with applicable guidance from the CDC. As the Governor’s Seventeenth Proclamation puts the current version of the rule, “All persons in the State shall wear a face covering over their nose and mouth when in public,” or “in public settings,” with certain specific and limited exceptions. In addition, the Mayor of the City and County of Honolulu reiterated the face covering requirement in a series of mayoral emergency orders. There is no exception or exemption in the Mayor’s orders for state employees working in state offices on O’ahu. Finally, both the Governor’s emergency proclamations and the Mayor’s emergency orders are consistent with the current position of health experts that the most effective safe practice to reduce the risk of contracting the virus is wearing face coverings.

The Governor’s emergency proclamations state that those entering a business or operation “shall” wear an approved face covering. The current language is unequivocal: “All persons in the State shall wear a face covering over their nose and mouth when in public” or in “public settings.” Yet, the entry signs posted by DAGS on its buildings do not unequivocally direct people entering those buildings to wear a mask. Instead, the signs still say that visitors and employees “should” wear face coverings, as though wearing masks were an option or a preference. DAGS must be more proactive in managing its buildings in response to COVID-19 and needs to replace its outdated signs to include the most recent mandates.

“I guess it’s a technicality ...”

–State Comptroller

Funding available for hand sanitizer may run dry

The Governor’s Sixth Supplementary Proclamation related to the COVID-19 emergency, effective April 25, 2020, was the first to require businesses and operations to make hand sanitizer and sanitizing products “readily available for employees and customers.” Subsequent proclamations have maintained the ‘readily available sanitizer’ requirement, although it is mandated as part of the requirement that all persons must comply with county regulations and with applicable guidance from the CDC. In a May 29, 2020, email to building managers the Comptroller wrote: “For DAGS-managed facilities, we need to procure and install hand sanitizers at the entrance of the building.” However, according to both the Comptroller and the Administrator, they neither budgeted for nor had additional funding to purchase hand sanitizer for the common areas of DAGS-managed buildings. The Administrator explained that the Central Services Division had submitted multiple funding requests to the Hawai‘i Emergency Management Agency (HiEMA) and expected to receive 400 hand sanitizer dispensers by mid-September. In addition, the division requested a three-month supply of refills. According to the Administrator, he did not include the additional supplies in his budget for the coming fiscal year because the onset of the pandemic occurred after he submitted his budget. He also said that he had no plans to seek funding for additional sanitizer refills. “COVID is going to be a temporary thing,” the Administrator told us. “We don’t know how long it will be around, so we didn’t put in funding specifically for COVID.”

“COVID is going to be a temporary thing.”

*–Central Services
Division Administrator*

According to the Administrator, the Central Services Division submitted multiple funding requests to HiEMA for COVID-19 related supplies. According to the Administrator, if not covered by HiEMA, any COVID-19 specific items, such as emergency cleaning, staffing, disinfectants, or other supplies, will be paid for from an annual lump sum appropriation which comes from the state’s General Fund. The appropriation is used to pay for custodial services which include payroll, utilities, and supplies, and according to the Administrator, the agency typically has nothing left over in its account at the end of the fiscal year.

The Administrator told us he is not planning to ask for additional funds for the next fiscal year and, in fact, anticipated he would be instructed, along with other state agencies, to cut his budget. He believes that, in a budget crunch, maintenance is the first to go. We ask, at what expense?

Conclusion

We acknowledge that these are unprecedented times, and state agencies have had little time to modify their existing operations and plan for an uncertain future. DAGS has had a high bar to clear in this regard, having to operate over 40 buildings, which provide workspaces for approximately 6,000 state employees statewide. Many DAGS-managed buildings are also open to and frequently visited by the public. Our purpose was to review and report about the measures DAGS has implemented in response to the COVID-19 pandemic to protect the health and safety of both tenants and visitors as well as its own janitorial staff. We had expected DAGS and, more specifically, its Central Services Division to have developed additional cleaning and disinfection procedures specific to the novel coronavirus as well as processes to ensure that those procedures are consistent with CDC's current guidance.

While we may have the benefit of hindsight, we can say, COVID-19 is not “a temporary thing,” as the Administrator described it. We also know COVID-19 clearly is *not* caused by “a virus like any other virus.”

We found a division that has done little to address the health and safety risks associated with COVID-19. DAGS does not have an overall plan for responding to the novel coronavirus, apart from select memoranda provided to building tenants early in the pandemic. More than nine months after the Governor issued his first emergency proclamation related to COVID-19 – and almost 25 years after this office's audit of the Central Services Division – DAGS has yet to fully and consistently implement administrative tools, such as task lists and checklists, that ensure daily janitorial tasks are completed in a verifiable way. We emphasize the importance of developing written policies and procedures as well as creating a control environment that demonstrates management's approach to holding its staff accountable. Without documented processes, it is unclear how DAGS can be confident it has what it needs to meet the additional demands posed by COVID-19.

DAGS has recognized the need for “enhanced cleaning,” which the Administrator broadly defined as cleaning and disinfecting “high-touch surfaces” in the common areas. According to the Administrator, these new requirements, which are not documented, were verbally communicated to janitorial staff. When we asked what enhanced cleaning entails, he explained that staff's practices for cleaning and disinfecting did not change but the frequency with which they are performed has changed. How often is frequent? According to the Administrator, “A lot more often; basically, we're telling them to get it done as often as they can.” In addition, when we asked whether DAGS had specified for its custodial staff what counts as a high-touch surface,

the Administrator told us that it was a matter of common sense, since the CDC has not provided such guidance. We note that the CDC has published such a list.

Our review revealed that DAGS had not been consistently following all the requirements in the Governor's emergency proclamations and relevant guidelines, and may not even have fully read some of them. And there is no plan or budget for a virus-fighting effort beyond December.

The State Comptroller candidly admitted that his department needs a new mindset to properly respond to the COVID-19 pandemic, saying "I think the way we've handled it until now has been very reactionary, but that's not the way to operate a state going forward ... we need to make that transition from reactionary to a real, thought-through, and planned-out protocol."

We couldn't agree more.

Recommendations

1. The Central Services Division should develop clear, consistent, and up-to-date written policies and procedures related to COVID-19 for its janitorial staff, supervisors, and building managers, including task lists (or updated task lists) for its janitorial staff as well as checklists and inspection protocols for its supervisors and managers.
2. The Central Services Division should implement enhanced cleaning and disinfection procedures to address the novel coronavirus that causes COVID-19 specific to each of its buildings that, for instance, consider the number of employees and visitors as well as specific areas that may require more frequent cleaning and disinfection because of increased use. Those procedures should be developed in conjunction with processes or controls designed to verify or provide reasonable assurance that the enhanced cleaning and disinfection are being performed.
3. The Central Services Division should implement the consistent use of janitorial task lists and formal inspections to document compliance with modified tasks or routines necessitated by the COVID-19 pandemic.

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4. The Central Services Division should review and keep abreast of the most current CDC cleaning and disinfection recommendations related to COVID-19 to confirm that its policies and procedures are consistent with those recommendations. The Central Services Division should review the products it uses for cleaning and disinfection to confirm they are included on List N, which contains the names of disinfectants approved by EPA as effective against the novel coronavirus as well as various kinds of other viruses.
 5. DAGS and its Central Services Division should update signage to reflect the most current requirements as contained in the Governor's emergency proclamations and county mayor emergency orders, including but not limited to requiring masks to be worn upon entry to DAGS-managed buildings.
 6. The Central Services Division should create a formal, documented process for communicating policies and procedures as well as updates to those processes with its janitorial staff.
 7. DAGS and its Central Services Division should implement health screening procedures applicable to DAGS' contractors as well as collect contractor employee information for contact tracing purposes. DAGS, in consultation with the Hawai'i State Department of Health, should provide guidance to tenants in DAGS-managed buildings about health screening procedures, as well as contact tracing information for employees and visitors entering tenant office areas.
 8. DAGS should review and keep abreast of state and county emergency proclamations or orders related to COVID-19 and also consult with the Hawai'i State Department of the Attorney General, the Hawai'i State Department of Labor and Industrial Relations, and other relevant state agencies. It should also revisit policies and procedures and provide updated information reflecting any revised policies and procedures relating to DAGS-managed buildings to its janitorial staff and building tenants.