

COVID-19 Workplace Guidelines

Provisions will apply from April 1st through December 31, 2020

Supervisors may send employees home if they show symptoms:

1. obtain objective evidence that the employee poses a direct threat (i.e. significant risk of substantial harm); and
2. determine that there is no available reasonable accommodation (without undue hardship) to eliminate the direct threat

Under the ADA - telework could be a reasonable accommodation the employer would need to provide to a qualified individual with a disability, barring any undue hardship to the City

Employees can be required to perform work outside of the employee's job description

The City can encourage or require employees to telework as an infection-control or prevention strategy

Supervisors are required to continue to keep records of work-related injuries and illnesses including in a home office

The City may elect to exclude emergency responders from the emergency paid sick leave and the E-FMLA

If an employee is confirmed to have COVID-19, the City should inform other employees of their possible exposure to COVID-19 in the workplace BUT maintain confidentiality of the employee.

The City should treat all information about an employee's illness as a confidential medical record.

Supervisors will be responsible to monitor telework employees including hours worked and workload

Emergency Sick Leave (ESL) Guideline

Provisions will apply from April 1st through December 31, 2020

Emergency paid sick time provided under the Act does not carryover from one year to the next

Employees are not entitled to reimbursement for unused emergency paid sick leave upon separation from employment.

Employees are eligible for two weeks of emergency sick leave for specified reasons related to COVID-19 on first date of hire

Under the ADA - telework could be a reasonable accommodation the employer would need to provide to a qualified individual with a disability, barring any undue hardship on the employer.

Employers may elect to exclude emergency responders from the emergency paid sick leave

The employee is not required to find a replacement before taking emergency paid sick leave

The employee must state on their timecard hours that qualify for ESL

EMERGENCY SICK LEAVE QUALIFYING REASONS (FFCRA)

Qualifying #	Qualifying Reason for Leave	Duration of Leave	Calculation of Pay	Emergency Leave Pay
1	Employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19	FT: 80 hours of leave PT: average hours worked in a two-week period	Entitled to pay at their regular rate up to \$511/day and \$5,110 in a two week period	FT: 80 hours leave available April 1st (can be used intermittently) PT: average hours worked in a two-week period
2	Employee has been advised by a health care provider to self-quarantine related to COVID-19	FT: 80 hours of leave PT: average hours worked in a two-week period	Entitled to pay at their regular rate up to \$511/day and \$5,110 in a two week period	FT: 80 hours leave available April 1st (can be used intermittently) PT: average hours worked in a two-week period
3	Employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis	FT: 80 hours of leave PT: average hours worked in a two-week period	Entitled to pay at their regular rate up to \$511/day and \$5,110 in a two week period	FT: 80 hours leave available April 1st (can be used intermittently) PT: average hours worked in a two-week period
4	Employee is caring for an individual subject to an order described in (1) or (2)	FT: 80 hours of leave PT: average hours worked in a two-week period	Entitled to pay at 2/3 their regular rate up to \$200/day and \$2,000 over a two week period	FT: 80 hours leave available April 1st (can be used intermittently) PT: average hours worked in a two-week period
5	Employee is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19	FT: 2 weeks paid sick leave followed by up to 10 weeks of paid expanded family & medical leave) at 40 hours per week. PT: eligible for leave for the number of hours employee is normally scheduled to work over that period.	Entitled to pay at 2/3 their regular rate up to \$200/day and \$12,000 in a 12-week period (this amount includes any ESL time paid)	FT: 80 hours leave available April 1st (can be used intermittently) PT: average hours worked in a two-week period
6	Employee is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury	FT: 80 hours of leave PT: average hours worked in a two-week period	Entitled to pay at 2/3 their regular rate up to \$200/day and \$2,000 over a two week period	FT: 80 hours leave available April 1st (can be used intermittently) PT: average hours worked in a two-week period

Emergency FMLA Expansion (EFMLA) Guideline

Provisions will apply from April 1st through December 31, 2020

The EFMLA only applies to an employee who is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19

If the employee has the ability to telework, they may not qualify for EFMLA - please consult with HR

The first two weeks of EFMLA is not paid - Employees may elect to substitute any accrued vacation leave, personal leave, or sick leave for the first two weeks of unpaid leave

Employees may qualify for emergency sick leave (ESL) for the first two weeks of unpaid leave

Employees must be employed with the City for at least 30 days to be eligible

Employees must apply for EFMLA through HR

Employees must state on their timecard the hours that qualify for EFMLA