

# COVID-19 Frequently Asked Questions

3/24/2020

*Revised 9/8/2020*

## SECTION 1: FOR ALL CITY EMPLOYEES

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**Q 1. How is the City going to help relieve the financial pressure to employees during this unexpected event?**

A bank of C19 hours has been created. Full-time and part-time regular employees may access these hours for any of the COVID-19 reasons found in the HR COVID-19 Policies and Procedures. The policy can be found on the [internet](#) or [intranet](#). Part-time temporary employees can request C19 leave for reasons 1-6 in the HR COVID-19 Policies and Procedures. If your C19 leave bank is short the necessary number of hours, please contact [humanresources@lawrenceks.org](mailto:humanresources@lawrenceks.org).

**Q 2. Reason #5 in the HR COVID-19 Policies and Procedures is in regard to caring for a child. Can I use the C19 pay code to care for my grandchild?**

Typically, no. Reason #5 in the HR COVID-19 policy is caring for a child whose school or place of care is closed or unavailable due to COVID-19 reasons.

The definition of a child under the [FMLA](#) is: "Son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18 or age 18 or older and 'incapable of self-care because of a mental or physical disability' at the time that FMLA leave is to commence."

The FMLA defines In Loco Parentis as: "Including those with day-to-day responsibilities to care for or financially support a child. Employees who have no biological or legal relationship with a child may, nonetheless, stand in loco parentis to the child and be entitled to FMLA leave. Similarly, an employee may take leave to care for someone who, although having no legal or biological relationship to the employee when the employee was a child, stood in loco parentis to the employee when the employee was a child, even if they have no legal or biological relationship." If the grandparent meets the definition of In Loco Parentis according to the FMLA, they will complete the FFCRA form when requesting leave therefore attesting to meeting the qualifications.

**Q 3. My child's school or place of care has moved to online instruction or to another model in which children are expected or required to complete assignments at home. Does the Department of Labor define it as "closed" and is this eligible for the C19 pay code?**

Yes. This is eligible for the C19 pay code. If the physical location where your child received instruction or care is now closed, the school or place of care is "closed" for purposes of paid sick leave and expanded family and medical leave.

**Q 4. My child's school is requiring virtual learning, am I able to use the C19 pay code when I am caring for my child and not able to work?**

Yes. Reason #5 in the policy is applicable. However, the Department of Labor encourages employers and employees to collaborate to achieve flexibility and meet mutual needs. Please consider this when requesting to use the C19 pay code for any of the reasons 1-8.

**Q 5. My child's school is giving me a *choice* between having my child attend in person or participate in a virtual learning program. If I am choosing the virtual learning program and am not able to work or telework am I able to use the C19 pay code?**

Yes, at least through **October 24, 2020** (*to be reevaluated at that time*). Reason #5 in the policy is applicable per the City. However, this would not be payable under the FFCRA. The Department of Labor does not consider the school "closed" due to COVID-19 reasons, it is open for your child to attend.

If your child is home not because his or her school is closed, but because you have chosen for the child to remain home, those days are not considered EFMLA under the FFCRA. When submitting your request to [FMLA@lawrenceks.org](mailto:FMLA@lawrenceks.org), you will be asked to verify if the days you are requesting are days your child would be attending in school vs remote in order for FMLA to be tracked in accordance with Department of Labor guidelines.

As a reminder, the Department of labor encourages employers and employees to collaborate to achieve flexibility and meet mutual needs. Please consider this when requesting to use the C19 pay code for any of the reasons 1-8.

**Q 6. Can I use C19 if my child is sent home with a fever?**

No. We do not assume every illness is COVID-19. However, you should follow department procedure for contacting your supervisor, then your supervisor should contact Risk Management at (785) 813-2843 for a risk assessment. If Risk Management determines you should be sent for testing, C19 will apply and you would follow instructions per the COVID-19 policy.

**Q 7. My child has been ordered to quarantine due to coming in contact with a classmate that has tested positive for Covid-19. Can I use C19 to stay home with my child until they are able to return to school?**

Yes. This meets the HR C19 policy guidelines under reason #4 – Is caring for an individual subject to an order described in (1) or self-quarantine in (2).

**Q 8. Can I use C19 to self-quarantine?**

No. We follow the KDHE guidelines for quarantine. C19 is applicable if being told to quarantine by local, state, or federal guidelines or a health care provider.

**Q 9. Can I use C19 if my spouse, child or other family member in the household is high risk?**

No. Reason #7 in the policy applies to employees only.

**Q 10. Does the Department of Labor(DOL) have an FAQ document about the Families First Coronavirus Response Act (FFCRA)?**

Yes. The DOL answers 90+ questions in regard to the FFCRA [here](#).

**Q 11. Will I still accrue time-off benefits while using C19 hours?**

Yes.

**Q 12. If I am maxed out on vacation and not able to take my scheduled time off will I lose my accruals?**

The maximums for the vacation and sick leave benefit balances have been lifted during the COVID-19 event. Once the vacation cap is placed back into effect, hours in excess of 300 (400 for 2912 staff) will be moved to an independent balance to be utilized by the employee with the same parameters as their regular vacation balance.

**Q 13. Will an exposure that results in quarantine or isolation be covered under Workers' Compensation?**

An exposure that results in quarantine or isolation will not be covered under Workers' Comp. COVID-19 is considered an ordinary disease of life. The statute (K.S.A.44-5a01(b)) excludes, "ordinary diseases of life and conditions to which the general public is or may be exposed outside of the particular employment, and hazards of diseases and conditions attending employment in general."

**Q 14. If I reside with a high-risk family member(s), do I need to self-quarantine?**

Please refer to the CDC website [here](#) regarding isolation and quarantine protocol.

**Q 15. How will I be notified if I was exposed?**

If you believe you have come into contact with a COVID-19 positive patient, the Health Department will do the investigation and will contact people who have been exposed to the COVID-19 positive patient. If there is an employee who has tested positive, the health department and the City's Risk Management department will be working together to identify who has been exposed. The health department will notify those employees.

If you are unsure if you should report to work, follow these steps:

1. Please refer to the CDC website [here](#) regarding isolation and quarantine protocol.
2. Immediately call your supervisor to let them know you are having a COVID-19 risk analysis, and briefly state the reasons why, before returning to work.
3. Your supervisor needs to contact Shelby Patch in Risk Management for a COVID-19 risk analysis. Supervisors can call or text 785-813-2843 to evaluate the circumstances based on the most recent available guidance.
4. Shelby Patch will notify both you and your supervisor of your work status.

**Q 16. Is Aetna offering extra support for employees during this pandemic?**

Yes. To help members through the pandemic, Aetna has opened a crisis response line for all members. Call 1-833-327-AETNA (2386) (TTY: 711). All members also have

access to the Aetna Nurse Medical Line at 1-800-556-1555 (TTY: 711). Visit [Aetna.com](https://www.aetna.com) to see all of the ways Aetna is supporting employees during this pandemic.

**Q 17. Are there additional support resources for me as an employee?**

Yes. The Employee Assistance Program (EAP) is available:

New Directions Behavioral Health  
1-800-624-5544  
[www.ndbh.com](https://www.ndbh.com) (login code: Lawrence)  
<http://intranet/EAP>

**Q 18. Can I still send LEAP Thank You cards during the pandemic?**

Yes, you can LEAP Thank You cards electronically on the intranet on the LEAP page under Pat-on-the-Back. Fill out the information and an email will be sent to Human Resources to be distributed appropriately.

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## SECTION 2: FOR SUPERVISORS/MANAGEMENT

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**Q 1. How do I use the new COVID-19 (C19) pay code?**

Please refer to the HR COVID-19 Policies and Procedures document located on the [internet](#) or [intranet](#) under the Resources section regarding use of the C19 hours. *Note: Both the FAQ and HR COVID-19 Policies and Procedures document are going to be posted on the City's Intranet for easier access when you are on a City network.*

**Q 2. How do I know which C19 code to choose in Executime?**

The accrual pay code options are below, choose the one that fits your employee status:

- **CV/COVID-19** (for Full-Time employees)
- **CW/COVID-19 2912** (for 2912 Fire/Med employees)
- **CX/COVID-19** (for all Part-Time employees)

**Q 3. Do all absences related to C19 need to be emailed to FMLA for tracking?**

Yes, for every absence from work:

- Continue to use your regular division/department rules for calling in absent.
- In addition, email [FMLA@lawrenceks.org](mailto:FMLA@lawrenceks.org) for every absence due to COVID-19 – either as an employee illness or for assisting a COVID-19 family member regardless of FMLA status.
- When you enter any C19-related leave hours in Executime, type “X” in the Comments section, where X is the corresponding number for the leave reason in the C19 policy (e.g., the reason for leave is lack of childcare = “5” Comment).

**Q 4. If I submitted a C19 leave request and completed an FFCRA form, do I have to complete a new FFCRA form?**

Yes. If you had a request prior to September 13, 2020, you will need to submit a new request and form to [fmla@lawrenceks.org](mailto:fmla@lawrenceks.org).

*As this situation evolves, there will be questions. If you do not see the answer in this document, please email Cori Brees, HR Analyst, at [cbrees@lawrenceks.org](mailto:cbrees@lawrenceks.org). We will do our best to get it answered and update this document so all employees can benefit from the knowledge.*