

## **Human Resources COVID-19 Policy and Procedures**

### **Employee Instructions for Evaluation for and/or Absence from Work Related to COVID-19**

Effective Dates: September 13, 2020 through January 2, 2021

Revised: August 21, 2020

*Remember, there are resources available to you through the Employee Assistance Program (EAP) 1-800-624-5544*

### **Employee COVID-19 Risk Analysis for Eligibility to Report to Work - All Employees**

Employees need to immediately contact their supervisor if:

- The employee or someone in their household is experiencing COVID-19 symptoms
- They or someone in their household has been tested for COVID-19
- The employee thinks they have been exposed to someone with COVID-19
- They have been in close contact with someone who is being tested or has tested positive
- They see indications that lead them to believe a coworker is showing symptoms of COVID-19
- They are considering personal or business travel

Supervisors are responsible for contacting Risk Management for a risk analysis. Supervisors can call or text 785-813-2843 to evaluate the circumstances based on the most recent guidance available.

*In order to assist Lawrence-Douglas County Public Health with timely and efficient contact tracing efforts, we will provide LDCPH with limited contact information should you be identified as a close and direct contact of a positive COVID-19 case. If you choose to opt out of this notification process, you must let us know. Opting out of this does not allow you to opt out of mandated quarantine nor does it allow you to opt out in the instance that the City of Lawrence is asking you to stay home to minimize the potential spread of COVID.*

### **Employee Instructions for Absence from Work Related to COVID-19**

#### **Types of Absence – All Employees**

COVID-19 related absences from work. Reasons 1-6 are directly from the [Families First Coronavirus Response Act \(FFCRA\)](#):

1. Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 (stay at home order is not considered quarantine) - Not FMLA;
2. Has been advised by a health care provider to self-quarantine related to COVID-19 - Not FMLA;
3. Is experiencing COVID-19 symptoms and is seeking a medical diagnosis - FMLA (only if test is positive and you have complications);

4. Is caring for an individual subject to an order described in (1) or self-quarantine as described in (2) - Not FMLA;
5. Is caring for a child whose school or place of care is **closed** (or childcare provider is unavailable) for reasons related to COVID-19 – FMLA (must be employed for 30 days -FMLA);

Designation of virtual learning will need to be tracked for FMLA purposes(via the FFCRA form). *Per the DOL*, if a school is open and the parent is **choosing** to keep the child home for virtual learning, this is not FMLA and not eligible for FFCRA paid leave.

*Per the City*, the dates the school is open and the choice is made to keep the child home will be eligible for C19 pay at least through **October 24, 2020**. The eligibility for C19 will be reevaluated at that time. *Supervisors will be given specific instructions for tracking this in Executime.*

6. 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 – Not FMLA;
7. For full-time and part-time regular employees only: Are [at risk for Serious Illness from COVID-19](#) (as defined by the CDC) – Not FMLA. Effective July 19, 2020: Medical documentation (a doctor's note) is required for those who are at risk for serious illness from COVID-19.

Please contact your supervisor to discuss accommodations. If no accommodations are available, documentation from your Health Care Provider will be required stating the reason you are unable to work;

8. For full-time and part-time regular employees only: Are unable to work due to the City closing their work area and they are unable to work remotely or unable to gain a temporary assignment via the Labor Pool – Not FMLA.

The Department of Labor encourages employers and employees to collaborate to achieve flexibility and meet mutual needs. Please consider this when requesting a leave of absence.

In order to continue to operate, there are essential positions that must be filled. Due to the nature of our work, some employees may be required to report to work even if they request to be absent.

Supervisors will communicate with affected employees in this case.

### **Call in Procedures for Absence from Work - All Employees**

For every absence from work:

- Continue to use your regular division/department rules for calling in absent and complete the [FFCRA form](#). Note: You will need to submit a new form for requests submitted after September 12, 2020.
- Email the form and the information requested below to [FMLA@lawrenceks.org](mailto:FMLA@lawrenceks.org):
  - Attest that you are experiencing one of the medically related reasons identified above (the requirement for medical documentation is being waived for COVID-19 during this period of time, unless you are using reason #7-At risk for serious illness from COVID-19)
  - or, Attest to any other non-medical reason related to COVID-19
  - Provide expected dates of leave

- If for medical reasons, state if it is for yourself or for a family member
- Provide your name and telephone number
- Provide supervisor name and telephone number

#### **FMLA Leave Expansion as of 04/01/2020**

The City will comply with the [Families First Coronavirus Response Act \(FFCRA\)](#) to assist employees affected by the COVID-19 outbreak with job-protected leave and emergency paid sick leave. The FFCRA policy will be in effect from April 1, 2020, until December 31, 2020. Our existing FMLA leave policy still applies to all other reasons for leave outside of the City policy. The FMLA expansion is applicable to full-time and part-time regular, seasonal and temporary employees. Below are highlights of the FFCRA:

- **Employee Daycare FMLA Eligibility Only** - All employees who have been employed with City of Lawrence, Kansas for at least 30 days.
- **Reason for Leave** - Eligible employees who are unable to work (or telework) due to a need to care for their child when the school or place of care has been closed, or if the regular childcare provider is unavailable due to a public health emergency with respect to COVID-19.
- **Duration of Leave** - Employees will have up to 12 weeks of unpaid leave to use from April 1, 2020, through December 31, 2020, for the purposes stated above. This time is included in and not in addition to the total FMLA leave entitlement of 12 weeks in a 12-month period.

#### **Pay Options During Absence**

##### C19 (COVID-19) Leave Bank

If you do not fall into any of the categories above (1-8) and choose to stay home if work is available, you will have to use your own benefit time for your wages.

In order to help relieve the financial pressure to employees during this unexpected event, the City has created a bank of hours for employees specifically for COVID-19 related absences. Effective 9/13/2020, the C19 bank of hours paid at 100% for all types of absences 1-8 listed above is only available for full-time and part-time regular employees. Part-time temporary and seasonal employees may request C19 hours for types of absences 1-6 listed above.

The need for the continued use of this bank will be reevaluated prior to January 2, 2021.

You will choose the codes in Executime as follows:

Accrual pay codes:

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

Place the number 1-8 that your absence corresponds to in the comments section of your benefit request.

Sat	08/15/2020		FL(FMLA)	8.00	0.00	8.00	82.70	0.00	13330-1-1053-002 (HUMAN RESOURCES ANALYST-HUMAN RESOURCES)	5
Sat	08/15/2020		CV(COVID-19)	8.00	0.00	16.00	90.70	0.00	13330-1-1053-002 (HUMAN RESOURCES ANALYST-HUMAN RESOURCES)	5

C19 balances are not banked, paid out, available as a discretionary leave bank or payable upon separation from service.

#### Other Paid Time Off Leave Banks

If you do not fall into any of the categories above (1-8) and choose to stay home if work is available, you will have to use your own benefit time for your wages. Policies can be found under Section III, Time-Off Benefits [here](#). Covered Police and Fire employees should refer to their Memorandum of Understanding.

The paid time off benefits are:

- Sick leave (restrictions for sick leave to be only for personal illness is being waived for absences related to COVID-19 during this period of time)\*
- Family sick leave\*
- Vacation
- Personal days
- Kelly days
- Wellness days program
- Comp time

\*The Usage of the C19 Leave Code / Sick Leave / Family Sick Leave will not reset the wellness count to zero during this time period.

All benefit time for COVID-19, including C19 needs to be recorded in Executime to receive pay.

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.

#### **ADA**

If you have an ADA qualifying disability and need to request an accommodation to be able to continue to work, follow the usual process:

- Make a request to your supervisor
- Supervisor will contact Human Resources
- Request will be evaluated
- Paperwork may still be required for COVID-19 related accommodations

***As this situation continues to progress, instructions may change.*** A page has been created on the Intranet [here](#) and internet [here](#) for your reference. The City of Lawrence will generally follow the [CDC Guidance for Businesses](#) for our workplace policies.