

## **COVID-19 Guidance for State Managers including FAQs**

Good afternoon State Managers,

Firstly, thank you for your continued efforts in preparing for and managing COVID-19 related issues within your agencies. The [Utah COVID-19 Community Task Force](#) has received many questions regarding the protocol for granting leave, addressing individual employee concerns, and taking pre-emptive workplace measures should exposure escalate in the coming weeks. We are continuing to utilize the [CDC COVID-19 Guidance for Risk Assessment](#) when determining if an employee has been exposed to the virus and the next steps they will need to take.

The goal of this document is to provide you with the tools and guidance you need to best address questions that come to you regarding COVID-19 and the workplace.

We recommend managers work directly with their agency Human Resource (HR) teams to determine the best course of action to maintain overall safety for their employees, as well as continued economic well-being in the state of Utah.

### **Customized Telework Options**

Telework may be the best option to allow for continued work during periods of isolation.

- Agencies can adjust their telework policies and agreements to allow for more flexible telework opportunities.
- Ad hoc or temporary telework agreements should be considered to allow employees who do not currently telework to do so. You can modify the [Standard Telework Agreement Template](#) as necessary.
- Managers can adjust telework agreements on a temporary basis and remove restrictions to allow an employee who is teleworking to care for an individual in their home. *\*\*Note: Employees must account for their time appropriately and differentiate work and non-work time.*

### **Leave Options**

1. If an employee is sick, then sick leave should be used.
  - For benefited employees: Employees should use their sick leave (tier 3). For those who have low sick leave balances, such as new employees or someone who has used the majority of their sick leave, we will temporarily modify our timesheet system to allow employees to go into a negative balance for sick

leave, up to a maximum of 120 hours. **Note:** Any negative sick leave balance will be repaid through the employee's future accrual of sick leave.

- For non-benefited employees: Managers can provide paid leave to employees who do not have sick leave benefits. In such cases, the employee or manager should use the **OD** pay code along with the activity code **CV19** to account for such time on the employee's timesheet in the ESS payroll system. It is recommended that this leave option be allowed up to a maximum of 120 hours, although agency heads or their designees can approve more based on individual circumstances.

2. If an employee stays home to care for a sick household member, they can use the sick dependent (SD) designation which would allow them to also utilize up to a maximum of 120 hours into a negative balance after exhausting their sick leave.

3. If an employee chooses to stay at home and they're not sick or teleworking, an employee can use any available leave (excess, comp, annual). **Note:** *Management may allow an employee to go on leave without pay status. However, they should only do so in consultation with Human Resources (HR).*

4. If an employee is not sick, management directs the employee not to report to work (due to a site closure), and management determines teleworking is not an option for an employee, then agency heads or their designees may place the employee on paid administrative leave (OA).

**NOTE:** **Note:** Managers should direct employees who are sick, or caring for someone who is sick, to contact HR to discuss FMLA

Two additional notes regarding leave benefits:

- If an employee becomes sick and believes they contracted the illness while working, they are eligible to file a workers compensation claim which will be processed through the normal Worker's Compensation Claim Review process.
- If employees have elected and paid for short term disability and become sick, they can also file a claim with their short term disability carrier for consideration.

## **Modifying Work**

### **Travel:**

There are no in-state travel restrictions on state employees to participate in meetings, conferences, and other events.

There are limited restrictions on domestic travel. State employees should exercise caution and wait to book travel until as close to the actual dates of the conference as possible. In many instances, and out of an abundance of caution, conference organizers may cancel or postpone their conferences. The actions of conference organizers will govern participation.

Inbound travel restrictions are determined by [federal authorities](#). At this time, there are no travel restrictions in place for individuals traveling to Utah, other than for those individuals traveling from foreign countries where the COVID-19 virus is widespread.

With regard to international travel, state employees should follow [CDC guidelines](#) and not travel for work or personal reasons to parts of the world designated by the CDC as Level 2 or 3 for exposure risk. For example, travel to Asia and parts of Europe are not permitted for work-related reasons.

Employees traveling to parts of the world for personal reasons where there are known outbreaks will need to follow CDC, state, and local department of health guidelines for quarantining and testing for the COVID-19 virus.

Management **CANNOT** mandate that an employee cancel their personal travel, even if their personal travel is to an area in the world designated by the CDC as being Level 2 or 3 for exposure risk. However, they must inform the employee that per [CDC guidelines](#), they will be held to the 14 **calendar** day isolation period upon their return.

During a travel-related isolation period, management can:

1. Require the employee to telework (if the job allows for telework), or
2. Utilize the appropriate leave option as described above

If management determines teleworking is a viable option for an employee but the employee refuses to telework, the employee will still need to isolate and use their own leave (annual/sick/comp/excess time) for the 14 day period. Management may allow an

*employee to go on leave without pay status. However, they should only do so in consultation with HR.*

### **Meetings:**

[CDC Recommendations](#) are to modify group gatherings, encourage virtual meetings and limit the number of participants in meetings.

### **Special Considerations:**

Leaders with organizations that have 24/7 operations should pay special attention to their organizations' needs and plan accordingly. Likewise, leaders of customer facing operations including site inspectors, or employees who are required to visit residences/care facilities should also plan appropriately to assist with those unique needs.

### **Employee Health Options:**

- Benefited employees who feel sick should consider using telemedicine options in lieu of visiting a healthcare provider. These telework options are available both through the [University of Utah E-Care](#), as well as [Intermountain Connect Care](#) providers.
- Employees who are feeling anxious regarding the current situation have access to the employee assistance program through [Blomquist Hale](#), which has tele-therapy options.

### **FAQs**

#### *1. If an employee shows up to work sick, what can a manager do?*

For employees who are exhibiting symptoms of an illness, managers can direct employees to telework, or leave the workplace and utilize the appropriate sick leave options as described above.

#### *2. But what if an employee refuses to leave?*

Managers can direct them to leave the workplace.

#### *3. Can a manager or employee ask a fellow employee if they have coronavirus?*

Managers and employees should not ask any health related questions of any employee. However, they can ask employees to leave the workplace if they're exhibiting signs of illness.

*4. What if a customer appears sick?*

Employees and managers should take precautionary measures with any customer that appears ill. These include: maintaining appropriate distance (6 feet of separation), and cleaning the area following the customer's departure. In rare cases, managers can exercise their right to not serve any customer which could include one who appears ill. Appropriate manager discretion is needed in these situations.

*5. How should managers/employees approach contractors who appear ill?*

Managers should work with contracting employers to inform their employees that contractors should stay home when they're sick. Managers have the right to request a contractor to leave the workplace if they're exhibiting signs of illness. In such cases, the contracting employer should be informed.

*6. Can a manager direct an employee to postpone or cancel personal travel?*

Management *CANNOT* mandate that an employee cancel their trip; however, they must inform the employee that per [CDC guidelines](#), they will be held to the 14 **calendar** day isolation period upon their return if they travel to a location with a level 3 risk designation.

*7. What if an employee's travel has a layover in a level 3 area as designated by the CDC?*

Managers should follow the [CDC recommendations](#) to include layovers.

*8. What should a manager do if an employee believes they've been exposed to someone with the virus, but is not exhibiting signs of the illness?*

The [Utah Department of Health](#) is tracking areas of potential exposure for those who have tested positive for COVID-19 and contacting individuals who may have been exposed. Managers should follow the guidance of the local health department or the Utah Department of Health in these cases. An employee may

decide to self isolate without being directed to do so by teleworking or utilizing the appropriate leave as described above.

9. *What if I'm teleworking and I run out of work to do?*

Employees who are working anywhere, including teleworking, should stay in regular contact with their supervisor and request additional work as needed.

10. *At what point do you limit/close operations because of staffing deficiencies related to the illness?*

Executive leaders will manage their operations and will, in consultation with state leadership, make the difficult calls on limiting non-essential services when required to do so.

11. *Will the office provide protective equipment (PPE)?*

Managers will need to decide what protective equipment is available and needed based on their daily operations and provide adequate PPE to their employees.

***Should you have additional questions that are not answered in this document, please send your questions through your HR contact.***