Human Resources FAQ - COVID-19 Items

What do we know about COVID-19?

- COVID-19 is mostly spread by respiratory droplets released when people talk, cough, or sneeze. The virus may spread to hands from a contaminated surface and then to the nose or mouth, causing infection. That’s why personal prevention practices (such as handwashing and staying home when sick) and environmental cleaning and disinfection are important practices…. (NC Public Health Toolkit (K-12), updated 7/14/2020)

Will employees’ children be allowed to come on campus during remote learning days?

- Unfortunately, we are not able to permit staff children to be on campus during their remote learning days unless they are participating in the Employee Child Supervision offering as a K-5 DCS student. If you are interested in signing your child up for this offering you should contact your child's principal as space is limited.
- To protect our staff, we will ensure the number of people on campus is as small as possible while the staff is working. While on campus, employees must maintain appropriate social spacing (6ft or more) and wear cloth face masks unless they have received an exemption through their supervisor.

Are employees expected to wear masks on school grounds and in the building?

- Yes, per the Governor’s order cloth face coverings must be worn by all students and staff on buses or other transportation vehicles, inside school buildings, and anywhere on school grounds, including outside.
- Exceptions outlined by the Strong Schools NC Public Health Toolkit (updated July 14, 2020) page 5
  - Cloth face coverings should not be placed on:
    - Anyone who has trouble breathing or is unconscious
    - Anyone who is incapacitated or otherwise unable to remove the face covering without assistance.
    - Anyone who cannot tolerate a cloth face-covering due to developmental, medical, or behavioral health needs.
  - Ensure that all students from Kindergarten through 12th grade, and all teachers, staff and adult visitors, wear face coverings when they are or
may be within 6 feet of another person, unless the person (or family member, for a student) states that an exception applies, is eating, or is engaged in strenuous activity and able to maintain 6 feet distance from other people. Cloth face coverings must be worn by all students from Kindergarten through 12th grade, and all teachers, staff and adult visitors on buses or other school transportation vehicles, inside school buildings, and anywhere on school grounds, including outside.

- As an employee, if you fall within an exception you should notify your supervisor prior to reporting to work.

**Are Principals/Supervisors permitted to shift schedules to meet the needs in the school building?**

- Yes, changes in classified staff schedules may be made to meet the needs of the school. In doing so, Principals must ensure that the number of hours employed for the week does not change.
  - For example, a classified employee has been working 8:00 - 12:00 M-F. That is a total of 20 hours for the week. The Principal may shift the classified employee’s schedule but still must meet 20 hours a week and can not exceed those hours for the week.

**What about the high-risk staff members?**

- Individuals are classified as high-risk to COVID-19 due to the following reasons:
  - Is 65 years of age or older
  - Lives in a nursing home or long-term care facility
  - Has a high-risk condition that includes:
    - chronic lung disease or moderate to severe asthma
    - heart disease with complications
    - compromised immune system
    - obesity - body mass index (BMI) of 30 or higher
    - other underlying medical conditions, particularly if not well controlled, such as diabetes, renal failure or liver disease or sickle cell disease
  - The full list can be found at [https://covid19.ncdhhs.gov/information/individuals-families-communities/individuals-higher-risk](https://covid19.ncdhhs.gov/information/individuals-families-communities/individuals-higher-risk)

- If a staff member is high-risk and would like to request accommodation or is interested in taking Family Medical Leave due to their condition they should do the following.
  - Speak with their supervisor and make them aware of their concern.
○ Complete the HR Request for Temporary Accommodation Form and submit to the Principal/Supervisor.

○ Provide medical documentation that recommends accommodation. The note should be very clear on the type of accommodation recommended and be signed by your physician.
  
  ■ If the staff member is high-risk due to age, a note is not needed as this information can be verified.

○ The supervisor should send the HR form and any medical notes to Donna Gibson by email. Be sure to include if the employee is requesting an accommodation or interested in information on FMLA.

What do we do if an employee has been placed on quarantine?

● The employee will provide a letter or email from the local Health Department or physician to their Principal/Supervisor placing her/him on quarantine. The letter should state the length of time the employee is not to be at work. Supervisors should contact Lowell Rogers. The employee may be placed on a telecommuting assignment if the employee is able to complete their duties remotely.

● What about leave?
  
  ○ If a telecommuting assignment is not appropriate, taking leave is an option. An employee may elect to use the appropriate accrued leave.

  ○ In the NC Public Schools Benefits and Employment Policy Manual, Policy 9.4 – Contagious Disease, states when a director of a county health department, in order to control the spread of contagious disease or to protect the health of an employee, orders an employee to leave his or her work environment, the local superintendent shall:
    
    ■ Reassign the employee to a safe work environment under conditions agreed to by the director of the county health department, or

    ■ Place the employee on leave with pay for the period of time set by the medical director. Leave shall not be charged to the employee’s sick leave or other available paid leave. A substitute employed for this reason shall be paid from the same source of funds as the employee (local, federal, or state).

What is the Families First Coronavirus Response Act? (USDOL Information)

Below is a summary of the FFCRRA. Additional details may be found in the full FFCRRA document. The FFCRRA expires on December 31, 2020.

● Generally, the Act provides that employees of covered employers are eligible for:
- Two weeks (up to 80 hours depending on FT or PT) of paid sick leave at the employee’s regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
  - A doctor’s note or note from the local, state, or federal health department must be provided.
- Two weeks (up to 80 hours depending on FT or PT) of paid sick leave at two-thirds the employee’s regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor; and
  - A doctor’s note or note from the local, state, or federal health department must be provided.
  - The employee will need to provide documentation if the child is not a student in a K-12 public school.
  - If the child is age 14 or older, an explanation for the need must be provided.

- Eligibility
  - Applies to permanent (full-time and part-time) & temporary employees, regardless of the start date
  - Expires December 31, 2020
- Other items
  - May be used intermittently - but not if someone is ill
  - High-risk employees not included in federal leave.
- For information about using FFCRA contact, Donna Gibson.

**What is Expanded-FMLA?** *(USDOL Information)*
- Applies to permanent (FT and PT) & temporary employees who have been employed for at least 30 calendar days at the time the leave is requested.
- Regular FMLA eligibility rule (1250 hours in the past 12 months) does not apply
- Expires December 31, 2020
• **Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee’s regular rate of pay where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.**
  - The employee will need to provide documentation if the child is not a student in a K-12 public school.
  - If the child is age 14 or older, an explanation for the need must be provided.
  - The first 10 days are unpaid.
    - May use accrued leave during the 10 days.
  - Compensation
    - 2/3 of pay up to $200 per day
    - May use accrued leave in order to receive full pay.
• Eldercare is not covered by E-FMLA
• For information about using E-FMLA contact, Donna Gibson.

**What about other types of leave?**
• Please see DCS Policy 4.12 Leave for guidance.
• Additional guidance provided within the Lighting Our Way Forward: NC Guidebook for Reopening Schools - pages 41 and 42
  - **Sick Leave (Section 4.1)** - Employees, or their immediate family members, who are experiencing an illness (COVID-19 or other) may use sick leave during the time of illness. PSUs are encouraged to set policy guidelines on when (i.e., after how many days of illness) an employee is required to provide medical documentation. Anxiety related to working during a pandemic does not qualify as an acceptable use of sick leave except where accompanied by documentation by a medical professional. Employees who have potentially been exposed to COVID-19 and are asymptomatic may use sick leave if approved for self-isolation by the PSU.
  - **Annual Vacation Leave (Section 3.1.3)** - Employees who qualify for sick leave, but do not have sufficient sick leave to cover the term of the illness, may elect to use annual vacation leave during an approved illness.
  - **Extended Sick Leave (Section 4.2)** - Eligible employees who are out for an approved illness who do not have sufficient sick leave/annual leave to cover the term of the illness, may request extended sick leave upon the approval of the PSU. Employees do not need to exhaust unused required annual leave days when determining eligibility for extended sick leave. PSUs are required to apply the required substitute deduction ($50) for employees using extended sick leave.
  - **Voluntary Shared Leave (Section 4.3)** - an employee may qualify for (and use) voluntary shared leave if the employee’s request is approved by the superintendent (or
comparable head of the PSU) for COVID-19 related absences. All other requirements for use of this leave (as outlined in Section 4.3) must be followed by the PSU.

○ **FMLA (Section 8.2)** - While FMLA is not a form of leave, a PSU has the right to designate an employee’s absence due to a COVID-19-related absence as an FMLA-qualifying event.

○ **Contagious Disease (Section 9.4.1)** - Employees who are under orders of the director of a county health department to leave the work environment, the local superintendent shall: a) reassign the employ to a safe work environment (as agreed to by the director of the county health department, or b) place the employee on leave with pay for the period of time as indicated by the director of the health department. The leave provisions under Section 9.4.1 can only be initiated by the director of the health department, not the PSU. PSUs are encouraged to establish a formal point of contact with their local health departments in order to make a formal determination of the need for an employee to leave work due to possible COVID-19 exposure.

**What happens if I have been exposed to someone or have been diagnosed with COVID-19?**

- We have prepared several flow charts to explain the process to be followed depending on the report. Employees should contact their Principal/Supervisor and they should assist them in the process. The Principal/Supervisor should contact Jami Hutson/ Lowell Rogers regarding COVID-19 reports involving staff.

  ○ **COVID-19 Staff Report - Form HR COVID-19**

  ○ **COVID-19 Flow Chart A - Employee Testing Positive**

  ○ **COVID-19 Flow Chart B - Employee with Symptoms**

  ○ **COVID-19 Flow Chart C - Employee in Close Contact with Positive**

*Updated 8/21/2020 - LR*