

COVID-19 Associated Leave Policies, Protocols and Resources

Presentation for Missouri S&T Staff and Supervisors

As of August 3, 2020

COVID-19: Associated University and Campus Policies and Resources

Situations related to COVID-19 are varied and many require working with employees to conduct individual assessments on a case-by-case basis. In addition, the status of and leave policies applicable to an employee may change quickly depending on an exposure, a diagnosis, etc.

Many of our departments are working together to coordinate appropriate responses for our campus community. The covid@mst.edu team, Human Resources, Equity & Title IX, and others are here to assist supervisors and employees maneuver during this pandemic.

Training Objectives:

- Provide guidance to employees and supervisors with matters related to COVID-19
- Review University and campus policies, protocols, and resources specific to COVID-19
- Reminders about other applicable general University and campus policies

University Policies include but are not limited to: HR 700 Enhanced HR Policies in Response to COVID-19; HR 100 Employment Policies (Attendance, Reporting Hours Worked); HR 400 Leaves (Sick Leave, Leaves of absence, Family and Medical Leave (FMLA), Administrative Leave); HR 500 (Performance)

Leave and Other policies and where they might apply (Examples)

Quarantine, Isolation, Illness

- Telework Policies
 - May be combined with leaves
- HR 700
 - FFCRA Paid Sick Leave (maximum of 10 days for qualifying COVID related absences)
 - Unearned vacation (maximum of 15 days)
- University Paid Time Off
 - Sick
 - Vacation
 - Personal
- Leaves without pay

High Risk (Self or Family)

- Telework Policies
 - May be combined with leaves
- ADA Accommodations
 - May apply to employee
 - Depends on accommodation assessment outcome
- Leaves of Absence
 - Paid or Unpaid
 - FMLA
- University Paid Time Off
- HR 700
 - Unpaid leaves of absence

Child Care

- Telework Policies
 - May be combined with leaves
- HR 700
 - FFCRA Expanded Medical Leave
 - Schools or childcare physically closed
- Leave of Absence
 - Personal Leave

Quarantine, Isolation, Illness, or High Risk

Quarantine, Isolation, Illness, or High Risk

Quarantine

I have been notified that I am a close contact of someone who is positive for COVID-19.

I have been directed by a health care provider to start quarantine for a specified period of time.

I have traveled to an area that requires quarantine on my return.

I have traveled by a method of travel that requires a period of quarantine.

I am caring for a family member who has been diagnosed.

Example: HR 700, Telework, FFCRA. Release from covid@mst.edu to return to campus is needed.

Isolation

I have tested positive for COVID-19.

I have been directed to isolate for a specific period of time.

Example: HR 700, Telework, FFCRA. Release from covid@mst.edu to return to campus is needed.

Illness

I am not feeling well with symptoms that may or may not be the same or similar to COVID-19.

I have symptoms which are explained by a short-term, chronic, long-term or permanent medical condition (migraines, diabetes, etc.)

My health care provider has determined I am not subject to quarantine or isolation

Example: Sick Leave, FMLA. Doctor's note is generally not needed but may be required.

High Risk

According to the CDC, I am at higher risk of severe illness from COVID-19 because:

I am an older adult.

I have certain underlying medical conditions.

I am among the groups who are encouraged to take extra precautions.

Example: Request accommodation to telework, alternate schedule, etc. ADA or Human Resources will assist in evaluating the request.

Quarantine, Isolation, or Illness

Situation	Examples
<p>Quarantine: Employee is healthy and able to work, but is kept away from the worksite at the direction of</p> <ol style="list-style-type: none"> 1) the University, 2) public health authority, 3) a health care provider 	<ul style="list-style-type: none"> • Returned from an area that requires quarantine upon return. • Had contact with a person with a confirmed case of COVID-19 • Is waiting on test results • Has family member exhibiting symptoms or positive test result
<p>Employee has been advised by a health care provider to self-quarantine related to COVID-19; or may be caring for an immediate family member who is exhibiting COVID-19 symptoms or has a diagnosis of COVID-19.</p>	<ul style="list-style-type: none"> • May be exhibiting symptoms of COVID-19 • May be awaiting test results. • Has family member exhibiting symptoms or positive test result
<p>Isolation: Employee exhibits COVID-19 symptoms, has a diagnosis of COVID-19</p>	<ul style="list-style-type: none"> • Has symptoms • Has tested positive
<p>Illness: Employee has headache, allergy symptoms, sore throat, or flu, or other symptoms that can be explained or are determined to be unrelated to COVID-19 or is caring for an immediate family member who is ill.</p>	<ul style="list-style-type: none"> • May be a recurring, chronic, or long-term medical condition for the individual • A medical professional has determined symptoms are not related to COVID-19

Employee Protocol: Quarantine, Isolation, or Illness

EMPLOYEES

Conduct a self-screening following the Checklist for All Employees before coming to work each day <https://coronavirus.mst.edu/files/2020/05/Employee-Checklist.pdf>

If you are experiencing symptoms or a possible exposure, do not report to work.

- Communicate with your supervisor that you are not reporting to work. Your supervisor will contact covid@mst.edu or call 573-341-4902 and Human Resources. You should expect to communicate with covid@mst.edu.
 - Even if you contact covid@mst.edu directly, you must follow your department's regular procedures for reporting absences from work.
- covid@mst.edu will advise you, your supervisor, and Human Resources if it is determined that you need to quarantine or isolate.
- If you are instructed by covid@mst.edu or a health care provider to quarantine or isolate, Human Resources will work with you and your supervisor 1) to determine if you can telework to the extent feasible, and 2) determine the appropriate leave policies which apply to your specific situation.
- The covid@mst.edu team, Human Resources, and your supervisor will work as a team during your quarantine or isolation.
- **Do not return to work** without contacting covid@mst.edu and receiving clearance to return to campus if you have been told to quarantine or isolate. covid@mst.edu will verify with your supervisor and Human Resources that you may return to the campus.

If your illness is not related to COVID-19, follow regular University policies and departmental procedures regarding absences due to illness.

Supervisor Protocol: Quarantine, Isolation, or Illness

SUPERVISORS

Follow up with your employees to ensure they are using the self-screen checklist before coming to work. A supervisor's guide can be found at: <https://coronavirus.mst.edu/files/2020/05/Supervising-Employees.pdf>

When your employee reports possible symptoms or exposure:

- Send an email to covid@mst.edu or call 573-341-4902 and contact Human Resources at msthrsupport@mst.edu or 573-341-4241.
 - If covid@mst.edu determines that your employee needs to self-quarantine or isolate, covid@mst.edu will confirm with your employee, you, and Human Resources.
- To the extent the employee can feasibly telework, evaluate whether the employee can perform work in accordance with [S&T Policy Memorandum III-41: Flexible Work Policy](#). *
 - If part or all of the employee's work can be performed under a flexible work arrangement and the employee is able to work, forms with all necessary approvals must be submitted within 14 calendar days.
 - If the employee is in a position in which the work cannot be performed under the Flexible Work Policy, the supervisor must contact Human Resources to discuss leave options.
- Employees and their supervisors will work with Human Resources to gather and deliver required work or personal items from workspaces during the quarantine or isolation period for employees who are teleworking.
- Before returning to work, employees who have been quarantined or isolated must obtain a release from covid-19@mst.edu to ensure a safe return to work. covid@mst.edu will communicate with you and Human Resources.

Supervisor Protocol: Quarantine, Isolation, or Illness (Continued)

SUPERVISORS

If your employee's illness is not related to COVID-19, regular University policies and departmental procedures regarding absences due to illness should be followed.

As a supervisor, do not share emails or information about an employee's illness with others in a department or area. In addition to the importance of maintaining confidential information, it also might discourage the reporting of illness.

If an employee has been diagnosed with COVID-19, supervisors should share only general information with their employees about possible exposure without naming the individual diagnosed.

Reminder:

The covid@mst.edu team and Human Resources are here to assist you with questions relating to your employee's quarantine, isolation or illness.

Employee Protocol: Employees with High Risk Factors

EMPLOYEES

- Inform your supervisor that you are asking for telework, flexible scheduling, or alternate work arrangements due to your personal high risk factors or those of a family member living in your home. High risk factors are defined by the Centers for Disease Control (CDC).
 - **You are not required to share the specific details of the high risk factors with your supervisor.**
 - **Your supervisor will not be able to approve your request without following the appropriate process and obtaining the necessary approvals in accordance with [S&T Policy Memorandum 111-41 Flexible Work Policy](#).**
- Your supervisor will inform Human Resources of your request to work remotely, flex your schedule, or alternate work arrangements.
- Human Resources will:
 - Contact you for more information to determine the appropriate review process and assess if any leave policies apply;
 - As appropriate, contact the ADA Coordinator so an ADA assessment can take place. The ADA Coordinator will contact you directly to discuss your request, or if not sent to ADA;
 - Contact your supervisor to discuss your position, departmental staffing requirements and other information that is relevant to your request (this could include your on-premises performance, attendance, allocation of duties, etc.)
- The appropriate office (HR or ADA) and your supervisor will discuss the outcome of your request with you .

Note: Employees may always contact the ADA Coordinator directly to discuss medically-related accommodation requests. Find more information at: <https://equity.mst.edu/americans-disabilities-act/>

Supervisor Protocol Reminders: Employees with High Risk Factors

Important Reminders

- Supervisors **must not assume** any employee wishes to be identified as high risk or will be seeking an accommodation.
- If an employee requests telework or a flexible work schedule, supervisors **must not inquire about the specifics** supporting the request (age and risk factors) to ensure confidentiality is maintained with respect to medical and other information.
- Supervisors **do not have the authority** to grant telework or flexible work arrangements on their own and should contact HR or ADA before denying a request. They must follow the process to ensure any ADA or other considerations have been evaluated and necessary approvals have been obtained.
- As a supervisor, **do not discuss information** about an employee's requests based on **medical conditions or high risk factors** with others in a department or area. In addition to the importance of maintaining confidential information, it also might result in the appearance of discrimination. (Note that the employee may have previously had no reason to disclose this information.)

Supervisor Protocol: Employees with High Risk Factors

SUPERVISORS

- After receiving a telework or flexible work arrangement request, the supervisor should continue giving the employee assignments and assessing work in the same manner as before receiving the request.
 - **No change in the work relationship** should result from the request.
 - Supervisors should be open to possible options as they work with Human Resources or the ADA Coordinator; however, it may not be feasible for every request to be accommodated.
- Supervisors inform Human Resources of an employee's request to work remotely or flex their schedule due to being high risk or living with someone who may be high risk.
 - Human Resources will coordinate with the Equity & Title IX Office so an ADA assessment can take place to determine if the accommodation requested is reasonable.
 - Human Resources and Equity & Title IX are partners in the process to ensure the requests are handled appropriately.
 - Supervisors can seek guidance from Human Resources and/or the ADA Coordinator.
- Supervisors should be ready to answer the following questions to assist Human Resources and/or the ADA Coordinator as part of the interactive process.
 - How does each position (irrespective of the employee in it) within the department or unit fit into the staffing plan for the fall?
 - Is it necessary for this position to be onsite and why?
 - When is it necessary for this position to return (for example, if necessary to return, can it be remote until students come back to campus?)
 - What is the employee's on-premise performance like?

COVID-19 and Child Care

Child Care Closure Definition

Situation	Definition of Closure
<p>Caring for an employee’s child whose school or place of care is closed or child care provider is unavailable.</p> <p>FFCRA FMLA is available for an employee to care for their own child if the school or place of care is closed. It does not apply to other immediate family members other than an employee’s own children.</p> <p>Employees may seek flexible work arrangements or use applicable leave, including unpaid leaves of absence, if needing to care for an immediate family member.</p>	<p>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 FFCRA paid sick leave and expanded family and medical leave. This is true even if some or all instruction is being provided online or through distance learning.</p> <p>Current guidance: At this time if the school is physically open and children can attend but parents opt in to a virtual learning at home, then the time off to care for the child would not be covered under FFCRA.</p> <p>If a school is physically open on certain days or hours and physically closed during the other days or hours, then the time that the school is physically closed would be covered by FFCRA.</p>

Employee Protocol: Request for Telework, Flexible Work Schedule, or Time Off due to Child Care

EMPLOYEES

- Communicate the request to telework or take time off to your supervisor.
 - You should provide documentation regarding whether your child's school or childcare provider is physically closed (including what days/hours the facility is closed) or if you have opted to utilize online or distance learning for your child(ren) when the school or provider is physically open.
- Your supervisor will contact Human Resources to:
 - discuss with your supervisor whether you can telework to the extent feasible, and/or
 - determine the appropriate leave policies which apply to your specific situation.
- Before requesting full-time telework, make sure it can be done. During approved work hours, you are required to perform duties; be responsive to emails, phone calls, and attend virtual meetings; and be prepared and ready to work just as if you were in the office. Your primary responsibility during approved work hours must be work.
 - University policies apply, including attendance and reporting hours worked.
 - Telework hours should not overlap with the hours you are primarily responsible for and engaged in home schooling duties or childcare.
- Human Resources will work with you and your supervisor to complete any forms necessary for telework or flexible work arrangements or leaves.

Supervisor Protocol: Request for Telework, Flexible Work Schedule, or Time Off due to Child Care

SUPERVISORS

- When you receive a request from your employee to telework or take time off due to child care, contact Human Resources at msthrrsupport@mst.edu or 573-341-4241.
- Before approving telework or time off requests:
 - Forward any documentation your employee may have provided to you regarding their child's school or care provider's closing to Human Resources. This is necessary to determine which, if any, leaves apply.
 - Review the policies and guides relating to telework and flexible work arrangements.
 - Consider what work could be accomplished remotely with a flexible or alternate work schedule or reduced hours. An employee's full time telework work schedule (hours) should not overlap the same hours the employee has primary responsibility for home schooling or childcare responsibilities.
- After consultation with Human Resources and other necessary parties, communicate with your employee about the status of their request and any related performance expectations.
- **Employees and supervisors will both be held accountable for work productivity.**
- Human Resources will work directly with the employee to coordinate leave applications, timekeeping, etc.

Telework Requests – Process and Important Reminders

Supervisors: Approving Telework or Flexible Work Arrangements

SUPERVISORS

- Before approving telework or flexible work arrangements, you must complete appropriate forms and obtain required approvals:
 - Review the [Telework Planning Guide](#). Be prepared to discuss the guide with the employee, your manager, and/or Human Resources or ADA.
 - Review [S&T Policy Memorandum III-41: Flexible Work Policy](#). Reminder: Approvals are required at the Vice Provost/Vice Chancellor level.
 - Determine when you will provide at least bi-weekly performance feedback to your employee(s).
 - The University will not bear the cost of additional resources required to telework, such as additional equipment, internet service, furniture, etc.
- Telework or flexible work schedules requests based on medical conditions or high risk factors must go through an ADA or HR review.
- If telework or flexible work arrangements are approved, submit an electronic Telework Arrangement Form.
- Approved arrangements must be reviewed every 3 months.

Employees and supervisors will both be held accountable for work productivity.

Telework and Flexible Work Schedules

Important Reminders

- Supervisors **do not have the authority to approve** telework requests without going through the appropriate process and obtaining the necessary approvals.
- Not every position or employee are candidates for telework, remote work, flexible scheduling or alternate work arrangements.
- Telework and flexible work schedules are **subject to audit** for adherence to the approved arrangement. They are also **subject to renewal** based on a number of factors which includes but is not limited to performance, responsiveness, productivity, departmental staffing plans, etc. Approved arrangements **may be revised or rescinded** at any time if issues arise or conditions change.
- Employees and supervisors **will both be held accountable** for following the appropriate approval processes, work productivity and performance, and compliance with University and campus policies, including hours worked and paid and unpaid time off.

Accurately Recording and Approving Hours Worked and Time Off

Important Reminders

- Employees and supervisors will both be held accountable for compliance with University and campus policies such as attendance and properly reporting hours worked and paid and unpaid time off.
- Timekeepers who are approving time need to have appropriate documentation from supervisors before approving time.
 - Before approving time, they should reach out to supervisors to verify hours worked and paid and unpaid time off.
- Failure to properly record and approve hours worked and time off can result in discipline up to and including termination.

Campus and University Resources for COVID-19 Information

Employees and supervisors are encouraged to read eConnection announcements and visit the S&T COVID website regularly to stay abreast of any changes.

S&T COVID-19 INFORMATION

The S&T Incident Command Team
provides information and updates related to COVID at

<https://coronavirus.mst.edu/>

University of Missouri System

Working Through COVID-19

<https://www.umsystem.edu/ums/hr/working-through-covid-19>