

To: Connecticut State Agencies

From: The Office of Policy & Management and the Department of Administrative Services

Re: Guidance regarding absences, requests for telework and/or changes in work schedules due to COVID-19

Date: Revised March 24, 2020

As the State of Connecticut continues to respond to the rapidly changing circumstances presented by the COVID-19 pandemic, state agencies must make every effort to continue their operations and provide the services and programs that are relied upon by the citizens and businesses of Connecticut. This general guidance is being provided to agencies and State employees to assist in the overall understanding of and available means of responding to various circumstances issues related to COVID-19. Agency-specific instructions designed to meet individual operational needs may be provided by the employing agency.

Per usual, if you are not feeling well you should not come to work. If you are experiencing symptoms of COVID-19 you should not come to work and should contact your medical provider for instruction. The Centers for Disease Control (CDC) also recommends employees take their temperature before reporting to work. These standard precautions should be taken to ensure a healthier workforce. It is also important to be aware that if an employee and/or their dependents is struggling to adjust to changes associated with COVID-19, Agency EAP programs are available and offer a variety of benefits and services to assist employees and their dependents in their time of need.

The guidance provided in the grid below remains true when employees are required to physically come into the workplace. In addition, the guidance has been updated to address timesheet coding based on Level 1 and Level 2 designation. Employee's should have received information from their respective agencies relative to their specific designation.

Employees are impacted by COVID-19 in different ways. The agency's response depends upon the specific circumstances as set forth below:

| Level A | Level B | Level C | Level D |
|---|--|---|--|
| EMPLOYEE SHALL <u>NOT</u> WORK | EMPLOYEE SHALL <u>NOT</u> WORK | EMPLOYEE IS NOT PROHIBITED FROM WORKING | EMPLOYEE IS NOT PROHIBITED FROM WORKING |
| Employee is actually sick with COVID-19 or COVID-19-like symptoms | Employee is returning from a country designated by the CDC as a Level 3 country | Employee needs to stay at home to care for children or other dependents because school, daycare or eldercare has closed | Employee is returning from a Level 2 country or has engaged in inter-state travel within the United States |

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| Employee is caring for sick family with COVID-19 or COVID-19-like symptoms | Employee has been directed by a medical provider or government official to self-monitor at home due to potential COVID-19 exposure or employee's underlying medical condition | Employees cannot get to work because of transportation disruptions | Employee who is domiciled with or had contact with a person who has been directed by a medical provider or governmental official to self-monitor at home |
| | | | Employee had contact with someone who had contact with a person who has been directed by a medical provider or government official to self-monitor at home |
| | | | Employee who has concerns about exposure through contact with persons in public settings, including the workplace. |
| | | | Employee is medically fragile (per medical documentation on file at the agency) but has had no apparent exposure |
| GUIDANCE | GUIDANCE | GUIDANCE | GUIDANCE |
| Telework, if approved by agency AND medically appropriate (People who are too sick to work or are caring for seriously ill family members should not be expected to work) | Telework, if approved by agency | Telework or flex schedule, if approved by agency | Telework or flex schedule, if approved by agency |
| If telework is not possible, employee will be paid for the scheduled, non-worked hours within a 14 day | If telework is not possible, employee will be paid for the scheduled, non-worked hours within a 14 day | If telework is not possible, employee will be paid for the scheduled, non-worked hours within a 14 day | Employee may request to use accruals to take time away from work consistent with standard policies |

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| calendar period under 5-248(a). (If employee teleworks part-time, the 5-248(a) leave will provide wages for the balance of hours scheduled to work.) | calendar period under 5-248(a). (If employee teleworks part-time, the 5-248(a) leave will provide wages for the balance of hours scheduled to work.) | calendar period under 5-248(a). (If employee teleworks part-time, the 5-248(a) leave will provide wages for the balance of hours scheduled to work.) | |
| If the employee's illness or need to care for sick family members continues beyond the 14 calendar days, employee may use earned accruals or choose to go unpaid, provided that sick employees must use their sick leave accruals first. Once the employee has exhausted sick leave accruals, they can use other accruals, take unpaid leave, or apply for additional benefits as provided by state policy or collective bargaining agreement. | | If employee's inability to come to work because of COVID-19-related disruptions continues beyond the 14 calendar days, the employee has choice of using any of earned accruals, including sick leave, or take unpaid leave. | |

1. Does an agency need to submit each individual request to DAS and OLR before approving telework or a change to the employee's work schedule?

No. In deciding whether to grant a temporary, situational approval of telework or a change in the work schedule, the agency has the discretion to make decisions on the basis of its operational needs and existing resources (including IT resources) without getting preapproval from DAS and OLR provided the agency follows the guidelines set forth in this document.

2. What documentation does the agency require in order to consider a temporary change to an employee's work schedule or telework in order to address a COVID-19 related situation?

In this temporary emergency situation formal telework applications are not necessary. Also, pre-approval IT Security review by BEST is not required if the employee is using one of the following options:

- State provided laptop and VPN,
- Microsoft Teams,
- Other BEST-Approved protocol for offsite work. For more information: <https://portal.ct.gov/Coronavirus/Information-For/State-Employees>

A declaration page from their homeowners insurance does not need to be immediately provided and can be submitted at a later date. Agencies shall retain all documentation provided by the employees. At this time, agencies need not report this information to DAS.

3. What factors should be considered in order to approve a change to an employee's work schedule or telework?

Please refer to the Governor's message to state employees sent on March 22, 2020. Agencies need to consider their overall operational needs, including the level of on-site staffing needed to provide their services and programs, as well as their existing resources, including IT resources, when considering such requests. Agencies should continue to consider the factors set forth in the Interim Telework Guidelines/General Letter 32 when assessing agency operational needs.

In this temporary emergency situation, the following exceptions to the Interim Telework Guidelines/General Letter 32 are allowed:

- Authorize employees to telecommute even if they do not have a previously approved telecommuting plan. (NOTE: Telework is not appropriate for level 1 employees except in extraordinary circumstances.)
- Authorize employees to telecommute even if they are not in a job classification listed in Appendix A of the Interim Telework Guidelines, however, under no circumstances can an employee in a hazardous duty job be allowed to telework.
 - Non-hazardous duty managers, supervisors, confidential employees and appointed officials are permitted to telework pursuant to Item No. 2719-E.
- Allow employees to telecommute for 50% or more of their scheduled workweek.
- Allow employees to telecommute because they need to be home for childcare or eldercare reasons.
- Authorize modifications to employees' work schedules in order to reduce

the total number of employees in the workplace at any given time. (NOTE: Flexible scheduling is not appropriate for level 1 employees except in extraordinary circumstances).

- Consider allowing employees in a working test period to telecommute as long as performance can be assessed with measurable outcomes. Agencies may need to consider an extension of a working test period if an employee in their working test period is approved to telework.

4. Do we require an employee to self-monitor at home if they live in or travel from a state or country that has not been designated as a Level 3 by the CDC?

No. According to the CDC guidance issued on March 12, 2020, individuals returning from a Level 3 country should self-monitor at home for 14 days from the date they left the country. Individuals who are returning from *Level 2 countries are no longer directed to self-monitor at home for 14 days.*

5. Can an employee be approved for VSRP in lieu of taking COVID-19 leave (paid or unpaid)?

No

6. If an employee cannot provide a medical certification, what alternative documentation should the employee provide?

If an employee cannot provide medical certification, the employee shall provide a written explanation to their agency Human Resources professional describing their symptoms, the directions they have received from medical providers or government officials (if any), and any other supporting documentation they may possess.

7. How should an employee code COVID-19 related leaves or telework in CORE-CT?

Depending on the nature of work, employee level designation, or type of leave the following codes must be used.

ON THE TIMESHEET:

Level 1 Constant Essential - Employees must physically report to work outside of their home to perform job duties

| <u>Employee is Working</u> | <u>Employee isn't working due to COVID-19</u> |
|--|---|
| <p>Employee should continue to use TRCs of REG, OVT, etc. for all hours worked</p> <p><u>Please note:</u> If the employee is working OVT related to COVID-19, the employee should either use the override reason code of OTC19 or an agency specific COVID-19 override reason code.</p> | <p>First 14 calendar days, Authorized Paid Leave Pursuant to 5-248(a) per grid in COVID-19 Guidance document:</p> <p>Use LOPD, used in conjunction with override reason code PDC19</p> |
| | <p>If need for leave pursuant to 5-248(a) exceeds 14 calendar days, for Personal Illness: Appropriate sick leave code and</p> |

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| | other accrual codes as necessary, used in conjunction with override reason code SCV19 |
| | If need for leave pursuant to 5-248(a) exceeds 14 calendar days, for Caregiver of a family member who is sick with COVID-19 (and when not teleworking): Appropriate sick leave code and other accrual codes as necessary, used in conjunction with override reason code SFC19 |
| | If need for leave pursuant to 5-248(a) exceeds 14 calendar days due to School, Daycare or Transportation closure (and when not teleworking): Appropriate leave code, used in conjunction with override reason code BCC19 |

Level 1 Intermittent or Per Diem Essential - Not teleworking full-time, must physically report to work outside of their home when needed.

| <u>Employee is Working</u> | <u>Employee unavailable to work due to COVID-19 or is working intermittently</u> |
|---|---|
| <p>Working Outside of Home: Use TRCs of REG, OVT, etc. for all hours worked outside of the home</p> <p><u>Please note:</u> If the employee is working OVT related to COVID-19, the employee should either use the override reason code of OTC19 or an agency specific COVID-19 override reason code.</p> | <p>First 14 calendar days, Authorized Paid Leave Pursuant to 5-248(a) per grid in COVID-19 Guidance document; or based on level designation when not working due to intermittent schedule: LOPD, used in conjunction with override reason code PDC19</p> |
| <p>Telework: REGTC, used in conjunction with override reason code TCC19</p> | <p>If need for leave pursuant to 5-248(a) exceeds 14 calendar days, for Personal Illness: Appropriate sick leave code and other accrual codes as necessary, used in conjunction with override reason code SCV19</p> |
| | <p>If need for leave pursuant to 5-248(a) exceeds 14 calendar days, for Caregiver of a family member who is sick with COVID-19 (and when not teleworking): Appropriate sick leave code and other accrual codes as necessary, used in conjunction with override reason code SFC19</p> |
| | <p>If need for leave pursuant to 5-248(a) exceeds 14 calendar days due to School,</p> |

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| | Daycare or Transportation closure (and when not teleworking): Appropriate leave code, used in conjunction with override reason code BCC19 |
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Level 2 Constant (Essential and Non-Essential): Employees that can perform their duties at home and no reasonable likelihood that they would need to physically report to work outside of their home (approved telework with State issued laptop/equipment):

OR

Level 2 Constant (Essential and Non-Essential): Employees with job duties that can be performed via telework, who have suitable personal device and provided remote access to their work computer but not required to work outside of their home:

| <u>Employee is Working</u> | <u>Employee isn't working due to COVID-19</u> |
|--|---|
| <p>Telework: REGTC, used in conjunction with override reason code TCC19</p> <p><u>Please note:</u> If an employee was teleworking prior to the COVID-19 pandemic, the previously scheduled telework hours/days should NOT be coded with the override reason code TCC19</p> | <p>First 14 calendar days, Authorized Paid Leave Pursuant to 5-248(a) per grid in COVID-19 Guidance document: LOPD, used in conjunction with override reason code PDC19</p> |
| | <p>If need for leave pursuant to 5-248(a) exceeds 14 calendar days, for Personal Illness: Appropriate sick leave code and other accrual codes as necessary, used in conjunction with override reason code SCV19</p> |
| | <p>If need for leave pursuant to 5-248(a) exceeds 14 calendar days, for Caregiver of a family member who is sick with COVID-19 (and when not teleworking): Appropriate sick leave code and other accrual codes as necessary, used in conjunction with override reason code SFC19</p> |
| | <p>If need for leave pursuant to 5-248(a) exceeds 14 calendar days due to School, Daycare or Transportation closure (and when not teleworking): Appropriate leave code, used in conjunction with override reason code BCC19</p> |

Level 2 Constant (Non-Essential): Employees not in the above categories. Employees unable to telework due to nature of job duties, lack of equipment, nature of job, etc. Job Duties do not require working outside their home.

Employee isn't working due to COVID-19
Authorized Paid Leave: LOPD, used in conjunction with override reason code NEC19

In Job Data, for COVID-19 related absences of more than five (5) days:

Authorized Paid Leave Pursuant to 5-248(a):

Action: Paid Leave of Absence, Reason: Paid Leave Authorized

All other situations, standard leave codes/reasons apply.

QUESTIONS REGARDING COVID-19 GUIDANCE–March 16, 2020

DAS and OPM will do our best to respond to agency questions as they come up. Conditions are evolving, so please note that answers today may change in the coming days or weeks.

- 8. If spouses are both employed by the state, are they each eligible for 14 days of compensation under 5-248(a) to provide childcare?**

No. The provision allows for a parent to be at home with children. If the spouses wish to split the time within the 14-day period, they may do so. Note that splitting the time does not increase the duration of the 14-day period.

- 9. Can a qualified individual access the 14 days of compensation under 5-248(a) intermittently?**

Yes for the purposes of the grid above (Levels A, B or C). The time is available to a qualified individual for up to 14 days. Accessing the time intermittently (and using less than the full allotment) does not extend the benefit beyond 14 days.

- 10. Can we take the temperature of staff that show up to work?**

Yes, based on guidance from each Agency Head or agency response team.

- 11. Are clericals now allowed to telework during this period?**

Refer to the answer provided in #3 above.

- 12. An employee has requested to use the compensation allocation under 5-248(a) because they have a child whose college is closing, and the child needs to be moved home. Does this apply?**

No. Paid leave under 5-248(a) does not apply in this situation, as the purpose is to afford employees the ability to be at home with individuals who are not able to provide self-care.

- 13. Is the time off limited to a 14-day period?**

Yes, commencing upon the first date of eligibility. Refer to the answer to #9 above.

- 14. If we have Level 2 employees, can we designate them situationally as Level 1 as part of the emergency?**

Yes.

- 15. Our agency has "essential" staff members. Would they be able to get paid to stay home for childcare issues?**

Yes.

- 16. Could staff who otherwise cannot work due to the nature of their job or technology constraints be redeployed? Example: Will Building and Grounds Officers be allowed to work while Technical High Schools are closed?**

Yes, if the state has a business need for them to perform work during the period of school closure.

- 17. We had an officer report that they are self-quarantined on advice of the medical provider. Is it correct that the information from the provider can be in a variety of formats - email, letter, etc.?**

Yes. For these purposes, the information does not need to be on the standard medical certificate; although a signature is not required under the current situation, the document should include contact information for the medical provider.

- 18. An employee is out on an approved FMLA leave and their child's school is now closed. How do we code the absence?**

FMLA continues to be charged because the employee is unable to work due to an FMLA qualifying reason.

- 19. An employee has a child whose school is closed and they do not have an alternative means of child care? Can they bring their child to work?**

No.

QUESTIONS REGARDING COVID-19 GUIDANCE- March 17, 2020

DAS and OPM will do our best to respond to agency questions as they come up. Conditions are evolving, so please note that answers today may change in the coming days or weeks.

20. When does the 14-day calendar period of paid leave under 5-248(a) start?

The 14 day period begins on the date the need for its use commences. For example, if a school closed on March 16, 2020, but the employee does not need to use the leave to care for their child until March 20, 2020, the 14 day calendar period begins on March 20, 2020 and continues for 14 calendar days or until the school reopens, whichever is earlier.

21. Is an employee in a Working Test Period eligible for the paid leave entitlement under 5-248(a)?

Yes. The agency can extend the Working Test Period to accommodate the leave days taken.

22. Is documentation required to ensure a school's closure.

No, because all schools are currently closed.

23. Can a supervisor ask an employee who is seeking leave under 5-248(a) about the age of children at home?

When an employee is seeking leave, asking that employee about the age of children is not the recommended approach for a supervisor. Please remember that at-home care is not limited to dependent children. If an employee inquires about taking leave to provide at-home care, the recommended approach is to ask the employee about the need to be at home. This question can open a discussion about the hours for which an employee requires at-home coverage, and whether their needs could be met through means such as working ½ days, modifying the schedule, etc.

24. An employee at our agency has just reported that she has a confirmed diagnosis of COVID-19. What should we do?

In the event an employee has been confirmed to have COVID-19 (i.e. actually had a positive test, not just respiratory-like symptoms), everyone who has close contact with that employee needs to self-monitor at home for 14 days from the date they were last exposed to the person confirmed to have COVID 19.

In this context, "close contact" means a person who was within 6 feet and spent more than 15 minutes with the person in an enclosed space (like an office or conference room).

In the event that an agency learns that it has an employee who has been diagnosed with COVID-19, the agency's HR personnel should contact the employee to verify the following information:

- That the person has actually tested positive for COVID-19 (as opposed to just being told by a medical provider to assume that he or she may have it)

- The last date the person was physically in the office
- The locations in the office where the person spent more than 15 minutes
- The people in the office with whom the person was in close contact

The agency should notify any employee who was in close contact with the person who was diagnosed to send them home to contact their own medical provider and to self-monitor at home for 14 days. (In so doing, the agency must make every effort to avoid comprising the confidentiality of the diagnosed person's identity). The agency should also follow the CDC's guidance regarding cleaning the areas occupied by the diagnosed employee.

25. Agencies are and will be in the process of onboarding new hires, how should that be handled?

Each agency has to do what makes sense under their instant circumstances, balancing operational needs with health and safety. Consider delaying start dates and remote onboarding where possible. When new hires start, agencies should assign and employ them consistent with the conditions of their work unit.

QUESTIONS REGARDING COVID-19 GUIDANCE- March 18, 2020

26. Employees have heard that people aged 60 or above should stay home. Does this apply to the State workforce?

This COVID-19 guidance document and the designation document should be followed when making determinations about the State workforce. Telecommuting is encouraged for all employees unless operational needs or technology constraints prevent it.

27. Is documentation required to prove that a daycare or eldercare facility is closed?

Yes, it is recommended to secure documentation. Either the name of the establishment with specific contact information or documentation from the establishment about the closure should be obtained.

28. Is there a maximum number of staff that can be allowed to be at home on paid leave under 5-248(a) based upon the operational needs of the agency?

No.

29. If an employee is out on paid leave for the 14 calendar day period due to school closure and then this same employee becomes sick with COVID-19 or COVID-19-like symptoms, would this employee be entitled to be out on paid leave for another 14 day calendar period based upon the current guidance?

No. Based upon the current guidance, eligible employees are entitled to one 14 calendar day period of paid leave under 5-248(a) commencing on the date the need for its use begins.

30. If the window for payment of leave under 5-248(a) is 14 days, for what hours during that period is an employee allowed compensation, and how would this

apply for part time employees?

Compensation for the paid leave is determined based on the employee's regular scheduled hours, less hours worked. This means that for part timers, availability for pay would encompass only the portion of the 14 days during which there were regular scheduled hours.

31. An employee in the office is coughing a lot. Can we send that employee home?

Yes, under these specific circumstances: A person who is exhibiting COVID-19 like symptoms (fever, coughing or shortness of breath) should be separated from co-workers and sent home unless the employee can assert with a reasonable degree of certainty that the symptoms are due to a condition or circumstance completely unrelated to COVID-19 (such as coughing because he or she choked on a sip of water or shortness of breath due to walking up several flights of stairs). The agency HR professional or senior management on-site should engage in this communication with the affected individual (preferably by phone in order to maintain appropriate social distancing).

32. Can an agency require an employee to telecommute even if the employee would rather work in the office?

Yes, because, generally, the State has the authority to assign staff to work in temporary duty stations; this authority includes assigning staff to work from their homes. In practice, agencies should exercise discretion using common sense and empathy in order to understand the specific concerns or issues that prompted the employee to resist working from home.

QUESTIONS REGARDING COVID-19 GUIDANCE- March 19, 2020

33. What documentation is required to allow an employee to return to work who has used the total entitlement of 14 calendar days paid leave under 5-248(a) for the purpose of self-monitoring due to a possible exposure to COVID-19?

An employee who remains asymptomatic can return to work upon receipt of a statement from the employee indicating they have no symptoms.

34. What happens after an employee has used the total entitlement of 14 calendar days paid leave under 5-248(a) as a result of being directed by a medical provider or government official to self-monitor at home due to potential exposure to COVID-19 or underlying medical condition and for whom telework is not an option?

If the employee remains directed by a medical provider or government official to stay at home for self-monitoring beyond 14 calendar days, the employee can use the appropriate sick leave accruals.

35. What happens after an employee has used the total entitlement of 14 calendar days paid leave under 5-248(a) as a result of being sick with COVID-19 or COVID-19-like symptoms, or while caring for sick family with COVID-19 or COVID-19-like symptoms?

If the employee remains sick or the family member remains sick and still requires care, the employee can use the appropriate sick leave accruals. If applicable, donated sick leave, advanced sick leave or extended sick leave apply.

36. Can an employee be required to return to work who has been approved to attend classes for career mobility?

Yes. Classes have either been canceled or are now offered on-line allowing the employee to take the class during off hours. At this time, proper levels of staff must be maintained to meet agency operational needs.