

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 June 29, 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 applies to employees who 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. Employees should have received information from their respective agencies relative to their specific designation.

Employees are impacted by COVID-19 in different ways. As a threshold matter, the agency's response depends upon whether it employs healthcare workers and/or first responders. Agencies that employ healthcare workers in all settings (including hospitals, nursing homes, etc.) and/or first responders shall follow the [protocols](#) set forth by the Centers for Disease Control and Prevention (or "CDC") in effect as of April 30, 2020, as may be amended from time to time.

For state agencies that do not employ healthcare workers or first responders and for any circumstances not covered by the DPH Return-to-Work Guidance, agencies shall

apply the following protocols:

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 OR a state identified as having significant community spread (defined as a positive test rate higher than 10 per 100,000 residents or a state with a 10 percent or higher positivity rate over a 7-day rolling average).	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 from a state not identified in Level B.
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 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 telework is not possible, employee will be paid for the scheduled, non-worked hours within a 14 day calendar period under 5-248(a). If employee has previously exhausted paid leave under 5-248(a), any future self-monitoring or quarantine period may be covered by accrued leave (including sick leave), or the employee will be placed on unpaid leave. (If employee teleworks part-	If telework is not possible, employee will be paid for the scheduled, non-worked hours within a 14 day 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.)	Employee may request to use accruals to take time away from work consistent with standard policies

	<p>time, the 5-248(a) leave will provide wages for the balance of hours scheduled to work.)</p> <p>In any circumstance that falls under this level, the employee who must undergo self-monitoring or quarantine shall provide supporting documentation.</p>		
<p>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.</p>	<p>If a medical provider or government official directs an employee to stay home beyond 14 days, the employee may request leave per standard practice.</p>	<p>If employee's inability to come to work because of COVID-19-related disruptions continues beyond the 14 calendar days, the employee may request, per standard practice, to use any earned accruals, including sick leave, or take unpaid leave.</p>	

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 not identified in Level B (above) or a 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?

Please note that leaves under 5-248(a), the use of an employee's leave accruals and leave under FFCRA due to COVID-19 related absences can be taken independently and in no particular order*. Please refer to the FFCRA Job Aids for further guidance related to the processing and coding of FFCRA leaves. Otherwise, depending on the

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

ON THE TIMESHEET:

<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>14 calendar day period, Authorized Paid Leave Pursuant to 5-248(a) per grid in COVID-19 Guidance document: Use LOPD, used in conjunction with override reason code PDC19</p>
	<p>Personal Illness: Appropriate sick leave code then other accrual codes as necessary, used in conjunction with override reason code SCV19</p>
	<p>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>School, Daycare or Transportation closure (and when not teleworking): Appropriate leave code, used in conjunction with override reason code BCC19</p>

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>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>Personal Illness: Appropriate sick leave code and other accrual codes as necessary, used in conjunction with override reason code SCV19</p>
	<p>Caregiver of a family member who is sick with COVID-19 (and when not</p>

	teleworking): Appropriate sick leave code and other accrual codes as necessary, used in conjunction with override reason code SFC19
	School, Daycare or Transportation closure (and when not teleworking): Appropriate leave code, used in conjunction with override reason code BCC19
<p><u>Employee isn't working due to COVID-19</u></p> <p>Example: Essential, intermittent employee works staggered shifts on Monday, Wednesday and Friday and is not scheduled to be at the work site and cannot work remotely due to the nature of the work or technological constraints on Tuesday and Thursday. Tuesday and Thursday are to be coded as follows: Authorized Paid Leave: LOPD, used in conjunction with override reason code NEC19</p> <p>REMINDER: Paid leave is not afforded per diem employees.</p>	

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>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>Personal Illness: Appropriate sick leave code and other accrual codes as necessary, used in conjunction with override reason code SCV19</p>
	<p>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>School, Daycare or Transportation closure (and when not teleworking): Appropriate</p>

	leave code, used in conjunction with override reason code BCC19
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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.

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

* - The text in the right column of the grid in #7 has been changed to clarify these leave entitlements may be taken in any order. In other words, it is not necessarily the case that an employee would use accrued leave immediately following paid leave pursuant to 5-248(a). Therefore, the phrase, "In excess of 14 days" has been removed.

When an employee is called to active military duty in support of the COVID-19 response mission: Override Reason Code MIC19 is to be used with the applicable Military Leave Codes.

REMINDER: It is important agencies use ORC 'EWC19 - Emergency Worker due to COVID-19' when an employee is hired or rehired under an Emergency Appointment or rehired as a TWR to perform a critical function due to the impact of COVID-19 (see #48 below). All other COVID-19 ORCs must be used, as appropriate, for possible federal reimbursement at a later date.

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, including Military Leave, 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. See modified question and guidance concerning paid leave under C.G.S. Sec. 5-248(a) for spouses in #58 below.
9. See modified question and guidance concerning paid leave under C.G.S. Sec. 5-248(a) for spouses in #59 below.

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?

See guidance provided in #44.

- 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. An employee is entitled to a singular 14 day period of paid leave under 5-248(a), commencing on the date the first qualifying event begins. There is no additional paid leave provided under 5-248(a) for subsequent or multiple events.

- 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 sick leave bank, 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.

QUESTIONS REGARDING COVID-19 GUIDANCE- March 25, 2020

- 37. Are employees on second or third shift eligible for 14 days of paid leave under 5-248(a) when their child's daycare 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.

- 38. Is any additional compensation or compensatory time authorized for employees designated as Level 1 who must report to work?**

No.

QUESTIONS REGARDING COVID-19 GUIDANCE- April 1, 2020

- 39. When do the Level 1 and Level 2 designations as outlined in the March 22, 2020 Designation Guidance document apply.**

Designation levels apply immediately.

- 40. Once a person has tested positive for COVID19 or been informed by a physician that they are presumptive positive, and have not been tested but advised by a physician to not report for work, what documentation is necessary to return to duty, when able?**

The medical documentation requirements in each collective bargaining agreement or state personnel regulation should be followed, as appropriate. If a collective bargaining contract requires a medical certificate after five (5) or more working days, then an employee who has crossed that threshold for a COVID-19 related illness should provide documentation upon return. Temporarily, during the pandemic, agencies may accept an email or simple medical note from a treating physician, rather than the prescribed State Medical Certificate (form #P-33A).

QUESTIONS REGARDING COVID-19 GUIDANCE- April 8, 2020

- 41. How should I code my timesheet when the building where I normally work is closed due to this emergency pandemic situation and, due to the nature of my job or technological constraints, I am unable to work remotely?**

Time Reporting Code LWWTR along with Override Reason Code NEC19.

42. How should I code my timesheet when the building where I normally work is closed due to this emergency pandemic situation but I am able to work remotely?

Time Reporting Code REGTC for all hours you are able to work along with Override Reason Code TCC19; LOPD for hours you are unable to work along with Override Reason Code NEC19.

43. How do I code a holiday when I am absent from work due to a COVID-19 related reason?

The Time Reporting Code HOL is to be used when you do not work on the day a state holiday is observed, as is normally done.

44. An employee called out sick or we sent an employee home with COVID-19-possible symptoms. We arranged for the area(s) where the employee worked to be cleaned. What else should we do?

Agency HR should speak with the employee to identify the people with whom the employee interacted and the places the employee occupied when the employee was last at work. HR should follow the [CDC's guidance](#) concerning period of exposure risk to complete the ["Contact Sheet for Employees Who Have Worked in the Office"](#) to assist with contact tracing. HR shall also notify the employee about the various leave rights/accruals available to them.

The employee should be directed to notify agency HR if they receive a diagnosis of confirmed or presumptive COVID-19 and to contact agency HR before returning to work. If possible, agency HR should try to check in with the employee on a periodic basis.

When an employee notifies agency HR that they have a diagnosis of confirmed or presumptive COVID-19, agency HR shall do the following:

- Review the information previously provided by the employee regarding contacts to verify that the employee does not have any additional names or places to disclose.
 - If agency HR had not been able to complete the Contact Sheet before, it must be done at this stage. Follow the [CDC's guidance](#) on contact tracing.
- Notify agency leadership, Nick Hermes and Fae Brown-Brewton, providing the job title, union membership, shift, work location and last date of work. Do not provide the individual's name unless authorized to do so by the employee.
- Notify the agency's facilities personnel and/or property manager, providing only the relevant work location(s) and last date of work, so that additional, heightened cleaning can be implemented.
- Notify the individuals who had been identified as having contact with the employee informing them that they have been identified as having close contact with a person who has 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).

- If the employees are health care providers or first responders, follow the protocols set forth in the "[Return-to-Work Guidance for Healthcare Workers and First Responders during the COVID-19 Pandemic](#)". For additional, broader information regarding COVID-19 also published by DPH, see "[EMS Protocols and Communications \(listed by date\)](#)".
- For all other employees, direct them to self-monitor at home for 14 days from the date of contact and notify their health care provider(s). Do not provide the individual's name unless authorized to do so by the employee.
- Notify all employees who work in the building/facility where the affected individual worked informing them that a person who worked in that building has COVID-19, that individuals who were identified as having close contact have been notified and that additional cleaning has or will happen. For more information: [CDC Cleaning and Disinfection](#). Use the Sample Notice that was provided to Human Resources Offices previously. Do not provide the individual's name.
- Notify the statutory representative of the employee's union. Send the notice to the dedicated email address below, providing the job title, shift, work location and last date of work. Do not provide the individual's name unless authorized to do so by the employee. Provide the union with copies of the notice sent to employees who had close contact with the affected individual and the notice sent to all employees in the building. Notify the representatives of all bargaining units having members assigned to that location.

Union	Email Address
AFSCME Notification	covid@council4.org
1199 Notification	pfortier@seiu1199ne.org
CSEA Notification	COVID19@CSEA760.COM
A&R Notification	jdisette@andr.org
CPFU Notification	covidinfo@cpfu.org
CEUI Notification	cchisem@ceui.org
CT-AFT Notification	aft-ct-covid19@googlegroups.com

- In the rare case when an employee passes away due to COVID-19, agencies should promptly notify agency leadership, Nick Hermes and Fae Brown-Brewton, and the employee's union.

45. Our agency provides direct care to clients/patients/inmates. Do we need to notify our employees' unions when someone in our care has been diagnosed as having COVID-19?

Yes. On a weekly basis, HR should provide an accounting of the number of clients/patients/inmates who have been diagnosed as having COVID-19 and being COVID-19 presumptive positive to Nick Hermes / Fae Brown-Brewton.

Notify the statutory representatives of your employees' unions that have Bargaining Unit members assigned to that location as soon as possible.

Do not provide the names of the affected individuals, but it is appropriate to identify the specific work location. Each agency should be prepared to share its protocols regarding the isolation and care of such affected individuals and infection control with the union upon request.

QUESTIONS REGARDING COVID-19 GUIDANCE- April 13, 2020

- 46. Our agency would like to hire Temporary Worker Retirees (TWRs) to address gaps in critical areas. Some retirees have already served as a TWR during two calendar years. Has removal of the "two stints rule" been contemplated during the COVID-19 pandemic?**

Yes. [Executive Order 7J](#) suspends the two-year limitation for TWRs and the public acts that prevent the rehiring of individuals who retired under Retirement Incentive Programs. The restriction limiting the number of days a TWR may work to 120 days in a calendar year remains in effect.

QUESTIONS REGARDING COVID-19 GUIDANCE- April 14, 2020

- 47. Due to the COVID-19 pandemic, not all trainees are able to meet all of their program objectives. Has any consideration been given to extending the length of training programs under these extraordinary circumstances?**

Yes. [Executive Order 7M](#) extends the 3-year timeframe to reclassify an employee who has completed their training program as described in C.G.S. Sec. 5-234 by up to 90 days from the end of the Public Health and Civil Preparedness Emergency declared on March 10, 2020.

Agencies should review each training program carefully before determining the appropriateness of an extension. As a general rule an extension should be contemplated when program requirements are tied to duties, proficiencies, or achievements the employee has not been able to perform or accomplish satisfactorily due to the impact of COVID-19.

- 48. We have hired some employees under Emergency appointments and as TWRs, specifically because of the impact of COVID-19. Is there a COVID-19 Override Reason Code (ORC) we should use for these staff?**

Yes, effective February 28, 2020 ORC EWC19 – Emergency Worker due to COVID-19 is available for use. Reminder: It is important agencies use this and other COVID-19 ORCs for possible federal reimbursement at a later date.

QUESTIONS REGARDING COVID-19 GUIDANCE- April 20, 2020

49. In accordance with [Executive Order No. 7BB](#), must all employees wear a face covering all day, every day they are at work (outside of their home)?

No. The Executive Order requires employees wear a face covering whenever social distancing is not possible. Employees must comply with the Executive Order and any agency policy on this topic unless there is a medical condition that prevents compliance.

QUESTIONS REGARDING COVID-19 GUIDANCE- April 23, 2020

50. Can a supervisor require an employee to wear a face covering while at work?

Yes. Governor Lamont's 4/20 letter specified: "For that reason, I am directing all state employees to wear face coverings when they work outside their homes in areas where social distancing will be difficult, unless doing so would be contrary to their health or safety due to a medical condition." Please pay particular attention to the highlighted language. In keeping with Governor Lamont's directive, in workplace settings with acceptable social distancing, employees working alone in a segregated space (such as cubicles with walls, private offices, etc.) may remove their mask or face covering for the time they remain alone in that segregated space. Employees are expected to wear a mask or face covering from the time they enter the building until the time they arrive at their cubicle/work station and at any time they are leaving their work station and moving around common areas (i.e. in hallways and stairwells, going to the restroom or break room, etc.).

51. Do COVID-19 paid leave and/or changes to an employee's work arrangements during this period have any impact on the length of a Working Test Period?

As always, the determination to extend a Working Test Period is made on a case by case basis in accordance with General Letter 31 and with collective bargaining agreement language. Specific questions can be addressed to the Office of Labor Relations.

QUESTIONS REGARDING COVID-19 GUIDANCE- May 5, 2020

52. An employee who has been working remotely for the past month advised their supervisor they tested positive for COVID-19. Do we need to follow all of the guidance provided in #44?

No, not all of the guidance applies as the employee has not been in the building. Rather, Agency HR should notify the employee about the various leave rights/accruals available to them.

The employee should be directed to notify agency HR before returning to telework, *assuming the symptoms prevented them from doing work remotely.* If possible, agency HR should try to check in with the employee on a periodic basis.

When an employee notifies agency HR that they have a diagnosis of confirmed or presumptive COVID-19, agency HR shall do the following:

- Notify agency leadership, Nick Hermes and Fae Brown-Brewton, providing the job title, union membership, work location and last date of work. *In this case, indicate the employee has been working remotely since [approximate date].* Do not provide the individual's name unless authorized to do so by the employee.
- Notify the statutory representative of the employee's union. Send the notice to the dedicated email address below, providing the job title, work location and last date of work. *In this case, indicate the employee has been working remotely since [approximate date].* Do not provide the individual's name unless authorized to do so by the employee.

QUESTIONS REGARDING COVID-19 GUIDANCE- May 8, 2020

53. **We have Level 2 Constant (Non-Essential) and Level 1 Intermittent employees. We are unsure if 'LOPD' with 'NEC19' is appropriate for both groups. When should we use this TRC and ORC?**

The TRC 'LOPD' and the ORC 'NEC19' are appropriate in both situations, as follows:

- Level 2 Constant (Non-Essential) employees who cannot work (at all) due to the nature of their job or technological constraints: LOPD and NEC19
- Level 1 Intermittent or Per Diem Essential employees when not scheduled to work outside of the home (and the employee would otherwise receive pay on that day but for the pandemic), and who are not teleworking: LOPD and NEC19
- See #7 of the guidance to assist with all COVID-19 coding
- Questions concerning COVID-19 coding related to leave under 5-248(a) may be directed to Sean.M.Anderson@ct.gov and Linda.Ward@ct.gov - DAS Statewide HR Management - HR Policy & HRIS, Core-CT Time and Labor

54. **Must an employee provide medical documentation when they refuse to wear a mask (due to a medical condition)?**

If the employee can perform the essential functions of their position via telework, they should continue to do so. If the employee's position requires them to physically report to the worksite to perform their essential functions, the employee should be directed to contact their agency Human Resources unit to engage in the ADA accommodation process, which may include providing medical documentation if necessary. As part of the interactive process the employee should be provided with a description of the measures taken by the agency for disinfecting and social distancing. The employee should provide this information to their physician and obtain an opinion as to whether those measures are adequate to facilitate the employee's return to work or if additional accommodations are recommended.

QUESTIONS REGARDING COVID-19 GUIDANCE- May 26, 2020

55. **Are absences related to COVID-19 events as described above counted as an occasion?**

No.

56. **An employee was told by their physician not to report to work because their age or underlying health condition puts them at risk should they contract COVID-19. How is this handled?**

Assuming the employee is unable to telework, each case should be evaluated for employee leave eligibility under FFCRA, federal and state FMLA, SEBAC, ADA, collective bargaining unit agreements and state personnel regulations. The employee should be directed to contact their agency Human Resources unit to review leave possibilities and/or to engage in the ADA accommodation process. (See Question 57 below.) As part of the ADA interactive process the employee should be provided with a description of the measures taken by the agency for disinfecting and social distancing. The employee should provide this information to their physician and obtain an opinion as to whether those measures are adequate to facilitate the employee's return to work or if additional accommodations are recommended. All arrangements should be outlined clearly in correspondence to the employee.

57. **Is an employee that has one of the medical conditions that CDC says may put him/her at higher risk for severe illness from COVID-19 eligible for a reasonable accommodation under the Americans with Disabilities Act (ADA)?**

The ADA regulations require an employer to consider whether there are reasonable accommodations that would eliminate or reduce the risk so that it would be safe for the employee to return to the workplace while still permitting performance of essential functions. The EEOC has posted guidance documents (<https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws>) regarding these requests.

NOTE: The next two paragraphs and #58 and #59 below replace earlier guidance previously found in #8 and #9.

Employees are eligible to receive paid leave under 5-248(a) up to an amount equal to their regularly scheduled hours for a pay period. Effective May 20, 2020, this leave may be taken intermittently beyond the fourteen consecutive calendar day period previously set forth in this guidance, but only for those employees who have not taken paid leave equivalent to their regularly scheduled regular hours for a pay period. Those employees will be eligible to take any remaining leave intermittently, beginning May 20, 2020.

Employees who have taken an amount of paid leave equivalent to their regularly scheduled hours for a pay period have exhausted their benefit.

- 58. If spouses are both employed by the state, are they each eligible for paid leave under 5-248(a) to provide childcare?**

Yes. Each state employee is eligible for a full allotment of paid leave under 5-248(a), in an amount equivalent to their regularly scheduled hours for a pay period. Employees may request to use such leave for any qualifying situation or combination of qualifying situations. Therefore, the provision that allows for a parent to be at home with children means that each parent is entitled to use the full amount of paid leave for the purpose of childcare. As of May 20, 2020, parents who have already split the leave (per previous guidance) will each be entitled to use their respective remaining balances (if any) for any qualifying purpose; such balances may be taken intermittently.

- 59. Can a qualified individual access the paid leave 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 not to exceed an amount of paid leave equivalent to their regularly scheduled hours for a pay period. Effective May 20, 2020, employees may take any remaining leave entitlement intermittently, not to exceed an amount of paid leave equivalent to their regularly scheduled hours for a pay period.

QUESTIONS REGARDING COVID-19 GUIDANCE- June 4, 2020

- 60. An employee thinks that they may have gotten COVID through work, do they get Workers' Compensation benefits?**

If an employee believes that they have been infected with COVID-19 at work, they should notify their supervisor and file a claim: [Workers' Compensation Rights, Responsibilities, and Claims](#) . The claim will be reviewed by the State in accordance with the standard Workers' Compensation procedures.

QUESTIONS REGARDING COVID-19 GUIDANCE- June 11, 2020

- 61. Are there restrictions regarding return to work for employees who have traveled outside of Connecticut for leisure?**

It depends. For those employees who travel to a state that is **not** identified as having significant community spread, they, along with all others reporting to the worksite, must adhere to published protocols regarding safety (social distancing, wearing proper PPE, etc.); these steps are designed to prevent the spread of COVID19.

On June 24, 2020 Governor Lamont announced a travel advisory that individuals traveling from states with significant community spread of COVID-19 self-quarantine for 14 days from the time of last contact with the identified state. Many

employees will continue to telework, so for those employees, resuming work after travel to an [identified state](#) does not involve return to the workplace. However, for those employees who must return to the workplace following travel to an identified state, the agency and the employee must recognize that additional time away from work will be necessary due to this reason. If paid leave under 5-248(a) has not been exhausted, then the employee may utilize that entitlement. Otherwise, leave accruals will need to be used or the employee risks being placed on an unpaid leave of absence.

62. What are the restrictions regarding return to work for employees who have traveled internationally for leisure?

The CDC recommends all nonessential international travel should be avoided. Employees who travel outside of the U.S. must self-monitor at home for 14 days following their return. Many employees will continue to telework, so for those employees, resuming work after travel does not involve return to the workplace. However, for those employees who must return to the workplace, the agency and the employee must recognize that additional time away from work will be necessary due to this reason. If paid leave under 5-248(a) has not been exhausted, then the employee may utilize that entitlement. Otherwise, vacation accruals will need to be used or the employee risks being placed on an unpaid leave of absence.