



**Coronavirus Disease (COVID-19)
Employee FAQ Sheet
As of April 9, 2020**

1. Can my department require that I provide information about my recent travel to countries considered to be high-risk for exposure to the coronavirus or ask for medical clearance upon my return from traveling?

Employers can request but not demand that you inform them if you are planning or have traveled to [countries considered by the Centers for Disease Control and Prevention \(CDC\) to be high-risk areas for exposure to the coronavirus.](#)

Obtaining a medical clearance is currently not part of the CDC guidelines. If you travel to a high-risk area you will have to self-quarantine per the CDC guidelines <https://www.cdc.gov/coronavirus/2019-ncov/travelers/after-travel-precautions.html>. However, high-risk areas can and/or may change therefore the guidelines will change.

2. If I call in sick, can my department ask me questions regarding my symptoms?

Yes, but the inquiry must be limited. Although your department cannot ask you regarding your medical diagnosis, they can ask you if you have symptoms similar to those of COVID-19. This information is necessary to ensure the County maintains a safe and healthy working environment for our employees.

3. Can my department restrict my personal travel to all locations under a CDC travel advisory?

No. An employer cannot restrict personal travel.

4. Can I refuse to travel on County business, if required to perform my job duties?

Under the Federal OSHA, you can only refuse to work when a realistic threat is present. The County's Public Health Department website has updates on their local COVID-19 status, or visit the [CDC](#) website for additional travel guidance. Nonetheless, if you have concerns regarding traveling for business and fear of catching COVID-19 coronavirus, try to work out an amicable resolution with your department.



5. Can I be asked to perform duties outside my regular assignment during an emergency?

All County employees by the nature of their employment are classified as disaster service workers. You may be called upon to perform duties other than your regular assignments to aid County emergency efforts.

6. Can my department ask me to leave work and go home if I am showing symptoms of a communicable illness?

Yes, your department may ask you to go home if you are showing signs of a communicable disease. Given the current heightened concerns regarding the COVID-19 virus and due to County's obligation under the California Occupational Safety and Health Act ("Cal-OSHA") to maintain safe and healthy work conditions for employees you may be sent home.

7. What if I believe it is just a cold or allergies?

An employer cannot be reasonably expected to medically distinguish the difference between symptoms of allergies, common cold, flu or other non-serious conditions from COVID-19. It is the County's responsibility under Cal-OSHA to provide safe and healthy work conditions. To this end, the County must in a consistent manner, apply the same standard to all employees who are symptomatic and you may be sent home.

8. If I am sent home, what is my pay status after being sent home?

You will be required to use your accrued leave balances during this absence. The County Executive Officer is directing Department Heads to allow the use of any accruals and in any order until April 30 without the need to follow any prerequisites (such as pre-approval for the use of vacation). Therefore, if you have exhausted your sick leave you will be allowed the use of vacation time, comp time or administrative leave without any further requirements. This will also apply if you volunteer to go home when experiencing symptoms. Should you not have accrued leave balances to use or should deplete them while you are out sick, please contact Human Resources.

Additionally, all departmental attendance policies are hereby suspended for the next 30 days.

*Beginning April 1, 2020, you may qualify for the Emergency Paid Sick Leave. Please see question 18.



9. When can I return to work? Will I be asked for a doctor’s note?

If you have not been diagnosed with COVID-19, you may return to work once you are asymptomatic without the need for a doctor’s note. If you wish to return to work while you are still symptomatic, you must seek medical certification from your treating physician noting that the symptoms are non-communicable.

As an example, if you have a cough, you may return to work without a doctor’s note when you are no longer coughing. However, if you wish to come back and still have a cough, you may do so but after being cleared by a treating physician that your symptoms are non-communicable.

If you are sent home due to a confirmed case of COVID-19 or confirmed to have such, while at home, you will be required to provide medical certification from a qualified medical practitioner prior to returning to work.

10. Can I be sent home if I do not have symptoms but staff is still concerned?

No. However, there may be restrictions placed on you for travel related recommendations from the CDC.

11. When does a leave become FLMA/CFRA?

The FMLA/CFRA protects eligible employees who are incapacitated by a serious health condition, as may be the case when COVID-19 complications arise. Therefore, if your doctor believes you or your family member are suffering with a “serious health condition,” please submit a request for leave of absence and the corresponding medical certification as found in the Human Resources webpage.

If you contribute to California SDI through your regular paychecks, California EDD—who enforces the California State Disability Insurance (SDI) and Paid Family Leave (PFL) insurance—approved expansion of SDI and PFL benefits for COVID-19. This means employees who contract or are quarantined due to COVID-19 may apply for SDI benefits, and similarly, employees who need to take time off to care for a family member who has contracted or is quarantined due to COVID-19 may apply for PFL benefits. The state is coordinating with the Center for Disease Control (CDC). They issued information about business slowdowns and other relevant information. Here is the link to CA EDD’s information page: https://edd.ca.gov/about_edd/coronavirus-2019.htm

12. What if I want to wear a face covering or utilize other preventative items?

Your department cannot prevent you from using a face covering or utilizing other personal preventive measures. However, we recommend that you first review the recommendations by the CDC including:



- Washing your hands frequently and thoroughly (including the top, bottom, between fingers and thumbs, with soap and water for at least 20 seconds).
- Covering your mouth and nose with a tissue when coughing or sneezing (cough or sneeze into your elbow if a tissue is not available – never into your hands).
- Not touching your face.
- Practicing good hygiene such as disinfecting common surfaces like doorknobs, tables, desks, and smartphones regularly.

The CDC has put together information regarding the “Use of Cloth Face Coverings” which can be found by going to [cdc.gov/coronavirus](https://www.cdc.gov/coronavirus).

13. Can I refuse to assist in the disinfecting of my work area as recommended by the CDC?

If you are being provided with the appropriate equipment and instructions and doing such cleaning has no known increase risk, your department has the right to request that the work be done.

14. My Child’s school closed, can I take time off to make child-care arrangements?

Yes. You are entitled to use up to 40 hours per year for school-related emergencies, including school closures. You may elect to use your accruals, including sick leave, during this time or take leave without pay.

Additionally, effective March 20-April 30, the County granted paid time off (COVID-Paid Leave), if you cannot work (any work schedule) or telecommute because you lack child-care.

The County’s COVID-Paid Leave is in addition to time off granted by the Families First Coronavirus Response Act (FFCRA). Once the County’s COVID-Paid Leave ends on April 30, you can request the use of your Emergency Paid Sick Leave and Extended FMLA by submitting the “Child Care Leave Request Form” available through the intranet.

15. I’m a full time employee and my department sent me home with pay pending a work assignment (COVID-Unassigned). Do I have to call my department back if they contact me on my paid day off?

The County has decided to compensate employees during their unassigned day off to assist in social distancing. However, your department may need you to report back to work if their operations change. You must therefore answer the calls from your department and/or return their call within a reasonable time (15 to 30 minutes). Failure to return a call would result in not qualifying for the COVID-Unassigned pay for that day.

16. What is the County’s COVID-Paid Leave and how do I qualify?

The County has decided to offer COVID-Paid Leave to full time employees that fall under the following circumstances beginning March 20, 2020-April 30, 2020:



- You are over 65 years old and no telecommuting is available and you request to be off to self-quarantine
- You have been diagnosed with COVID-19 or seeking such diagnosis (test)
- You lack child-care and there is no telecommuting available and/or your department is not offering you an alternative work schedule.

If you are granted a leave due to a diagnosis or pending diagnosis of COVID-19, you will need to submit a release from the doctor before returning to work.

*This benefit is extended to extra-help first responders who continue to work during this COVID-19 situation. For the purpose of this COVID-Paid Leave, first responders include Deputy Sheriffs (all levels), Firefighters (all levels) and Nurses.

17. What if I don't qualify for the County's COVID-Paid Leave and I need to take time off due to COVID-19?

Effective April 1, 2020, you may qualify to use 10 days of paid leave under the Emergency Paid Sick Leave options listed in question 18. Additionally, you may qualify for unpaid time off under FMLA/CFRA if you or a family member has a "serious health condition".

18. What is the Emergency Paid Sick Leave and How do I qualify?

The Families First Coronavirus Response Act (FFCRA) that becomes effective April 1, 2020, provides 10 days (up to 80 hours) of paid leave for coronavirus related reasons.

Beginning April 1, 2020 through December 31, 2020, you may take Emergency Paid Sick Leave as follows:

1) 10 days at 100% your regular rate of pay (maximum 80 hours) if you are unable to work or telework for the following reasons (Up to \$511 per day and \$5,110 aggregate):

- You are subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
- You have been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- You are experiencing symptoms of COVID-19 and seeking a medical diagnosis

2) 10 days at 2/3 your regular rate of pay if you are unable to work or telework for the following reasons (up to \$200 per day and \$2,000 aggregate):

- You are caring for an individual who is subject to a Federal, State, or Local quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.



- You are caring for a son or daughter if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions. Employees who have been employed for at least 30 days prior to their leave request may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave.
- You are experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

19. Can I use my accruals to make up for the additional 1/3 pay not included under Emergency Paid Sick Leave?

Yes, you may use your accruals to supplement the 2/3 pay provided under FFCRA.

20. How does the County's COVID Paid Leave offered from March 20, 2020 through April 30, 2020 overlap with the Emergency Paid Sick Leave?

If you qualify for the County's COVID Paid Leave, you do not need to use your Emergency Paid Sick Leave. Use the Emergency Paid Sick Leave when you no longer qualify for the County's COVID Paid Leave and still require time off due to any of the reasons listed in question 18.

21. Does the California Governor's "shelter in place" qualify as a quarantine order? Does it trigger the Emergency Paid Sick Leave?

Although the "shelter in place" order may qualify for a quarantine order under the Emergency Paid Sick Leave, this same order excludes essential government workers. Therefore, since you are a government employee and being asked to perform work, you are excluded from the order. It does not trigger the benefit under the Emergency Paid Sick Leave for you to self-quarantine.

22. The FFCRA excludes first responders and health care providers. Will the County exclude these classifications?

No. The County has elected to offer this benefit to all employees, including first responders and health care providers.

23. Will I still qualify for the extended FMLA benefit for child care needs if I already used my FMLA/CFRA time in the last 12 months?

No. The extended FMLA is not in addition to your 12-week entitlement. Therefore, if you have already used your FMLA in the preceding 12 months, you would not qualify for this protection.



24. What will my department ask me to provide to grant me the Emergency Paid Sick Leave?

The County has developed an Emergency Paid Sick Leave request form that must be completed and submitted to your department for review and approval. The form must include the recommendation from a health care provider.

25. Does the Emergency Paid Sick Leave accrue indefinitely?

No. The Emergency Paid Sick Leave is only available from April 1, 2020 through December 31, 2020.

26. I'm an extra-help employee, do I qualify for the Emergency Paid Sick Leave?

Yes. If you were scheduled to work on/or after April 1, 2020, you may qualify for the Emergency Paid Sick Leave on a pro-rata basis. However, if you have recently filed for unemployment, please contact the unemployment office to determine if using the Emergency Paid Sick Leave impacts your benefits.

27. What if I have a disability that requires that I take additional precautions at work?

The County will review all requests for a reasonable accommodation through our usual ADA process. Please submit the ADA accommodation request form located at www.co.imperial.ca.us under Human Resources with the recommendations of your health care provider and submit them to the Human Resources Department.

28. What happens when I exhaust my Emergency Paid Sick Leave and I'm still in need of additional time off?

As indicated in question 11, if during your time off your health care provider determines that you have a "serious health condition" and require additional time off, you may qualify for an unpaid leave of absence through FMLA/CFRA. During any approved FMLA/CFRA leave of absence, you may use any of your accruals.

29. Who is considered a "son" or "daughter" under the FFCRA?

Under the FFCRA, a "son" or "daughter" is your own child, which includes your biological, adopted, or foster child, your stepchild, a legal ward, or a child for whom you are standing in loco parentis, that is under the age of 18. A "son" or "daughter" is also an adult son or daughter (18 years or older), who (1) has a mental or physical disability, and (2) is incapable of self-care because of that disability.

30. Why is the County requesting information regarding who takes care of my child(ren) after hours?

The Department of Labor has clarified that the EPL only applies when you need to, and actually are, caring for your child(ren). If another suitable individual, such as a co-parent, co-guardian, or the usual childcare provider is available to provide the care, you would not qualify for paid leave.



31. I've been offered telecommute and/or an alternative work schedule but my child requires special supervision and/or care that prevents me from performing all or part of my work. Do I still qualify for Emergency Paid Leave?

Yes, if you are unable to perform those telecommuting tasks because your child requires special supervision and/or care, and there is no other suitable individual to provide the care, you would qualify for EPL.

Your department will require that you document those special circumstances in the newly created "Child Care Employee Request" Form available in the intranet.

32. My circumstances allow me to only work and/or telework certain days or hours, can I use the leave intermittently while teleworking?

Yes, but you and your department must agree to the schedule. Departments have been asked to be flexible in their work schedules and to work with employees on addressing individual concerns.

33. What does it mean to be seeking a COVID-19 diagnosis?

To qualify for both the County's COVID-PAID leave and for the EPL, you must be taking affirmative steps to obtain a medical diagnosis (test). You may not take paid sick leave to self-quarantine without seeking a medical diagnosis.