



**Coronavirus Disease (COVID-19)
Employee FAQ Sheet
As of June 23, 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, 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 COVID-19 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 August 31, 2020 without the need to follow any prerequisites (such as pre-approval for the use of vacation). However, this does not include waiving County Ordinance 3.08.230 (B) regarding the use of vacation during your initial probationary period.

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 until August 31, 2020.

*Beginning April 1, 2020, you may qualify for the Emergency Paid Sick Leave. Please see question 15.

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 have a confirmed diagnosis of COVID-19, please refer to question 38 below for return to work guidance.

10. What if I want to take personal preventative measures at work to feel safer?

Your department cannot prevent you from taking other personal preventive measures as long as they do not disrupt operations. However, we recommend that before considering the additional measures to take, 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).

11. Do I have to wear a face covering if I have an office?

If you are unable to maintain a minimum of 6 feet separation with other coworkers around you, then face coverings must be worn.

12. Do I have to wear a face covering in hallways?

It is recommended face coverings are worn in hallways as it is not certain someone can maintain a minimum of 6 feet separation with other individuals at all times.

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.

In addition to the County’s COVID-Paid leave that was available March 20-April 30, you may be eligible for time off through Expanded FMLA (question 28).

15. What is the Emergency Paid Sick Leave (EPL) and how do I qualify?

The Families First Coronavirus Response Act (FFCRA) that became 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 (EPL) 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 (please read question 38). Both EPL and EFMLA run concurrently.
- 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.

Although you may be eligible to use the EPL for any of the reasons above, the total

amount of time off is still limited to 10 days (80 hours). Employees are **not** entitled to 10 days for reason (1) above and then 10 more days for reason (2).

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

To qualify for the EPL, you must be taking affirmative steps to obtain a medical diagnosis (test). For the safety of your co-workers, your department will request confirmation of your test results.

17. Does the California Governor’s “shelter in place” qualify as a quarantine order? Does it trigger the Emergency Paid Sick Leave (EPL)?

Although the “shelter in place” order may qualify for a quarantine order under EPL, this same order excludes essential government workers. Therefore, it does not trigger the benefit under the EPL for you to self-quarantine. However, you may still qualify for EPL to self-quarantine if a health care provider recommends that you do so.

18. Who is considered a “son” or “daughter” for Emergency Paid Sick Leave (EPL)?

Under EPL, 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.

19. The FFCRA excludes first responders and health care providers. Will the County exclude these classifications from receiving Emergency Paid Sick Leave (EPL)?

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

20. I’m an extra-help employee, do I qualify for the Emergency Paid Sick Leave (EPL)?

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

21. What will my department ask me to provide to grant me the Emergency Paid Sick Leave (EPL)?

The County has developed an EPL request form that must be completed and submitted to your department for review and approval. The form is available through the intranet. When submitting the form, you must include the recommendation from a health care provider.

22. Does the Emergency Paid Sick Leave (EPL) accrue indefinitely?

No. EPL is only available from April 1, 2020 through December 31, 2020.

23. Can I use my accruals to make up for the additional 1/3 pay not included under

Emergency Paid Sick Leave (EPL)?

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

24. What happens if I do not use my accruals to supplement the 2/3 pay under the Emergency Paid Sick Leave (EPL)?

As a reminder, you receive ICERS service credit on an hour-for-hour basis. If you do not elect to use accrued leave credits to supplement your 2/3 pay in order to receive your full regular compensation, you will receive only 2/3 of the ICERS service credit you would normally receive for paid leave. The same applies for vacation and sick leave accruals. Your accruals will be pro-rated based on actual hours paid.

25. Can I buy back retirement service credit if I take unpaid Emergency Paid Sick Leave (EPL) for childcare?

If you take any *unpaid* leave solely for the purposes of providing childcare or care of another individual, you will not be eligible to purchase ICERS service credit for that leave period. For additional information regarding ICERS service credit, please contact retirement at (442) 265-7550.

26. Can I use the Emergency Paid Sick Leave (EPL) on an intermittent basis?

Yes, you can request to use your leave intermittently. Your department will make a final determination if it is operationally feasible to approve it. You will be able to use up to 80 hours of leave and/or until you reach the compensation limits listed on question 15, whichever is first

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

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.

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

28. What is the Expanded FMLA (EFMLA) benefit and how do I qualify?

Under the FFCRA, employees who have been on the payroll for at least 30 calendar days will be eligible under Expanded Family Medical Leave (EFMLA) only when their child/dependent's school or child care provider is closed because of COVID-19 and alternative options such as performing duties via telecommuting is not available. The EFMLA leave is currently available through December 31, 2020.

Employees can use up to 12 workweeks of job-protected leave with the continuation of health insurance. The initial 2 weeks are unpaid (waiting period). For the following 10 weeks, you will be paid at an amount no less than two-thirds of the regular rate of pay for normally scheduled hours. This paid leave is also capped at \$200 per day and capped at \$10,000 in total benefits.

Your department will require that you submit a Child Care Leave Request Form to confirm you qualify for EFMLA.

29. I have 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. Would I still qualify for Expanded FMLA (EFMLA)?

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 EFMLA. This is assuming you meet all other EFMLA requirements.

Your department will require that you document those special circumstances by completing the "Child Care Leave Request" Form available through the intranet.

30. If I requested Emergency Paid Sick Leave (EPL) for childcare, will I still be entitled to 12 additional weeks of EFMLA?

No. If you are requesting EPL for childcare closures, the County will run your EPL concurrently with EFMLA. The total amount of time off for childcare will not exceed 12 workweeks.

31. Can I use my accruals during the 2 week unpaid waiting period under Expanded FMLA (EFMLA)?

Yes, you can use your accruals. You may also use your EPL (as defined in question 15). If you elect not to use your accruals and/or EPL, you will accrue ICERS service credit and sick/vacation on a pro-rata basis (refer to questions 24 and 25).

32. My childcare provider is not available the entire time that I'm working. Can I use my EFMLA leave intermittently?

Yes, but you and your department must agree to the schedule. Upon agreeing to your work schedule, you may use your EFMLA to cover any hours that you cannot work for childcare reasons. EFMLA provides for 480 hours to use intermittently.

33. Will I still qualify for Expanded FMLA (EFMLA) benefit for childcare needs if I already used my FMLA/CFRA time in the last 12 months?

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

34. If I don't qualify for EFMLA as stated above, can I still use the Emergency Paid Leave (EPL)?

Yes, you can use your EPL if you are not eligible for EFMLA.

35. 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.

36. I have been asked to self-quarantine due to a family member testing positive. Can I continue to work?

Except for first responders, it is the County's policy that employee's that have been asked to self-quarantine remain off the workplace. You may qualify to use EPL (question 15) to cover your absence. Additionally, in an effort to assist you through this process, the County has prepared a Self-Quarantine Order Guidance. This guidance is available through the County's intranet.

37. I heard that my co-worker's family member tested positive for COVID-19 but he/she is still at work. Shouldn't he/she be sent home?

Not necessarily. Although you may hear or read information through unofficial sources, such as social media, regarding your co-worker's family member testing positive, he/she may not have been exposed. A potential exposure, as defined by the CDC, means being a household contact or having close contact within 6 feet of an individual with confirmed or suspected COVID-19. The timeframe for having contact with an individual includes the period of time of 48 hours before the individual became symptomatic.

Therefore, the information you hear may not account for other important facts, such as individuals following social distancing guidelines and wearing a face mask.

38. I tested positive for COVID-19. Can I telecommute? When can I return to work?

You will not be able to telecommute if you have tested positive. This is to ensure your prompt recovery. However, you may qualify to use your EPL (refer to question 15).

In order to return to work, you will be asked to submit a doctor's release and complete a Return to Work acknowledgement (available through the intranet). The Return to Work acknowledgement requires that you verify that you have complied with the Self-Isolation order provided to you via Public Health and that you are no longer experiencing any symptoms.

38. I tested positive for COVID-19. Can I submit a doctor's note from a Mexico provider?

Yes, the County will accept your release from a Mexico Provider. However, the County may require that you also receive clearance from a provider of the County's choice. If a second clearance is required, Human Resources will make the arrangements and cover the expense.

39. My building was recently closed due to a co-worker testing positive for COVID-19. Since the department will not disclose the name of the employee that tested positive, how will I know if I was potentially exposed?

When the County receives a notification that an employee has tested positive for COVID-19, Public Health will reach out to the employee and complete a "contact" form. The "contact" form will have specific questions to determine if any co-workers were potentially exposed due to close contact.

An individual is considered to be a close contact of a COVID positive person if, within 48 hours before the symptoms began, you:

- a. Were within six (6) feet of a COVID positive person for more than fifteen (15) minutes; or*
- b. Had unprotected contact with the body fluids and/or secretions (including but not limited to being coughed on or sneezed on, sharing utensils, or drinking out of the same container) of a COVID positive person.*

Therefore, if you are following social distancing guidelines and using your mask as required, potential exposures will be minimal at your worksite.

Upon completing the contact form, Public Health will determine the potential exposures. A potential exposure notice will be sent to you from Human Resources via your department. The notice will advise you of the potential exposure and provide you with self-monitoring guidelines. Self-monitoring involves tracking your symptoms for 14-days from the date you were exposed.

If you do not receive a notice from Human Resources, you have not been determined to be "potentially exposed". You should therefore follow any directives from your department regarding reporting to work.

40. What instructions will I receive if I have been determined to be "potentially

exposed” by Public Health?

Beginning June 12, 2020, if you are potentially exposed at the workplace you will be required to get tested through special arrangements made by Human Resources.

The notice reference in question 39 will give you specific instructions on testing requirements, self-monitoring guidance and any applicable return to work guidance. Every notice is different, as the self-monitor dates will vary depending on the last date you had close contact with the COVID positive employee.

Additionally, although CDC guidance allows for essential employees, such as yourself, to continue to report to the worksite, you may also have other options. These options may include telecommuting and/or be on a paid leave of absences pending the results of you test.

We therefore recommend that you review the notice carefully as it will include guidance specifically for your work assignment and coincide with the needs of your department.

41. What if I didn’t receive a notice from Human Resources but I still want to get tested as a precaution?

The County cannot prevent you from seeking a COVID-19 test. However, the County requires that employees seeking a diagnosis remain off the workplace (except first responders). As a reminder, you can use your EPL leave (question 15) if you are seeking a COVID-19 diagnosis.

You may telecommute if it is operationally feasible. Before returning to the workplace, you will need to confirm to your department that you have tested negative and that you have no symptoms.

42. Will I get paid for the time that the building is closed?

If your building is closed and you cannot telecommute for that time, the County will pay you for any lost time. This time will show as “regular” pay in your pay stub.

43. How will I know if a building has been sanitized?

To ensure that all employees receive notice, the cleaning company will place a flyer at the building entrance. The notice will most likely read “Pathogen Disinfection”. The County has contracted with MYLO Corporate Maintenance and Janitorial Services for disinfecting services. Their scope of work includes applying an appropriate EPA registered COVID19 disinfecting product and procedure for all touchpoints at the facility. Such work is performed according to CDC standards.

The disinfecting process will occur after all employees have exited the building. In addition, since the disinfecting usually occurs after regular business hours, your department may ask you to return to the workplace as early as the next morning.