

CITY OF WYOMING EMPLOYMENT POLICIES RELATED TO COVID-19 OUTBREAK

Employees are reminded the COVID-19 pandemic is a dynamic and rapidly changing global situation. Policies and statements contained within this Policy are subject to change as more direction from Federal, State and Local governments is received.

I. BACKGROUND

The recent outbreak of COVID-19 was declared a pandemic by the World Health Organization on March 11, 2020. Since that time, President Trump, Governor DeWine, Hamilton County, and the City of Wyoming have all declared the outbreak to be an emergency. The City of Wyoming realizes the importance of maintaining a healthy workforce, especially during times of potential stress and risk of exposure to infectious disease. It is critical the City protect the workforce for the safety of the employees, and to prevent undue disruptions to staffing resulting in diminished delivery of service.

The COVID-19 virus is transmitted from person to person through small droplets from the nose or mouth which are spread when a person with COVID-19 coughs or exhales. These droplets also land on objects and surfaces around the person. Other people then catch the COVID-19 virus by touching these objects or surfaces, then touching their eyes, nose, or mouth. The CDC recommends people exercise good hygiene practices, “social distancing” and maintain a 6 foot distance from others. It is possible to catch the virus from someone even before they have symptoms, which can take up to 14 days to develop after exposure. It may also be possible to catch the COVID-19 virus by touching a surface or object that has the virus on it and then touching your mouth, nose, or possibly eyes.

Symptoms of COVID-19 are as follows: fever, fatigue, cough (usually dry), aches and pains, sore throat, headaches, and shortness of breath.¹ More information about COVID-19 and the outbreak are available at www.coronavirus.gov and www.coronavirus.ohio.gov.

All City employees must exercise their utmost diligence to minimize exposure to and spread of COVID-19 until the pandemic is no longer creating a declared state of emergency.

¹ World Health Organization, Centers for Disease Control and Prevention.

II. TRAVEL

- A. Employees are required to inform the City of any travel plans, domestic or international. Such disclosure should include dates of travel, travel destination, and flight path or method of travel (i.e. air travel, cruise, train). Failure to disclose travel plans to the City could result in discipline, up to and including discharge.
- B. Employees should be cognizant that they may be subject to in-country quarantine or other disease control measures beyond the control of the City and/or the U.S. government.
- C. If healthcare is received abroad, upon departure from the country affected by the COVID-19 and upon reentry to the United States, employees may be required to declare the treatment and may be subject to additional screenings or requirements, including voluntary and involuntary quarantine by public health officials at the point of departure or upon arrival in the United States.
- D. Employees who travel to any area, including within the United States, affected by COVID-19 may be prohibited from returning to any City facility until they complete appropriate health monitoring and/or screening, as recommended by the CDC (which may include up to fourteen (14) symptom-free, calendar days from the date of departure from the outbreak locale) and it can be determined that he or she is neither infected with the disease nor poses an exposure risk to City or its employees.
- E. The City does not restrict non job-related travel. However, the following conditions will currently be in effect if an employee chooses to travel:
 - 1. International Travel (by any means of transportation) will require a fourteen (14)-day self-quarantine period.
 - 2. Domestic Travel (by any means of transportation) may require a fourteen (14)-day self-quarantine period.

If a self-quarantine is required due to non-job-related travel, employees will be required to use paid time off, unless the time off is covered by the leave policies below.

III. WORK FROM HOME POLICY

A. Purpose

The purpose of this policy is to establish requirements and guidelines for employees who have been authorized or instructed to work remotely during the COVID-19 State of Emergency. "Remote working" is a work flexibility arrangement under which an

employee performs their work duties and responsibilities from an approved worksite other than the location from which the employee normally reports to work.

Remote working may be approved or ordered for those employees who are able to perform job duties remotely without utilizing a city facility workspace. The intention of remote working is to maintain all City service operations while controlling workplace exposure. Remote working is not leave from work duties; it is working remotely to continue to fulfill the essential duties of your job.

B. Scope

This policy applies to all employees specifically authorized or instructed by the City Manager to work remotely. Not all positions in the City are appropriate for remote working. The determination of which employees may or should engage in remote working is at the sole discretion of the City Manager. The City Manager may rescind any authorization or instruction to work remotely at any time.

C. Requirements

1. Location for Remote Working.

- a. The workspace must be safe and free from hazards.
- b. The workspace must be reasonably free from interruptions and distractions that would affect optimal work performance.
- c. The workspace must allow for the employee to preserve the confidentiality of sensitive or non-public information.
- d. The workspace must be quiet and allow for professional communications for employees who must verbally communicate with others as part of their job duties.
- e. Employees working remotely shall not meet with the public or clients in their home office in any official capacity or connected with City business without the consent of the City Manager.
- f. The City is not responsible for any loss to the Employee's property whether caused by physical damage, a computer virus or other intrusions over the internet.
- g. Employees utilizing City equipment while working remotely must protect the equipment from damage and use the equipment consistent with all City policies.

- h. All Employees working remotely must have a working internet connection and internet access available at their workspace that will allow for the successful connection to the City internet server.

2. Hours of Work.

- a. Non-Exempt Employees are authorized to work remotely during their normally scheduled workdays and hours or on days/times pre-approved by their supervisor. Non-Exempt Employees may not work outside those days and hours without prior supervisor approval. Non-Exempt Employees are responsible for accurately reporting their time worked each day.
- b. Any Employee assigned or permitted to work remotely shall be remotely connected and available throughout the entire workday and subject to all employment and conduct rules as if they were working in their normal worksite at the City.

3. Reporting for Work.

Employees must communicate with their supervisor via e-mail when beginning the workday, when leaving and returning from lunch and at the end of the workday. Employees who do not work for all or a portion of a workday they are working remotely must use appropriate leave when not working. The City is not responsible for paying employees who are working remotely if they are unable to perform work due to operational or technological issues such as an adequate internet connection unless the matter relates to a problem caused by the City's system or network.

4. Communication.

While working remotely, employees must be reachable by the City during their normal working hours, and any other days/times pre-approved and designated by their supervisor or the City Manager. If the Employee becomes aware of or anticipates any disruption in technological communication during their normal working hours, they must immediately notify their supervisor.

5. Security and Confidentiality.

While working remotely, employees must take steps to preserve the security and confidentiality of City information. Employees must keep confidential documents, records and materials in secure locations. Employees must maintain password protection to the same extent as required at the workplace. If working on personal devices, employees must have valid up-to-date anti-virus software and appropriate

computer and internet security installed and activated. Any suspected hacks or breaches of security must be reported to the City immediately.

6. Supplies.

Before beginning to work remotely, Employee should obtain from the City any office supplies needed to perform their job including, but not limited to, copy paper, City letterhead, and any other essential tools to use in their remote workspace for City purposes only. All Employees who are working remotely shall ensure they have the most recent copy of the City directory, emergency phone list or contact list so they can reach any City employees needed to perform their job.

7. Public Records

Employees must preserve and not destroy any public records generated while working remotely consistent with state and federal law and the City Records Retention Policy.

D. Policies

This remote working arrangement does not change the basic terms and conditions of employment, including rate of pay and benefits. Employees are expected to comply with all Employer policies, procedures, and performance standards.

E. Duration

This policy may be revoked at the sole discretion of the City Manager at any time without notice.

IV. EMPLOYEES REPORTING TO WORK

- A. Temperature. All employees are expected to take certain measures to avoid the community spread of COVID-19 in the workplace. As a precaution, the City requires that all employees that must report to work take their temperature before leaving and prior to arriving at work. Any employee with a temperature of 100.4 or more should not report to work and should notify their supervisor immediately.
- B. City Facilities. While the City of Wyoming is a public entity and many City buildings are public spaces, the City has taken steps to minimize or prohibit the public from entering such buildings in order to prevent the spread of COVID-19. If a building is closed to the public, Employees are expected to abide by such prohibitions and not invite or allow members of the public to enter a building. Please direct any inquiries from the public to the City Manager.

C. Hygiene. Employees must practice good hygiene at work.

1. Stop handshaking; use other noncontact methods of greeting
2. Wash your hands frequently, especially after touching any frequently used item or surface
3. Avoid touching your face
4. Sneeze or cough into a tissue or the inside of your elbow and dispose of the tissue immediately
5. Disinfect frequently used items (such as cellphones, keyboards, telephones) and surfaces as much as possible

D. Social Distancing. Consistent with Director's Stay at Home Order, all essential employees, as designated by the City Manager, reporting to work shall comply with the following:

- a. Maintain a six foot distance from other employees. Supervisors and Department Heads shall designate with signage, tape, or other means six-foot spacing for employees and members of the public at public access points to maintain appropriate distance.
- b. Regularly use hand sanitizer or sanitizing products. Supervisors and department heads shall ensure that hand sanitizer and sanitizing products are readily available for employees or members of the public at public access points.

V. CALLING OFF

- A. Employees who are experiencing signs of illness should not report to work. If the employee is experiencing any of the symptoms related to COVID-19, the employee must provide a medical certification before he or she may return to work.
- B. If an employee becomes ill at work with acute respiratory illness symptoms (i.e. cough, shortness of breath, fever), the employee should notify his or her supervisor so the employee can be separated from other employees and sent home immediately. Employees should notify supervisors by telephone or email, if possible.
- C. Employees who are well but who have a sick family member at home who has tested positive for COVID-19 should notify their supervisor and refer to

CDC guidance for how to conduct a risk assessment of their potential exposure.

- D. If an employee tests positive for COVID-19, the City will inform fellow employees of their possible exposure but maintain confidentiality as required by the Americans with Disabilities Act (ADA). Employees exposed to a co-worker with confirmed COVID-19 should refer to CDC guidance for how to conduct a risk assessment of their potential exposure.
- E. If you test positive for COVID-19, please contact your supervisor by phone or email. You will not be allowed to report to work for at least 14 days.

VI. LEAVE POLICIES

A. City Leave Policies

Employees should refer to their Personnel Manual for the City's leave policies. Such policies shall remain in place during the COVID-19 emergency declaration.

B. Emergency Family and Medical Leave Expansion Act (*Effective April 1, 2020 through December 31, 2020*)

The Emergency Family and Medical Leave Expansion Act (EFMLEA) amends and expands FMLA on a temporary basis. The Act applies to City employees who have been employed for at least 30 days (before the first day of leave).

1. Reasons for Emergency Leave. Eligible City employees may take up to 12 weeks of job-protected leave to allow an employee, who is unable to work or work remotely, to care for the employee's child (under 18 years of age) if the child's school or place of care is closed or the childcare provider is unavailable due to a public health emergency.
2. Paid leave. The first 10 days of EFMLEA leave is unpaid unless the employee elects to substitute Paid Sick leave pursuant to the Emergency Paid Sick Leave Act (Section VI(C) below), (paid at 2/3 regular rate of pay), accrued vacation, personal leave, or sick leave for the unpaid leave. After the 10-day unpaid period, the employee shall receive paid leave at the rate of two-thirds the employee's regular rate of pay for the number of hours the employee would otherwise be normally scheduled, not to exceed \$200 per day and \$10,000 in the aggregate per employee. Notwithstanding the foregoing, any employee with accrued sick, vacation, personal leave, and/or compensatory leave may use such paid leave to "make up" the 1/3 pay they

would not otherwise receive in order to receive full pay during their EFMLEA leave.

3. Calculating pay for part-time employees. Employees who work a part-time or irregular schedule are entitled to be paid based on the average number of hours the employee worked for the six months prior to taking Emergency FMLA. Employees who have worked for less than six months prior to leave are entitled to the employee's reasonable expectation at hiring of the average number of hours the employee would normally be scheduled to work.
4. Sequencing of Leave Taken Pursuant to the Emergency Family and Medical Leave Expansion Act and Paid Sick Leave Pursuant to the Emergency Paid Sick Leave Act: Paid Sick Leave taken pursuant to the Emergency Paid Sick Leave Act runs concurrent with the twelve (12) week leave entitlement provided by this Policy, with the Paid Sick Leave being taken first. At the conclusion of the two (2) weeks of Paid Sick Leave, an employee who is eligible for leave pursuant to the Emergency Family and Medical Leave Expansion Act will be entitled to an additional ten (10) weeks of leave pursuant to this Policy.
5. Employees may not take more than a combined 26 weeks of FMLA leave (including Basic Leave and Military Family Leave) in a single 12-month period. Employees may not take more than a combined 12 weeks of FMLA Basic Leave and EFMLEA Public Health Emergency Leave in a single 12-month period and may not take EFMLEA Public Health Emergency Leave after December 31, 2020.

C. Emergency Paid Sick Leave Act (*Effective April 1, 2020 through December 31, 2020*)

1. The Emergency Paid Sick Leave Act (EPSLA) allows eligible employees to take paid sick leave because the employee is:
 - a. subject to a federal, state, or local quarantine or isolation order related to COVID-19;
 - b. advised by a health care provider to self-quarantine due to COVID-19 concerns;
 - c. experiencing COVID-19 symptoms and seeking medical diagnosis;
 - d. caring for an individual subject to a federal, state or local quarantine or isolation order or advised by a health care provider to self-quarantine due to COVID-19 concerns;

- e. caring for the employee's child if the child's school or place of care is closed or the child's care provider is unavailable due to public health emergency; or
 - f. 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.
- 2. Eligibility: Full-time employees and part time employees are eligible for paid sick leave under this policy.
- 3. Duration and Rate of Pay for Paid Sick Leave. Eligible employees are entitled to the following amount of paid sick leave pursuant to this policy:
 - a. Full time employees are eligible for up to 80 hours of paid emergency sick leave at the employee's regular rate of pay for the reasons set for in sections (C)(1)(a), (b), and (c) above, or two-thirds the employee's regular rate of pay for the reasons set forth in subsections (C)(1)(d), (e), or (f).
 - b. Employees who work a part-time or irregular schedule are entitled to be paid based on the average number of hours the employee worked for the six months prior to taking paid emergency sick leave. Employees who have worked for less than six months prior to leave are entitled to the average number of hours the employee would normally be scheduled to work over a two-week period.
- 4. Cap. Paid emergency sick leave is limited to \$511 per day, up to \$5,110 per employee for their own use, and \$200 per day, up to \$2,000 total to care for others and any other substantially similar condition. Notwithstanding the foregoing, any employee with accrued sick, vacation, personal leave, and/or compensatory leave may use such paid leave to "make up" the pay they would not otherwise receive in order to receive full pay during their EPSL.
- 5. Election of Qualifying Reason for Paid Sick Leave. Pursuant to the EPSLA, employees may use the paid sick leave provided in this Policy for any combination of the qualifying reasons outlined above. However, each employee is only entitled to a maximum of two (2) weeks or ten (10) days of paid sick leave pursuant to this Policy, regardless of the number of qualifying reasons he/she may have for such leave. Employees entitled to leave under two (2) or more of the qualifying reasons outlined above will be required to designate the basis for their leave request at the time the request is made.

6. Sequencing of Paid Sick Leave with Other Forms of Accrued Leave. Pursuant to the EPSLA, employees must first use the paid sick leave provided by this Policy before utilizing any other type of paid leave, including leave provided by the Emergency Family Medical Leave Expansion Act.
 7. The paid sick leave entitlement outlined in this Policy runs concurrent with the twelve (12) week leave entitlement provided by the Emergency Family Medical Leave Expansion Act. Accordingly, after the conclusion of two (2) weeks of Paid Sick Leave pursuant to this Policy, an employee who is eligible for leave pursuant to the Emergency Family and Medical Leave Expansion Act will be entitled to an additional ten (10) weeks of leave pursuant to Section VI(B). The paid sick leave entitlement outlined in this Policy does not run concurrent with the twelve (12) week leave entitlement provided by the FMLA.
 8. Intermittent Use of Paid Sick Leave. Employees utilizing paid sick leave pursuant to this Policy, due to the employee's own health condition or due to the employee's need to care for others related to COVID-19 symptoms or quarantine/isolation orders MUST take the paid sick leave in full-day increments. Once an employee begins taking paid sick leave for these reasons, he/she must continue taking paid sick leave each day until he/she either (1) uses the full amount of the paid sick leave; or (2) no longer has the need to take the leave.
 9. Notice Requirements. Employees who wish to utilize paid sick leave pursuant to this Policy must notify Human Resources of their need for paid sick leave pursuant to this Policy no later than the conclusion of their first day away from work. Employees must provide information as to the specific purpose of the leave to ensure entitlement to the leave and should provide their expectation regarding the duration of the leave requested, where possible.
 10. Documentation. Employees taking emergency sick leave must provide documentation demonstrating that their leave qualifies under one of the categories in Section (C)(1) above.
 11. No carry-over. Paid emergency sick leave under this policy does not carry over to the following year and may be in addition to any paid sick leave currently provided by the City.
- D. Unemployment Compensation. Employees who are not receiving wages due to a lack of work due to the COVID-19 outbreak are encouraged to apply for unemployment compensation.

1. An executive order issued by Governor DeWine expands flexibility for Ohioans to receive unemployment benefits during Ohio's emergency declaration period. Information regarding eligibility as a result of the COVID-19 outbreak is available at <http://jfs.ohio.gov/>
2. Any employee who seeks unemployment compensation should request a form from Human Resources or their department head. This will expedite the claims process.