

COVID-19

CORONAVIRUS DISEASE 2019 UPDATE



Revised 9-11-2020

TEMPORARY ADAPTIVE WORK POLICY IN RESPONSE TO COVID-19

This Temporary Adaptive Work Policy is in response to the global COVID-19 pandemic. This Temporary Adaptive Work Policy will not be precedent setting, is temporary and is subject to change. This Temporary Adaptive Work Policy can be modified and/or revoked by the City Manager or his designee(s) at any time with or without notice.

Regular and predictable attendance in the workplace is an essential function of all City of Kettering positions. Employees working at their usual workplace is an essential function. We are deviating from this only temporarily due to these extraordinary circumstances. During this time of national challenge, it is imperative we continue to provide our citizens with essential services.

Given the extraordinary situation, and in response to the COVID-19 pandemic, the City of Kettering is implementing the Temporary Adaptive Work Policy for employees whose job duties may be performed remotely on a temporary basis during this pandemic, but who do not regularly work remotely¹. Additionally, some personnel may be held in reserve due to facility closures and/or to maintain their health, the health of the workplace; and/or the health of the community in the sole discretion and only with the approval of the City Manager. This Temporary Adaptive Work Policy is effective immediately.

There are some positions at the City that require employees to be physically present in the workplace during the COVID-19 pandemic. These employees are defined as Essential On-Site Personnel. If an Employee is an Essential On-Site Personnel, he or she will not be permitted to work remotely under this Temporary Adaptive Work Policy. Essential On-Site

¹ The City does not, in the ordinary course of business, allow employees to work remotely during their normally scheduled hours. There are times when employees work remotely outside of their regularly scheduled hours. For example, salaried, professional series employees (exempt) may work extended hours during the week or weekend or may even have to, on occasion, work while on vacation to attend to urgent City business. Hourly, non-exempt employees may also work remotely outside of their normal scheduled hours, such as trouble-shooting or addressing electrical or HVAC service outages and IT issues. This Temporary Adaptive Work Policy is not intended and does not prohibit these circumstances. Hourly, non-exempt employees are reminded to submit all time worked for payroll purposes and obtain all necessary approvals for overtime compensation.

Personnel are expected to report to work as scheduled unless otherwise notified. Regular time off policies and procedures should be followed for Essential On-Site Personnel who are unable to report to work. If employees have any questions about whether or not they are Essential On-Site Personnel, they should contact their Department Director via their immediate supervisor.

The purpose of this Temporary Adaptive Work Policy is both as a preventative and flexible measure. We are committed to the health and safety of our workforce and will continue to monitor COVID-19 developments. This Temporary Adaptive Work Policy will be updated and/or revised as the situation warrants. We appreciate employees' assistance as we all work through this challenging time.

Plan A - Potential Remote Work in Non-Emergency Circumstances:

Full-time and regular part-time employees (unless otherwise determined by the City Manager) may request to work remotely on a temporary basis under the following circumstances:

The Employee's job is appropriately suited for remote work on a temporary basis AND there is adequate work to be completed remotely AND;

1. The Employee is subject to a federal, state or local quarantine or isolation order related to COVID-19 and/or has tested positive for COVID-19 or;
 2. The Employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19 or;
 3. The Employee was experiencing symptoms of COVID-19 and is seeking a medical diagnosis, is asymptomatic, but is not yet cleared to return to on-site work or;
 4. The Employee is caring for a qualified individual who is subject to the conditions cited in 1 or 2 above, or the qualified individual is experiencing COVID-19 symptoms or;
 5. The Employee is caring for his or her qualifying child whose primary or secondary school or place of care has been closed (closed includes remote or virtual learning), or his or her childcare provider is unavailable due to reasons related to COVID-19.
- Requests for Temporary Adaptive Work must be submitted on the attached Temporary Adaptive Work Policy Request Form with the required information and supporting documentation to the satisfaction of the City.
 - ***Employees may not work remotely while experiencing COVID-19 symptoms. Employees who are symptomatic and/or ill (including other non-COVID-19 related illness) must take appropriate leave.***
 - Conditions under the Americans with Disabilities Act related to COVID-19 will be reviewed and considered under paragraphs 1-3 above as applicable.
 - ***All requests must be approved by the applicable Department Director, Human Resources Department and the City Manager's Office. All three of these approvals must be obtained before remote work may begin.***

- Requests may be subject to weekly verification by the Department Director and/or Human Resources as applicable.
- Once approved, employees who are asymptomatic and who are working remotely for reasons numbered 1-4 above may be allowed to work 100% of their weekly schedule remotely. However, the total number of days shall not exceed a maximum of 14 consecutive calendar days per occurrence unless the number of days is increased per City protocols and approved by the City Manager or his designee.
- Once approved, employees who are working remotely for reasons numbered 4-5 above shall work at least 2/5 of their weekly schedule on site. If the employee is unable to work the other remaining portion of his or her weekly schedule on site, the Employee must take appropriate leave.
- Employees who are working remotely for reason 5 may not work remotely during normal scheduled daycare closures or school breaks (e.g. Thanksgiving break, Christmas break, in-service days and the like). Remote work is not to be used to mitigate the use of leave an Employee would otherwise have to take in the absence of COVID-19.
- All hours worked remotely will be entered and accounted for in the payroll system under a separate pay code (8TAWP or other code to be determined by the Finance Department).
- When approving requests, care and consideration should be given to the ratio of management to non-management employees working remotely and those employees working in the on-site environment during non-emergency circumstances. Additionally, awareness should be given to the fact that City of Kettering facilities are open and must be staffed by personnel.

Plan A remains effective until December 31, 2020 or until otherwise determined by the City Manager.

Plan B - Potential Remote Work in Emergency Circumstances:

This section of the Temporary Adaptive Work Policy is a placeholder for the possibility that, due to an emergency situation, the City is required or advised that employees should work from home. This would be similar to the Stay at Home Order issued by Ohio Department of Public Health in March of 2020.

Remote Work Procedures and Guidelines for Plans A and B:

1. Employees must designate a safe and secure remote workplace to perform their duties while working remotely.

2. While working remotely, employees will still be expected to complete their work assignments, must be available during regular business hours and must communicate with their supervisors and others as directed by their Department Director and/or designee.
3. Employees shall adhere to all City policies while working remotely. All previous directives, bulletins, memos, etc., remain in effect. As a reminder, employees must continue to seek advanced approval from their supervisor to use sick leave, vacation or other leave on all work days including Temporary Adaptive Work days. For employees working remotely, there will be no overtime unless it has been deemed essential by and approved by the Department Director. Overtime must be approved in advance in writing.
4. The City will determine, with information supplied by the Employee and the Employee's supervisors, as applicable, the appropriate equipment needs (including hardware, software, modems, phone and data lines, facsimile equipment or software, photocopiers, etc.) for each remote work arrangement on a case-by-case basis. The Employee must have proper internet speed and connectivity to work efficiently. If the Employee is unable to meet these requirements, this Temporary Adaptive Work arrangement may not be appropriate. In such circumstance, the Employee shall report to their supervisor/Department Director for an alternate work assignment. The City will assist with securing resources in this matter. Equipment supplied by the City will be maintained by the City. Should an Employee prefer and choose to use equipment supplied by the Employee, and if deemed appropriate by the City, such equipment will be maintained by the Employee. The City accepts no responsibility for damage or repairs to Employee-owned equipment. The City reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the City is to be used for business purposes only. The Employee working remotely shall sign an inventory of all City property and agree to take appropriate action to protect the items from damage or theft. Upon conclusion of the remote work arrangement, all City property will be returned to the City, unless other arrangements have been made.
5. Consistent with the City's expectations of confidentiality and information security for employees working at the office, employees working remotely will be expected to ensure the protection of all City and customer information accessible from their remote workplace.
6. FOR HOURLY, NON-EXEMPT EMPLOYEES: Employees are responsible for keeping and submitting accurate records of their actual hours worked, including time spent setting up City-approved remote equipment. All leave policies remain in effect. Employees must accurately and completely record their actual time worked and applicable leave exceptions. Any use of sick, vacation, personal or compensatory leave shall be accurately recorded and submitted. For example, if an Employee is working under the Temporary Adaptive Work Policy and he or she is sick, the Employee must submit a sick leave exception for that period of time that he or she was sick and not working.

7. It is the Department Director's responsibility to oversee, verify and appropriately manage their respective employees under this Temporary Adaptive Work Policy and hold such employees accountable. Employees are required to provide accurate and truthful information under this Temporary Adaptive Work Policy. Any falsification of information, including, but not limited to, falsification of time cards, time entries, leave slips or documentation submitted on the Temporary Adaptive Work Policy Request Form is just cause for discipline up to and including termination.
8. FOR EXEMPT (SALARIED) EMPLOYEES: All leave policies remain in effect. Any use of sick, personal or vacation leave shall be accurately recorded and submitted. For example, if an Employee is working under the Temporary Adaptive Work Policy and is sick, he or she needs to submit sick leave for that period of time the employee is not working due to illness.
9. For those employees who may be held in reserve due to facility closures and/or to maintain their health, the health of the workplace and/or the health of the community, time will be entered by their Department Director and/or his or her designee.
10. The City assumes no responsibility for injuries occurring in the Employee's remote workspace outside normal working hours or for injuries that occur as a result of a reasonably recognizable unsafe remote workspace. The Employee agrees to maintain safe conditions in the remote workspace and to practice no less than the same safety habits and rules as those applying on the City's premises. Department Directors have been provided Injury packets electronically.
11. Workers' Compensation benefits are the sole remedy for job-related injuries to employees that occur in the Employee's remote workspace during working hours. All job-related accidents must be reported immediately for investigation. Employees who work remotely should do so from a workspace that does not reasonably endanger the Employee or others.

APPROVED:

9/14/2020
Date



Mark W. Schwieterman
City Manager

ISSUED:

9/14/2020
Date



Sara E. Mills Klein
Director of Human Resources

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TEMPORARY ADAPTIVE WORK POLICY REQUEST FORM IN RESPONSE TO COVID-19

INSTRUCTIONS: Use this form to request permission to be considered for participation in the Temporary Adaptive Work Policy in response to COVID-19. Submit the completed form and any supporting documentation to your Department Director. You may be required to submit additional documentation in order to participate under the Temporary Adaptive Work Policy. Please answer the question(s) applicable to your request. If you fail to provide any requested information, the City may delay or deny your request.

Employee Name (print clearly): _____

Department: _____

Director: _____

Requested Start Date: _____

Requested End Date: _____

REASON(S) FOR REQUESTING USAGE OF THE TEMPORARY ADAPTIVE WORK POLICY

Please check the appropriate box(es) to indicate the reason(s) you are requesting participation in the Temporary Adaptive Work Policy:

- 1. *I am subject to a federal, state, or local quarantine or isolation order related to COVID-19 and/or have tested positive for COVID-19. Name of the entity that issued the applicable order:

- 2. *I have been advised by a health care provider to self-quarantine due to concerns related to COVID-19. Name of the health care provider:

- 3. *I was experiencing symptoms of COVID-19 and am seeking a medical diagnosis, am asymptomatic, but not yet cleared to return to work on-site work.
- 4. *I am caring for a qualified individual who is subject to the conditions cited in 1 or 2 above. Name of the person you are caring for and their relationship to you (Employee shall work at least 2/5 of their schedule on site):

- 5. *I am caring for my qualified child whose primary or secondary school or place of care has been closed (closed includes remote or virtual learning), or my childcare provider is unavailable due to reasons related to COVID-19. Name and age of child(ren) being cared for, Name of School(s), Place(s) of Care or Child Care Provider(s) that is/are closed or unavailable (Employee shall work at least 2/5 of their schedule on site):

*May be subject to weekly verification by the Department Director and/or Human Resources as applicable.

CERTIFICATION

I certify the information I have provided on this form, including the reason I need to work under the Temporary Adaptive Work Policy and information provided in support of my need for this Temporary Adaptive Work Policy, is truthful and accurate. I further certify that if I am requesting to work under the Temporary Adaptive Work Policy to care for my child, that no other suitable person will be caring for my son or daughter during the period for which I work under this Temporary Adaptive Work Policy. If this changes, I agree to promptly notify the City via my Department Director and Human Resources. I understand that providing false information or obtaining leave under false pretenses can result in discipline up to and including termination of employment.

Employee Signature: _____ **Date:** _____

Please sign and date acknowledging that you have received a copy of the City of Kettering's Temporary Adaptive Work Policy and agree to the terms of this Temporary Adaptive Work Policy.

Employee Signature: _____ **Date:** _____

APPROVAL AND COMMENTS (Route in Order of Approvals)

Approved Not Approved

Department Director's Initials: _____ **Date:** _____

Comments: _____

Approved Not Approved

Human Resource Director's Initials: _____ **Date:** _____

Comments: _____

Approved Not Approved

City Manager's Initials: _____ **Date:** _____

Comments: _____

