

Employment Matters During COVID-19 Local Emergency for all City Employees

*The below is based on information known as of **March 20** and will be updates as needed.*

The City is committed to doing all we can to promote a healthy workforce where employees are encouraged to remain out of the workplace when sick.

1. Non-Safety Hourly & Management Employees - How am I being paid during the "shelter in place"? As of March 23, 2020 and thru April 7th (will be re-evaluated as state and/or public health orders change)

If you cannot work at all (either on site or remotely) due to childcare issues or caring for a family member, use all sick and all other paid leave type accruals.

If you have an approved telework agreement with your supervisor but cannot work some of the time due to childcare issues or caring for a family member, track your time and record it using your accruals for the hours you cannot work and record your time for the hours you were able to work remotely.

If you are in the process of developing a telework arrangement with your Supervisor/Manager please see them for direct guidance on how to record your time.

If you are called to serve as a Disaster Service Worker (DSW) for a shift(s), you will be paid for your regularly scheduled work hours in that capacity. Please follow the guidance above if you are not working in full-time capacity as a DSW.

Employees may continue to request time off (vacation, comp, etc.), if they would like to, and are required to use accrued time off for any time for which they are unavailable for work.

Employees who are sick for all, or any portion of the day/week will be required to use their accrued sick leave.

2. What if I wish to be off work?

We will accommodate employees who wish to be off work because they have a compromised immune system or a chronic medical condition like heart disease, diabetes or lung disease (provide a doctor's certification so that sick leave can

be used), they are age 65 or older, need to care for a family member, or have children whose schools have closed. Please see the direction in question #1 above regarding taking paid time/accruals for these circumstances.

Reasons other than the above are discretionary and require your manager's and/or department director's approval. If the reasons above, do not apply you must respond to serve as a disaster service worker if needed.

3. Do I qualify under the federal or state family medical leave acts?

If you test positive for COVID-19, you qualify for federal Family Medical Leave Act (FMLA) and California Family Rights Act (CFRA) leave because the condition constitutes a "serious health condition" and your absence from work will be designated as protected leave under FMLA/CFRA.

Similarly, if you are caring for a family member who tested positive for COVID-19, then your absence from work will be designated as protected leave under FMLA/CFRA.

4. Do I qualify for California unemployment insurance benefits or State Disability Income?

Sick or Quarantined

If you're unable to work due to having or being exposed to COVID-19 (certified by a medical professional), you can [file a State Disability Insurance \(SDI\) claim](#). SDI provides short-term benefit payments to eligible workers who have a full or partial loss of wages due to a non-work-related illness, injury, or pregnancy. The Governor's Executive Order waives the one-week unpaid waiting period, so you can collect SDI benefits for the first week you are out of work. EDD processes and issues payments within a few weeks of accepting a claim. See question #9 below for additional information.

Caregiving

If you're unable to work because you are caring for an ill family member with COVID-19 (certified by a medical professional), you can [file a Paid Family Leave \(PFL\) claim](#). PFL provides up to six weeks of benefit payments to eligible workers

who have a full or partial loss of wages because they need time off work to care for a seriously ill family member.

School Closures

If your child's school is closed, and you have to miss work to stay home with them, but don't have sufficient accrued leave available, you may be eligible for Unemployment Insurance benefits. Eligibility considerations include if you have no other care options and if you are unable to continue working your normal hours remotely. [File an Unemployment Insurance claim](#) and EDD will determine if you are eligible.

5. What about scheduled training for work?

Based on the recent Governor's order, all work related travel and training should be cancelled. Please work with the vendors in order to receive reimbursement and/or credit for later use.

6. Will I be called to serve as a Disaster Service Worker?

As a City employee, we all took an oath as a disaster service worker and you may be called upon to serve in this capacity. We are working closely with the County EOC and identifying the needs of the community which are changing daily. Every employee should be available to be reached via phone during their regular work schedule. If you are on a 9/80 work schedule, please be available to respond Monday through Friday during this emergency.

7. I think (or know) that my coworker was out sick for him/herself or was caring for a family member who was sick. How do I know the employee is healthy?

We understand that employees may wish to know whether a coworker was ill due to COVID-19, the flu, a cold or some other reason. The City, though, is not entitled to ask for diagnosis information from employees. When an employee returns to work, the City will follow our Sick Leave Policy and require an employee to provide medical certification that he/she is medically released to return to work. If you have a concern please contact our department's management team and/or HR.

8. Is Catastrophic leave available for employees who do not have leave accruals?

The City's Catastrophic Leave Policy applies to an illness or event that is expected to preclude an employee from returning to work for an extended period of time. At this time, the 2-week quarantine period is not considered an "extended" period of time. Medical absences of longer than 30 days, may be eligible for Catastrophic Leave donations and will be considered on a case by case basis. Requests should be submitted to Shibani.nag@cityofsanrafael.org.

9. What about Temp/Seasonal employees?

Unfortunately, temporary/seasonal employees are not eligible to participate in a temporary telework agreement. In the event a temporary employee was able to report to the City facility and work during this period, they should enter the hours worked as they normally would. Otherwise, temp/seasonal staff may want to consider applying for unemployment insurance benefits.

EMPLOYEE FAQ'S AS OF MARCH 13

The below is based on information known as of March 13 – if any new information changes any of the answers below we will update them in the newest version of the FAQs and strike them below.

1. Precautions for Publicly-Facing Counter Staff

Employees should wipe down their work areas and counters. Social-distancing (keeping 6-feet apart) should be maintained as much as possible. All employees should be using hand sanitizer regularly and wash their hands often with soap and water for at least 20 seconds. See this helpful video for specific instructions regarding proper hand washing. <https://www.youtube.com/watch?v=oGQpJafaWj0&feature=youtu.be>

2. Potential Exposure to COVID-19 at work

If an employee believes they were exposed to COVID-19 during their regular course of work, they may be eligible for Workers' Compensation benefits. Employees should submit a Workers' Compensation Claim form to HR. Employees should use leave accruals for the time off while their claim is under review by LWP (our workers' comp administrator). If approved, any time off will be categorized as Workers' Comp and any leave used for this absence will be credited back to the employee.

3. Employee Calls in Sick/Wishes to Go Home Sick

Employees will be required to first exhaust accrued sick leave. For the duration of the local emergency, employees will be permitted to use other paid leave accruals (e.g., comp time, vacation, etc.). Managers have approval authority and must ensure appropriate timesheet completion. This temporary use of other paid time off will terminate when the City determines that it is no longer required.

4. Employee is at Work and Suspected to be Sick

- If an employee reports to work and exhibits objective signs of being sick (e.g., significant coughing and other respiratory troubles, symptoms of fever), please strongly encourage the employee to go home.
- If an employee does not agree to go home, the City will direct them to do so and pay them four days of paid administrative leave to do so.

- If you have any concerns regarding a co-worker being sick or a member of the public, please contact your department director and/or HR immediately.

5. Employee is Quarantined by Appropriate Government Authorities or Medical Physician for potential exposure outside of work

Employees will be able to use all sick and non-sick paid leave accruals, unless the employee is approved (and is able) to work remotely. Employees may be required to provide satisfactory documentation that they were quarantined at the direction of appropriate government authorities or medical physician.

6. Employee is Quarantined by Appropriate Government Authorities or Medical Physician for direct potential exposure at work

Employees will be paid for their regularly scheduled time by the City while test results are pending. If the test is positive, a Workers' Compensation claim will be filed to cover lost wages. If the test result is negative, the employee will return to work. The nuances of these cases will be handled by HR and the EOC Director on a case by case basis depending on the circumstances. If an employee believes they have come into contact with someone who has tested positive for COVID-19 at work, they should contact HR and your department director immediately and complete a Workers' Compensation claim form.

7. Employees who decide to self-quarantine (individually directed)

If an employee is concerned about potential exposure to COVID-19 but has not been advised or ordered to quarantine by a medical professional or authorized government authority, they can use vacation and/or other available paid leave (comp, sick, etc).

~~8. Requests to Stay Home Due to School Closures, Childcare, Care for Family Members—See Updated Answer in Question # 1 above in March 20 FAQs~~

~~Telecommuting arrangements will be considered on a case by case basis. If telecommute is not appropriate due to operational needs, managers will work with employees on temporary work assignments and/or in their role as a Disaster Service Worker. If you cannot come to work because your children are home due to a school closure, please contact your supervisor. Employees will be allowed to use sick leave and other types of accrued paid leave (i.e., vacation/comp time) if needed.~~

9. Employees Who Have Exhausted Leave

If an employee is unable to work due to having or being exposed to COVID-19, they may be eligible for payments from SDI (State Disability Insurance). SDI provides short-term benefit payments to eligible workers who have a full or partial loss of wages due to a non-work-related illness, injury, or pregnancy.

If an employee is unable to work because they are caring for a family member who has been diagnosed to or has been exposed to COVID-19 they may be eligible for State of CA Paid Family leave (PFL).

Employees should visit https://www.edd.ca.gov/about_edd/coronavirus-2019.htm for more information and/or to submit a claim.

Please note that Executive Management, Mid-Managers and employees in certain bargaining groups (SRPA, SRFA, SRPMM, SRFCOA) do not contribute to SDI/PFL through their employment with the City. However, they may be eligible due to previous or outside employment.

10. Telecommuting/Telework/Remote

Supervisors/Managers may provide temporary telecommute/telework arrangements for employees who are unable to report to work in order to care for a family member (including school closures, illness, etc.) or who are quarantined. Supervisors are required to provide a written scope of work/assignments and deliverables to employees working remotely. Each request will be handled on a case by case basis and in consultation with the HR Director.

11. No Personal Email Addresses for City Business

As a reminder, all City business (including the review and acknowledgment of forms) is to be conducted using only City email addresses.

12. Tracking and Termination of Temporary Telecommute Arrangements

Departments are responsible for tracking temporary telecommute arrangements. These temporary telecommute arrangements will terminate when the City determines that it is no longer required.