

Human Resources Guidance Relative to COVID-19
Issued June 2, 2020

These frequently asked questions (FAQs), which supersede and replace the guidance previously issued on April 10, 2020, are applicable to all departments that report directly to the Fulton County Manager. It is highly recommended that elected officials, who are appointing authorities or department heads that report directly to a Board, follow these parameters and/or contact the Department of Human Resources Management (DHRM) and/or County Attorney's office for guidance, if they seek to implement a protocol inconsistent with these guidelines. Fulton County will continue to monitor the situation and provide guidance as more information becomes available. These FAQs are subject to change as the COVID-19 situation develops. The County reserves the right to rescind or modify this guidance at any time.

A. What is the COVID-19

On February 11, 2020 the World Health Organization announced an official name for the disease that is causing the 2019 novel coronavirus outbreak, first identified in Wuhan China. The new name of this disease is coronavirus disease 2019, abbreviated as COVID-19. In COVID-19, 'CO' stands for 'corona,' 'VI' for 'virus,' and 'D' for disease. COVID-19 is a severe respiratory disease that is transmitted primarily through respiratory droplets produced when an infected person coughs or sneezes;

COVID-19 Related Absences

Effective March 1, 2020 and continuing through June 15, 2020, Fulton County is granting the use of Administrative Leave to support our employees during the declared Public Health State of Emergency related to spread of COVID-19. Administrative leave may only be granted and used for the following COVID-19-related reasons:

- The employee has come into prolonged close contact as defined by guidance issued by the Centers for Disease Control and Prevention (CDC) and/or the Fulton County Board of Health (FCBOH) with someone with a presumptive or confirmed positive case of COVID-19;
- The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
- The employee is caring for an immediate family member or household member who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or has been advised as by a health care provider to self-quarantine due to concerns related to COVID-19;

- The employee is caring for a child whose school or place of care has been closed, or whose child care provider is unavailable, for reasons related to COVID-19; or
- The employee is experiencing any other substantially similar condition specified by the U.S. Secretary of Health and Human Services in consultation with the U.S. Secretary of the Treasury and the U.S. Secretary of Labor.

This leave may only be granted to an employee if telecommuting or reassignment is not a viable option. Fulton County reserves the right to request documentation to substantiate the basis for using this leave at a future time.

1. If the worksite is closed due to an outbreak of COVID-19, will employees be placed on administrative leave (authorized absence from duty)?

It depends on whether the employee has been designated as “Non-essential;” “Hazardous Emergency Essential;” or “Standard Essential.” Administrative leave, an authorized absence from duty without loss of pay or charge to accrued leave, is appropriate where a “Non-essential” employee is prevented from working due to the County’s action (e.g., office closure) and the employee is not able to work from home or at another alternative worksite, or cannot be reassigned. “Hazardous Emergency Essential” employees are required to report to or remain at their assigned work site or an alternative Fulton County work site regardless of weather or other emergency conditions. “Standard Essential” employees may be required to report to work, be on-call or to work remotely during an office closure.

2. I have come into close contact with an individual with a presumptive or confirmed positive case of COVID-19. Am I required to stay at home?

Yes. We are asking any employee who has been exposed to COVID-19, even if asymptomatic, to remain at home. If you have the ability to telework, you will be required to telecommute. Any employee who is unable to telecommute may be granted the use of administrative leave while available (through June 15, 2020) or other applicable leave thereafter. Fulton County reserves the right to request documentation to substantiate the basis for using this leave at a future time.

3. If I am caring for someone with COVID-19, who qualifies as a family member under the Family and Medical Leave Act (FMLA), can I also inquire about FMLA protection?

Yes, you can contact the County’s third party vendor, Sedgwick, at 888-436-9530 or via the company’s employee portal at timeoff.sedgwick.com, to determine your eligibility and qualification for leave under the Family and Medical Leave Act (FMLA). Any supervisor who becomes aware of this type of situation, which could be a qualifying event under the FMLA, is obligated to contact Sedgwick to request that an FMLA packet be sent to the employee.

4. I am covered by Governor Kemp’s shelter in place order for the medically fragile. Am I required to report to work?

Administrative leave is available through June 15, 2020 for those employees who are unable to telecommute but required to isolate, quarantine or shelter-in-place due to the Governor’s Executive Order for the “medically fragile,” which remains in place until at least June 12, 2020. An employee who is age 65 and older or who suffers from one or more of the following serious underlying medical conditions or any other condition communicated by the Governor of the State

of Georgia, the CDC, the Georgia Department of Public Health (DPH), and/or the employee's personal health care provider as likely to cause an increased spread of COVID-19 may request to use administrative leave, while available through June 15, 2020 and other applicable leave thereafter, to isolate, quarantine, or shelter-in-place:

- Chronic lung disease
- Moderate to severe asthma
- Severe heart disease
- Immunocompromising conditions, including individuals undergoing cancer treatment; recipients of bone marrow or organ transplants; individuals with immune deficiencies or poorly controlled HIV or AIDS; individuals with prolonged use of corticosteroids or other immune-weakening medications;
- Class III or severe obesity at any age
- Diabetes
- Liver disease
- Chronic kidney disease or renal failure, including individuals undergoing dialysis

Administrative leave may only be granted to an employee if telecommuting is not a viable option. Any employee seeking to use administrative leave due to an underlying medical condition will be required to complete a "Declaration to Support Request for Administrative Leave" form. Fulton County reserves the right to request documentation to substantiate the basis for using this leave at a future time.

Nothing herein impairs any rights available under: the Family and Medical Leave Act (including the Emergency Family and Medical Leave Expansion Act), which may be exercised by contacting Sedgwick at (888) 436-9530; the Americans with Disabilities Act, which may be exercised by contacting the Office of Diversity and Civil Rights Compliance at 404-612-7390; or the Emergency Paid Sick Leave Act, which may be exercised by contacting the HR Liaison for your department.

5. Since I may not be able to get into my Doctor's office, what alternative are available?

As we navigate this public health concern, we are further suggesting that employees leverage the telemedicine option available under both the Kaiser and Anthem|Blue Cross Blue Shield plans. Employees may contact their respective provider telemedicine services as follows:

Anthem | Blue Cross Blue Shield
www.LiveHealthOnline.com

Kaiser Permanente
Members will have to download the Kaiser Permanente App or call 404-365-0966.

As a reminder, employees who are BCBS members can also seek medical attention for COVID-19 at any Grady Facility without a need for a co-pay. The Georgia Insurance Commissioner has also directed all insurance providers to waive all co-pays related to COVID-19 testing.

B. Employee Relations

1. Should I report to work if I am experiencing any of the symptoms related to COVID-19?

No. Any employee who is experiencing any of the symptoms currently recognized as being associated with COVID-19, as described below, or any symptoms that are hereafter recognized by the Centers for Disease Control and Prevention (CDC) or the Georgia Department of Public Health, should notify their immediate supervisor immediately and, if possible, promptly seek testing for COVID-19 with their chosen health care provider. In accordance with current CDC guidance for preventing transmission of COVID-19, you must remain in home isolation until:

- you have had no fever for at least 72 hours (that is, three full days of no fever without the use of a fever-reducing medicine);

AND

- your other symptoms have shown progressive improvement;

AND

- at least 10 days have passed since your symptoms first appeared.

Consistent with generally applicable County policy, an employee may be required, as a condition of returning to work, to obtain and present certification from the employee's health care provider that the employee is able to resume work and can safely perform the essential functions of the employee's job.

The symptoms associated with COVID-19 include cough, shortness of breath or difficulty breathing, fever (a measured temperature above 100.4 degrees Fahrenheit, or a feeling of feverishness), chills, muscle pain, headache, sore throat, or new loss of taste or smell.

2. If an employee comes to work and exhibits symptoms of COVID-19, what should the supervisor do? May the employee be placed on administrative leave (authorized absence from duty), and if so, for how long? What is needed before the employee can return to work?

An employee exhibiting symptoms associated with COVID-19 in the workplace should be isolated and the department should immediately consult with the Department of Human Resources Management and/or the County Attorney's Office.

In most circumstances, the employee should be sent home and encouraged to seek testing for COVID-19. Employees with the ability to telework may be required to telecommute. Consistent with current CDC guidance for preventing transmission of COVID-19, an employee exhibiting symptoms associated with COVID-19 shall not be permitted to return to work until:

- the employee has had no fever for at least 72 hours (that is, three full days of no fever without the use of a fever-reducing medicine);

AND

- other symptoms have shown progressive improvement;

AND

- at least 10 days have passed since the symptoms first appeared.

Consistent with generally applicable County policy, an employee may be required, as a condition of returning to work, to obtain and present certification from the employee's health care provider that the employee is able to resume work and can safely perform the essential functions of the employee's job. Before an employee returns to work, the department should consult with the Department of Human Resources Management and/or the County Attorney's Office concerning County policy on requesting medical documentation from an employee returning from leave.

3. Can a department mandate an employee exposed to COVID-19 remain at home for a specified period?

Yes, the CDC, Georgia Department of Public Health or other health agency will provide information related to the length of time an individual remains contagious, as well as current recommendations for social distancing, etc. If the employee has the ability to telecommute, that option should be explored prior to placing the employee on administrative leave.

4. Under what circumstances should a department communicate to its employees that there is a confirmed case among one or more of its employees (without identifying the person/specific office)?

The infected employee's privacy should be protected to the greatest extent possible; therefore, his or her identity should not be disclosed. In an outbreak of COVID-19, management should share only that information determined to be necessary to protect the health of the employees in the workplace. If social distancing, information sharing, or other precautions to assist employees in recognizing symptoms or reducing the spread of the illness can be taken without disclosing information related to a specific employee, that is the preferred approach.

5. Can I refuse to show up to work for fear of contracting COVID-19?

In an effort to exercise flexibility and support our employees during this difficult time, management may permit employees to telecommute as appropriate in accordance with the Telecommuting Policy and Procedure (335-16). If telecommuting is not a viable option, Fulton County may permit an employee to take leave without pay for up to five (5) business days. Absent extraordinary circumstances, failure to report to work following the five-day leave without pay period will result in dismissal for job abandonment in accordance with the Separations Policy and Procedure (330-19). Employees are still required to follow Fulton County and departmental protocols for reporting absences.

6. I have been notified that I am being reassigned to another function during the declared state of emergency? Can I refuse the reassignment?

The Board of Commissioners has authorized the County Manager to redeploy County personnel to any assignment for which they are deemed qualified regardless of the area of assignment. An employee must accept the redeployment in order to continue to receive compensation from the County. If the employee declines redeployment, Fulton County may permit the employee to take leave without pay for up to five (5) business days consistent with the response to Question B.5. above.

7. Can I refuse to perform assigned work if I have the ability to telecommute?

No. Employees with the ability to telecommute must continue to perform their job duties, including completing assigned tasks and projects in a timely manner. Absent extraordinary circumstances such as a legally protected reason, any employee who refuses to complete assigned tasks by

established deadlines will be subject to disciplinary action in accordance with applicable Fulton County Policies and Procedures.

8. Will Fulton County require an employee who has been diagnosed with COVID-19 to undergo a medical evaluation prior to returning to work?

It is possible that an employee may be required to take a COVID-19 test or undergo a fitness for duty evaluation prior to returning to work. Fulton County's Fitness for Duty Policy and Procedure (312-16) authorizes a fitness for duty examination following an employee's return from leave when the County has a reasonable belief the employee may pose a direct threat to his/her safety or the safety of others due to a medical condition.

9. Given the declared state of emergency, will the Incremental Compensation Strategy (ICS) still be implemented in July 2020?

No, the Board of Commissioners has made the decision to delay implementation of ICS until further notice.

C. Questions about previous travel

1. Can my department ask me about my personal travel or future travel plans?

Yes, widespread ongoing transmission of a respiratory illness caused by COVID-19 is occurring globally and the CDC currently recommends that travelers avoid all nonessential international travel. It is permissible for a department to ask an employee whether the employee has traveled internationally recently or has future plans to do so.

2. I am scheduled to participate in County-sponsored out of state travel to a conference in the next three months, what should I do?

Due to Fulton County Government's commitment to employee safety in light of COVID-19 community spread, effective immediately, all nonessential business travel has been suspended until further notice. Fulton County will continue to monitor the situation and provide guidance as needed. If nonessential business travel has already been booked, please work with your department's travel coordinator to cancel and properly receive an airfare and hotel refund or credit if applicable. If you decide to travel on your own to the non-essential training, you will not be reimbursed by the County.

COVID-19 is an emerging respiratory disease and there is much more to learn about its transmission, clinical course and populations at increased risk of disease and complications. Everyone can do their part to help plan, prepare and respond to this emerging public health threat. Any question not specifically addressed herein should be directed to the Department of Human Resources Management.