

Covid-19 Accommodations Pathway Checklist

COVID-19 Resources

1. **If an employee has a *disability*, and the disability - not some other factor - is what causes increased individual viral risk for the employee:**
 1. *ADA Disability Accommodation* for employees should be sought through The Office of Disability Services.
 2. Requests are made to Tiffany Tate (ttate@se.edu) and are approved or denied by that office. Denials have an appeal pathway through the Civil Rights & Title IX Policy.
 3. This only applies to employee disabilities, not caring for the disabilities of others - and accommodations typically manifest as an alteration of some kind to the work environment or schedule. Work continues without leave unless leave flexibility is part of the accommodation.

2. **If an employee has a *serious health condition*, or is caring for an immediate family member with one:**
 1. *Traditional FMLA leave* should be sought through Human Resources. This is unpaid leave (unless the employee simultaneously uses accrued leave) to care for oneself, or an immediate family member (spouse, parent, or child) who has a serious medical condition such as a current Covid-19 infection.
 2. The employee does not work during FMLA leave unless the leave is intermittent. FMLA leave should not be confused with Teleworking.
 3. Filling out the University COVID form is required as part of the FMLA request process if the request is COVID related: at <https://form.jotform.com/201426138264046>

3. **If an *employee cannot work due to a mandated quarantine due to exposure or testing positive to the virus*:**
 1. *FFCRA REQUIREMENT: Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay* where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis.
 2. *This request should be made through the supervisor and be arranged with Human Resources.*
 3. If the employee has a balance of leave to use, it runs concurrently. But this benefit will still be available to those who have no balance of leave remaining, per federal law.

4. Filling out the University COVID form is required as part of the request process if the request is COVID related: at <https://form.jotform.com/201426138264046>

4. If an employee must care for an *immediate family member* who is under quarantine:

1. *FFCRA REQUIREMENT: Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay* because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition.
2. If the employee simultaneously uses their accrued leave this category is moot.
3. Under some circumstances Telework may be possible as an alternative if approved by the supervisor, making this category moot if so.
4. Should be sought through the supervisor, and arranged with Human Resources.
5. Filling out the University COVID form is required as part of the request process if the request is COVID related: at <https://form.jotform.com/201426138264046>

5. If the employee *cannot work* due to school or daycare being physically closed:

1. *FFCRA REQUIREMENT: Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay* where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19. If the employee simultaneously uses their accrued leave this category is moot.
2. Should be sought through the supervisor, and arranged with Human Resources.
3. *If the employee is approved by their supervisor to from home via telework, this category is moot.*
4. *Employees would be protected by this category if a school has a "partial" closure that results in their student being at home for a portion of what would otherwise have been the school day.*
5. *When a student and parent/guardian chooses to opt-in to distance learning within a school district that is not otherwise physically closed, this benefit does not apply.*

6. **If the employee falls into NONE of the above categories but has some other reason for concern in being physically present at work (due to age, family member at risk, or other non-disability rationale):**
 1. Telework should be requested through the supervisor.
 2. Supervisors should consult with their administrative VP in determining approvals of continued telework, so that such approvals are made on consistent criteria across the University.

7. **If the employee has been exposed to someone who has tested positive for COVID-19 the University may *require* Telework, the taking of accrued leave, administrative leave, or other precautionary measures to preserve the safety of the workplace,** regardless of whether any of the options above have been pursued by the employee.

*** IMPORTANT: Approvals of ANY of the above categories must result in notification to Human Resources.

These policies and procedures were updated on July 21, 2020 and are subject to change.