

Return to Work and Paid Leave Q&A

Notice to Employees

Beginning July 1, 2020, ALL employees are expected to work their scheduled work hours.

- What do I do if I am at higher risk?
 - Individuals who are at higher risk of severe illness from COVID-19 ([as defined by the CDC](#)) are encouraged to speak to their doctor about returning to work. In addition to the leaves outlined above, other special considerations may be available to those at higher risk who are interested in returning to work. These considerations may include, but are not limited to:
 - Personal Protective Equipment (PPE) as outlined in the COVID-19 Exposure Control Plan if available (e.g., N95 masks, face shields, body protection, protective barriers, gloves) to limit exposure.
 - Remote work may be considered if an employee can efficiently and effectively conduct all the essential functions of their job remotely.
 - Flex time, part-time schedule, compressed work week or other altered work schedule to reduce proximity to others may also be considered.
 - I am feeling anxious about returning to work, where can I get help?
 - It is not uncommon for anxiety and stress levels to increase during the pandemic and spike when schools reopen and people are in contact with potential COVID carriers. If you have a chronic condition or suffer from anxiety, you are encouraged to talk to your healthcare provider.
 - You are also encouraged to contact Invest EAP for free counseling services and other resources to help you through this pandemic. EAP provides all employees and their family members with confidential, short-term counseling, assessment, and resource and referral information on a variety of life and work issues. The contact information for Invest EAP is found below:

Toll Free 1-800-287-2173
www.investeap.org
Password: vsbit

- What if I have more than one qualifying event under FFCRA (e.g., I need to quarantine for 14 days, then later experience symptoms of COVID-19)?
 - Paid leave under FFCRA is a total of up to two weeks combined for all qualifying events. However, employees may access their available and appropriate paid leaves under contract for any additional time needed with acceptable medical certification. Unpaid leave may also be considered.
- Can I take leave under FFCRA intermittently if my child's school or childcare provider closes for short periods of time throughout the 2020-2021 school year?
 - FFCRA can be used intermittently through 12/31/20 (unless otherwise extended by the federal government). This means if your child's school or childcare provider is closed temporarily (or only open for a partial day) as a result of the health pandemic, FFCRA can be accessed for the period of time in which the school or childcare provider is closed through 12/30/20.

- Once FFCRA leaves are exhausted, can I access my available paid leaves under contract?
 - Once available FFCRA are exhausted, employees may access their available paid leaves under their contract for the qualifying reasons as outlined below:
 1. For reason 1 - 3 as outlined in [FFCRA](#), employees may be able to access their available vacation, personal, floating holidays or sick leave with acceptable medical certification.
 2. For reason 4 - 6 as outlined in [FFCRA](#), employees may be able to access their available vacation, personal, floating holidays or family leave with acceptable certification. Sick leave cannot be accessed for these reasons.
 3. Employees may also be entitled to use accrued sick time after FFCRA time is exhausted where children are not in school or in child care because of COVID-19.

- If I exhaust my available FFCRA leaves and my available and appropriate paid leaves under contract and still need additional leave, what are my options?
 - Depending on the circumstance, unpaid leave may be considered. Extended periods of unpaid leave may result in the loss of health and other insurances under the District's group plan. In this event, employees will be given the right to continue their health insurance coverage at their own expense under COBRA for up to 18 months.

- If I access leave under FFCRA, will this leave count against my annual 12 weeks of FMLA leave should I have a different FMLA qualifying event?
 - Any leave taken under FFCRA shall be counted as FMLA leave for those who qualify. This means that if you use leave under FFCRA, the leave you have available under FMLA during the same 12-month period will be reduced by the amount of leave taken if you have another qualifying event (e.g., birth/adoption of a child, serious health condition of yourself or a covered family member).

- What do I do if I come down with COVID-19 symptoms?
 - **You must not come to work if you are experiencing any of these symptoms: cough, fever, shortness of breath, chills, fatigue, muscle pain or body aches, headache, sore throat, loss of taste or smell, congestion or runny nose, nausea, vomiting or diarrhea.**
 - Please be sure to contact your healthcare provider, report your absences to your supervisor, and contact Human Resources to determine appropriate leave use and other requirements.
 - You'll also need to follow the VT Department of Health self-isolation requirements as outlined [here](#).

- What should I do if you come into close contact with someone who tested positive for COVID-19?
 - Please be sure to follow the [VT Department of Health Guidance](#), which requires self quarantine for 14 days, or self quarantine for 7 days followed by a negative COVID-19 test result. Paid leave may be available under FFCRA to cover the quarantine period. If you have exhausted your leave under FFCRA, you may be able to access available and appropriate leaves under your contract.

- What if I come into close contact with someone who is diagnosed with COVID-19 at work and have to quarantine? Will I still be paid?
 - If you come into close contact with someone who is diagnosed with COVID-19 during the performance of your work duties and you are required to quarantine, you may be assigned remote work duties during the period of quarantine. In order to be paid, you must complete the assigned remote work during this quarantine period or utilize available contracted/accrued paid leave.

- What if I am approved for leave (paid or unpaid) and the District switches to remote instruction? Can I alter my leave request to work remotely?
 - No, once you have been approved for leave, whether paid or unpaid, you must continue your leave through the approved duration regardless of the phase of instruction we are in.

- I was diagnosed with COVID-19 and believe I may have contracted it at work. What should I do?
 - If you are diagnosed with COVID-19 and believe you contracted it at work, please report this to your supervisor so a First Report of Injury can be completed and submitted to our workers compensation carrier. The District and/or their insurance carrier will make reasonable efforts to conduct an investigation into the claim. These reasonable efforts may include:
 - § Asking you questions about how you think your COVID-19 was contracted and why you think that.
 - § Making inquiries about your work and nonwork activities, and possible exposure, leading up to the diagnosis.
 - § Investigating your work environment to determine whether COVID-19 exposure was possible. This might include considering whether other employees in the work area have tested positive, your job duties and exposure to the public, and whether the work areas are crowded and do not facilitate social distancing.

- What if I have an underlying health condition and that condition is listed as putting me at an increased risk related to COVID?
 - You do not automatically qualify for the leave based on having an underlying health condition. You should consult your provider to have the provider assess if you are safe to return to work.
 - Flow chart of “options” to consider:
 - FMLA - If you do not qualify for FMLA, then what?
 - VPFL - Likely you would not qualify if you did not qualify for FMLA, then what?
 - ADA Leave and/or accommodation - if you do not qualify for ADA?
 - Consider what your CBA indicates in the leave section. Some will allow you to petition the Board for a leave for health reasons. This may be an unpaid leave, depending on the bargaining unit.