

From: [Romero, Nadine](#)
To: [Orange County](#)
Subject: EXTENDED COVID-19 FAQ Document & Updates
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Attachments: [image001.png](#)
[FAQ Updates 4.3.20.pdf](#)
[FAQ COVID-19 Full Document 4.3.20.pdf](#)

Dear County Family,

While I am so thankful for all of your dedication and hard work over the past several weeks to support the County's response to the COVID-19 emergency challenges, I am glad that the month of March is over. It has truly been such a long, demanding and stressful month. With the strong leadership of the Board of Supervisors, our elected officials and department heads, the County Team has accomplished so much together. I am also proud of the partnership with so many other public, non-profit and private agencies in Orange County and throughout the State that have unselfishly stepped up to do their part to help make us as prepared as possible. There have been many accomplishments but the key accomplishments have been related to ensuring that our Orange County community is as prepared as possible for the upcoming surge in COVID-19 related sickness. While we can always do more and I wish we had more equipment and protective gear, our preparations will help save lives. Specifically the ability to secure the Fairview Developmental Center in Costa Mesa for a critical overflow hospital with 1,100 beds may play a vital role for us. Our effort to secure vital hotel/motel beds and begin to isolate vulnerable homeless will protect hundreds of our most at-risk residents from COVID-19 exposure and potential serious illness or death. The COVID-19 infection projections show that the next few weeks will be especially difficult but the preparation that we have done together will certainly go a long way to improve our ability to respond to the challenge.

A recent survey of departments showed that approximately 46 percent of our County workforce is telecommuting. I am glad that number is so high and I know that it continues to grow. The Orange County community is counting on us and whatever we can do to keep safe while ensuring that we are productive and that we are ready to do our part as Disaster Services Workers is important. We all need to be ready if we are called upon to deliver any service that will help us meet the community's expectations. Each department continues to review the role of each classification and work unit to determine which employees fall into categories of "first responders" or "healthcare workers." These workers may be called into work to immediately help deliver a vital service. Thank you in advance for serving as public employees and embracing this role in service to our fellow residents.

Earlier this week you received information about expanded leave provisions to assist all County employees and their families with COVID-19 related issues and I hope that information was helpful. Today's Frequently Asked Questions (FAQ) has additional information on how to use this leave and as we receive more detailed guidance from federal agencies we will continue to update you.

Included with this email today is Version 4 of the Frequently Asked Questions (FAQ) list. It now includes 45 of the most common questions with specific answers. This document continues to be a valuable resource for employees and supervisors. Take the time to read it because it will answer

those questions that are on your mind. If you have any suggestions for other questions and answers that should be included in the next version, please feel free to send them to CEOCOM@ocgov.com. As always you can discuss any issue or question with your supervisor or HR representative.

Finally, please keep our first responders and healthcare workers in your thoughts as the next few weeks unfold and let's all continue to do everything we can to help them. Have a safe weekend.

Stay informed on COVID-19 by visiting our website at <http://www.ochealthinfo.com>.

Sincerely,
Frank Kim



Frank Kim

County Executive Officer

County of Orange

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**CORONAVIRUS DISEASE 2019 (“COVID-19”)
GUIDANCE FOR COUNTY EMPLOYEES
FREQUENTLY ASKED QUESTIONS
APPLICABLE THROUGH March 31, 2020 *Extended to April 30, 2020
SUBJECT TO UPDATE AND EXTENSION-Version 4**

The County values its employees and understands that the COVID-19 crisis may be creating a difficult and stressful situation for employees’ work and personal lives. The County is committed to providing employees with as much information as possible to help navigate a variety of uncertainties, and has developed guidelines, procedures and responses to frequently asked questions below.

If questions arise that are not answered below, please contact your Department Human Resources Manager (HR). Given the fluidity of the situation, the procedures described below are subject to change. This guidance will be updated as additional information becomes available.

Please note that the County is following State and Federal guidelines to promote a safe workplace during the COVID-19 crisis. Just as we are committed to our employees, as a local government, we are also committed to providing critical health and safety services to Orange County’s citizens.

Information distributed to employees will be maintained at <http://www.ocgov.com/gov/ceo/covid19employeeinfo> for future reference. In addition, an email address has been established for employee questions (CEOCOM@ocgov.com). Responses to the questions will be provided daily to all County employees and may be incorporated into future updates of this document.

1. *If an employee is concerned that they may have symptoms consistent with COVID-19, what should they do?*

The employee should stay home and follow normal call-out procedures. If an employee begins to feel sick while at work, they should contact a supervisor about the possible need to go home as they would with any other illness.

2. *During a pandemic, how much information may a supervisor or manager request from employees who display or report symptoms?*

Because a pandemic has been declared, employers may ask employees if they are experiencing symptoms such as coughing, fever, or shortness of breath. Employers must treat all information about employee illness as confidential. In general, supervisors and managers are advised not to ask employees if they have COVID-19, although an employee may volunteer it. If there are specific concerns that an employee has a diagnosis of COVID-19 and has not disclosed it, HR should be contacted.

Employers may also ask employees about potential exposure and/or recent travel to countries with widespread or sustained community transmission of COVID-19.

3. *If an employee has symptoms consistent with COVID-19, can management ask the employee to leave work?*

Yes. If an employee is displaying symptoms consistent with COVID-19, they may be asked to leave work.

Employers must provide employees with a workplace that is safe and free from recognized hazards. Employers should require an employee to leave work if the employee displays or discloses symptoms consistent with COVID-19. According to the Center for Disease Control (CDC), symptoms include fever, cough, and shortness of breath. To confirm what symptoms require an employee to leave work, contact Employee Health Services at (714) 565-3780.

Importantly, managers and supervisors must be consistent in their approach and apply objective criteria to their decision when sending employees home. In other words, departments should take care not to make decisions that are or appear discriminatory based on illegitimate or non-relevant considerations.

4. *If an employee has COVID-19, can they be required to leave work?*

Yes. If an employee has a medical diagnosis of COVID-19, the employee must be required to leave the workplace. In light of the health risks posed by COVID-19, permitting an employee with the virus to be at work could threaten the health and safety of other employees.

In addition, if an employee is required to leave work, HR should be contacted to ensure the employee is afforded their due process rights where applicable.

5. *If an employee believes a co-worker is displaying symptoms consistent with COVID-19, what should they do?*

The employee should notify a supervisor or manager so the situation can be assessed with Employee Health Services.

6. *If there is a confirmed case of COVID-19 in the workplace, will employees who have had direct contact be notified?*

Yes. Departments should inform employees that they may have been exposed to COVID-19. Employee medical information is confidential, so the identity of the diagnosed employee should not be disclosed.

7. *If there is a confirmed case of COVID-19 in the workplace, will all potentially exposed employees automatically be sent home?*

No. Consistent with CDC guidance, symptom-free employees may continue to work following an exposure and should take their temperature daily and self-monitor for other symptoms in consultation with Employee Health Services. If symptoms occur, the employee should remain at home, notify their supervisor using the normal call-out procedures, and contact their health care provider. In addition, the County is practicing/implementing social distancing (6 feet separation) to address the COVID-19 issue. More information on social distancing may be found at: <http://www.ochealthinfo.com/civicax/filebank/blobdload.aspx?BlobID=114186>.

8. *Can an employee who does not display symptoms of COVID-19, but is at high risk of having it due to travel, be asked or required to leave work?*

Because transmission is now widespread, employees will no longer be excluded due to travel history.

Symptom-free employees may continue to work following an exposure and should take their temperature daily and self-monitor for other symptoms in consultation with Employee Health

Services. If symptoms occur, the employee should remain at home, notify their supervisor using the normal call-out procedures, and contact their health care provider.

9. *When should an employee with COVID-19, or symptoms consistent with it, be allowed to return to work?*

In accordance with CDC guidelines, persons with COVID-19 who have symptoms and were directed to care for themselves at home may discontinue home isolation under the following conditions:

- At least 3 days (72 hours) have passed *since recovery* - defined as resolution of fever without the use of fever-reducing medications and improvement in respiratory symptoms (e.g. cough, shortness of breath); and,
- At least 7 days have passed *since symptoms first appeared*.

An employee who has not been tested, but has experienced symptoms consistent with COVID-19, should follow the above guidance.

Employees may contact Employee Health Services at (714) 565-3780 or EmployeeHealthCOVID19@ochca.com with medical questions regarding returning to work.

If the employee has taken leave under the Family Medical Leave Act (FMLA) due to COVID-19, consult with HR about the necessary medical clearances to return to work.

10. *When can an employee who did not display symptoms of COVID-19, but was compelled to leave work due to medium/high risk of exposure, be allowed to return?*

Symptom-free employees may return to work and should follow guidance to self-monitor for symptoms.

11. *What if an employee does not want to return to work because they have a compromised immune system or other medical condition potentially putting them at high risk of COVID-19 infection?*

Departments should engage in the interactive process with such employees. Employees who disclose a pre-existing medical condition, including an underlying health condition or compromised immune system, may request a reasonable accommodation, such as working from home. Employers have a legal obligation to provide employees with reasonable accommodations unless doing so would create an undue hardship for the Department. Departments should consult with their Return to Work Coordinator in such a situation.

12. *What if an employee is considered at high risk of COVID-19 infection because of age?*

Guidance from the State of California recommends that people who are age 65 and over self-isolate in order to avoid exposure to COVID-19. For that reason, employees 65 and over are strongly encouraged to telecommute if operationally feasible. This may not apply to employees who are essential to public health and safety as determined by each department. Accommodations for this population may require review on a case by case basis to meet the needs of the employee and department.

13. What if an employee refuses to come to work because of a generalized fear of infection?

If operationally feasible, the employee may be allowed to telecommute. The CDC is recommending social distancing as an effective and critical means to mitigate the spread of COVID-19. However, an employee can be required to attend work, and the refusal to do so may be grounds for discipline.

14. What can you tell other employees about a coworker who has COVID-19?

Employee medical information is confidential, so the identity of the diagnosed employee should not be disclosed.

Individuals with COVID-19 or from countries of origin associated with the outbreak of COVID-19 should not be stigmatized. The County will continue to ensure that employees are not harassed or discriminated against based on a protected category. If an employee feels as though they have been harassed or discriminated against due to concerns related to COVID-19, they should speak with Human Resources or contact the EEO Access Office immediately.

15. Does an employee have to use leave balances if they are compelled to leave work due to symptoms of COVID-19 or being in a high-risk category?

No. An employee may choose to either use leave balances or take unpaid leave. However, if an employee chooses unpaid status, they may be responsible for both the County and the employee's share of medical benefits.

16. What if an employee compelled to leave work is out of leave balances?

Legally, the County can require an employee to leave work and go unpaid, but the employee would likely be entitled to an appeal. The employee should be encouraged to telecommute if operationally feasible and the employee is well enough. If telecommuting is not an option, they will be advanced up to 80 hours of additional sick/healthcare leave to use for this purpose.

17. If an employee must be absent from work due to any COVID-19 related issue (e.g. school closure, illness, suspected illness, care of a family member, etc.), how do they code the time on their timesheet?

An employee who must be absent from work due to any COVID-19 related issue may first exhaust their sick/healthcare leave balances. This applies to all employees including those with annual leave balances. Once sick/healthcare leave is exhausted the employee will code any absence per the terms of the applicable Memorandum of Understanding. If an employee exhausts all balances, they will be advanced up to 80 hours of additional sick/healthcare leave for this purpose.

18. What if the employee who isn't compelled to leave but opts to leave work due to COVID-19 related issues (e.g. without symptoms but high risk) is out of leave balances?

Again, legally, the County can require an employee to go unpaid, but this employee should also be offered the opportunity to telecommute if operationally feasible and they are well enough. If telecommuting is not an option, they will be advanced up to 80 hours of additional sick/healthcare leave for this purpose.

19. What kind of due process is required for employees who are compelled to leave work and use their leave balances?

Regular employees who are required to use their leave balances should be offered the opportunity to meet with designated personnel via telephone or video conference or provide a written response within a reasonable time after they have left the workplace if they disagree with the decision. This meeting would be similar to a *Skelly* hearing, during which the employee may present any relevant information in support of their position. HR will assist with this process.

20. In light of public health directives to limit large gatherings, should we cancel all meetings?

In keeping with public health guidelines, all non-essential public events, including public outreach events, should be postponed or cancelled. Social distancing should be practiced to the greatest extent possible. Managers and supervisors should also encourage video and phone conferences as an alternative to in-person meetings when feasible. Meetings of small groups may be conducted in larger than necessary conference rooms if it is possible to provide for social distancing (6 feet separation). Training should also be postponed or cancelled if it cannot be conducted by video or phone conferencing. Non-essential employee travel has also been cancelled/suspended. More information on social distancing may be found at: <http://www.ohealthinfo.com/civicax/filebank/blobdload.aspx?BlobID=114186>.

21. What is the County doing to promote social distancing of up to 6 feet in the workplace?

Each department is in the process of completing an assessment regarding how to implement social distancing in the workplace. Along with allowing telecommuting, County departments are being asked to identify large spaces such as conference and training rooms that can be used as alternative workspaces to allow for social distancing. If an employee is concerned, however, they should contact their supervisor to discuss. More information on social distancing may be found at: <http://www.ohealthinfo.com/civicax/filebank/blobdload.aspx?BlobID=114186>.

22. What is the County doing to protect its front-line employees who interact with the public and/or at-risk populations?

The County has taken a number of actions to protect its front-line employees in response to COVID-19. For example, the CEO has authorized the closure of various County facilities to limit public access. The public can still access critical services via phone or online. Public events and activities have been cancelled or postponed. Various committee and commission meetings have been changed to teleconferences or have been cancelled or postponed. The County, in cooperation with other local governments and as needed, has requested waivers from the State to allow modified operations to minimize contact with clients in the workplace. Moreover, the County has requested resources from the State and Federal government to facilitate our receipt of protective equipment. However, we realize that each Department is unique so protective measures will be communicated to employees by their department management.

23. What if my child's school is closed past March 31, 2020?

This is a fluid situation and the County will continue to assess how best to assist our employees. If the need arises, the County may extend its current procedures.

24. Will the 80 hours of sick/healthcare leave be advanced to cover spring break?

This emergency measure is intended to cover unforeseen childcare issues related to COVID-19. The need to use an advancement of sick/healthcare leave will vary based on individual employee's circumstances.

25. Are services available to employees to help them cope with concerns related to COVID-19?

Yes. As always, the County offers the Employee Assistance Program (EAP). EAP can be contacted at 1-800-221-0945 or online at www.resourcesforliving.com, Username: Orange County ca, Password: eap. The Employee Health website at www.ochealthinfo.com/ehs includes resources, and the OC Healthy Steps website has a variety of resources at http://www.ocgov.com/gov/hr/eb/employee_wellness. The County Wellness Center website will be updated shortly to reflect many virtual wellness resources. <https://countywellnesscenter.weebly.com/>.

26. If an employee is 65 years of age or older or has an underlying medical condition that makes them at high risk for COVID-19, will they receive paid Administrative Leave?

No. Employees who are 65 years or older and/or have an underlying medical condition that makes them high risk may post balances or stay home on unpaid leave but will not receive paid Administrative Leave.

As outlined in the FAQ document emailed to all County employees on Monday, March 16, 2020, #12, employees in high-risk groups are strongly encouraged to telecommute, if operationally feasible and if they are not essential to the public health and safety as determined by the department. Departments are strongly encouraged to allow employees in a high-risk group to telecommute and those unable to telecommute may choose to post leave balances or stay home on unpaid leave. The County values all employees and if an employee has any questions related to this issue then they should feel free to direct them to their supervisor and/or HR as needed.

27. What does the Health Officer's Order mean for County employees?

The State Public Health Officer's Order to Stay Home supersedes the County Health Officer's order. You may view FAQs about the State order at <https://covid19.ca.gov/stay-home-except-for-essential-needs/>.

Departments have already begun implementing their telecommuting and social distancing plans. The County has already closed facilities and canceled programs for the public to limit social contact and increased the cleaning of County facilities. The County has suspended the requirement for a doctor verification for those sick with respiratory illness through March 31, 2020. This action was taken to allow medical providers to focus on the COVID-19 issue. Questions regarding doctor verification for sick or other leave should be directed to HR.

28. How do employees code absences that are a result of COVID-19?

Additional Pay Codes have been created pertaining to COVID-19 absences to allow employees to use new Families First Coronavirus Response Act (FFCRA) Emergency Paid Sick Leave and expanded Family Medical Leave in combination with existing Sick Leave/Healthcare Leave balances. Previously created "CV*" codes can be used in the order listed below. These codes were created for employees to use for COVID-19 related absence (e.g. school or childcare closure, caring for a family member with COVID-19, self or mandated quarantine, suspected or confirmed

COVID-19 illness). The use of Emergency Paid Sick Leave (EPSL) for COVID-19 related absences and expanded paid leave under the Expanded Family and Medical Leave Act (EFMLA) is at the discretion of the Department Head if an employee is a “health care provider” or “emergency responder” as defined by the Department of Labor

For Regular employees:

Pay Code Title	Pay Code	Definition
Emergency Paid Sick Leave	EPSL	Up to 80 hours of paid sick leave may be taken when an employee is unable to telecommute and is quarantined, seeking a COVID-19 diagnosis, caring for someone quarantined, or when caring for a child whose school or child-care facility is closed. Part-time employee allotment of hours will be prorated based on their regular schedule. EPSL may be used concurrently with the first two weeks of EFMLA which are unpaid.
Emergency Family Medical Leave	EFMLA	Employees who are unable to telecommute and must provide care for a child whose school or child-care facility is closed may be entitled to up to 12 weeks of protected leave. The first two weeks of EFMLA are unpaid, after which, qualifying employees will receive 2/3rds of their regular rate for 10 weeks. Employees may post other COVID-19 related pay codes to supplement and achieve 100% of pay. Employees must submit a Leave of Absence request for consideration for EFMLA.
Emergency Family Medical Leave Unpaid	EFMLU	This is a tracking pay code (like FMLA) that is posted to track all EFMLA time off an employee uses (including discretionary EFMLA). This code should be posted concurrently with all EFMLA.
Coronavirus Sick Leave/ Healthcare Leave	CVSP	This may be used for Coronavirus absences even if an employee has Annual Leave balances. May be posted until an employee reaches zero balance and then all other leave balances must be posted prior to posting up to 80 hours of advanced Sick Leave/Healthcare Leave Balances.
Coronavirus Annual Leave	CVAL	if applicable
Coronavirus Vacation	CVVAC	if applicable
Coronavirus PIP Time	CVPIP	if applicable
Coronavirus Comp Time	CVCT	if applicable

The CVSP Pay Code may be used for Coronavirus absences even if a regular employee has Annual Leave balances. Upon reaching a zero Sick Leave/Healthcare Leave balance, an employee must exhaust all other accrued balances (CVAL, CVVAC, CVPIP, CVCT) prior to posting up to 80 hours of advanced Sick Leave/Healthcare Leave Balances. NOTE: The hours are advanced as needed, up to the maximum of 80 hours. Employees do not need to submit a written request for the 80 hours of advance Sick Leave/Healthcare Leave Balances. Employees will simply use the CVSP Pay Code

on their timecard as long as it complies with the above guidelines. Future Sick Leave/Healthcare Leave accruals will be used to replenish the advancement of Sick/Healthcare Leave hours.

Pre-planned vacation time or time off for illnesses unrelated to COVID-19 should be coded as described in the applicable Memorandum of Understanding.

For Extra Help employees:

Pay Code Title	Pay Code	Definition
Emergency Paid Sick Leave	EPSL	Up to 80 hours of paid sick leave (based on the regular of hours regularly scheduled or average hours worked per pay period) may be taken when an employee is unable to telecommute and is quarantined, seeking a COVID-19 diagnosis, caring for someone quarantined, or when caring for a child whose school or child-care facility is closed. EPSL may be used concurrently with the first two weeks of EFMLA which are unpaid.
Emergency Family Medical Leave	EFMLA	Employees who are unable to telecommute and must provide care for a child whose school or child-care facility is closed may be entitled to up to 12 weeks of protected leave. The first two weeks of EFMLA are unpaid, after which, qualifying employees will receive 2/3rds of their regular rate for 10 weeks. Employees may post other COVID-19 related pay codes to supplement and achieve 100% of pay. Employees must submit a Leave of Absence request for consideration for EFMLA.
Emergency Family Medical Leave Unpaid	EFMLU	This is a tracking pay code (like FMLA) that is posted to track all EFMLA time off an employee uses (including discretionary EFMLA). This code should be posted concurrently with all EFMLA.
Coronavirus Extra Help Sick Leave/Healthcare Leave	CVEHS	This pay code may be used to post all accrued Sick Leave/Healthcare Leave balances accrued for Coronavirus absences.

If an Extra Help employee does not have any leave balances or exhausts all their Sick Leave/Healthcare Leave balances, employees may be advanced up to 24 hours of additional Sick Leave/Healthcare Leave. Employees will use the CVEHS Pay Code to post the additional 24 hours. **Future Sick Leave/Healthcare Leave accruals will be used to replenish the advancement of hours.**

29. Should Administrative Managers who work more than 80 hours in a pay period in response to COVID-19 post management overtime (MOT) on their timesheets?

Yes, Administrative Managers should post all hours worked in excess of 80 hours per pay period in response to the COVID-19 on their timesheet. The MOT pay code and EOC10220 job code will be used to track these hours for various purposes.

30. How do I track my timesheet if I am teleworking and get ill or have childcare issues?

If you are unable to work all of your scheduled hours, it is important to accurately utilize leave balances in accordance with your designated Memorandum of Understanding and/or related policies for the remainder of the day.

31. How will I submit my time each pay period if I am telecommuting or out of the office?

Employees who are able to connect to County servers via VPN should be able to access VTI to enter their time. Employees who are out of the office and do not have access to VTI should communicate their timesheet information to a supervisor or manager who will be responsible for ensuring timesheets are submitted. Each department is responsible for setting deadlines for timesheet submission.

32. Is the County working with my union regarding how COVID-19 is affecting employees?

Yes, as suggested by the Board of Supervisors, HR has been communicating with all unions and has established an Ad-Hoc committee to facilitate collaboration as we work through this critical time as a County family.

33. As a County employee what are my responsibilities now?

On February 26, 2020, the Orange County Board of Supervisors declared a local health emergency. Pursuant to Government Code § 3100 and Orange County Codified Ordinance § 3-1-6(b)(3), all County employees are considered disaster workers and are subject to such disaster services as may be assigned to them by their superiors or by law.

In this time of emergency, the citizens of Orange County are counting on all of us to help them through this crisis. It is important that we all take individual responsibility to perform our current assignments as directed by our supervisors and be ready to support the completion of an emergency-related task if asked by our supervisor to do so. As we complete our work, we should all support each other and communicate any hazardous situations to ensure our safety.

Please review the eight minute long Disaster Services Worker Orientation Video at the following link for more information about your responsibilities:

<https://drive.google.com/file/d/1ZaPjkAbMi9e5NM9d71w0McbvhLehL4c/view>

34. What should I do if the County building that I work in is closed?

Decisions are being made to close some County buildings to protect the public and employees. Employees with questions about building closures should direct their questions to their supervisor. While some buildings and services may be closed to the public, the County department managing a specific building or service may still need all or some employees to report and to work as directed.

35. Will I be impacted by the newly enacted Families First Coronavirus Response Act (FFCRA)?

Effective April 1, 2020, this law provides Emergency Paid Sick Leave (EPSL) for COVID-19 related absences and expanded paid leave under the Expanded Family and Medical Leave Act (EFMLA) for employees who are unable to telework and need to provide care for their child whose school or place of care is closed as a result of COVID-19 related reasons. On March 31, 2020, the Orange

County Board of Supervisors approved expanded measures to further provide relief to employees. These provisions apply to leaves taken between April 1, 2020, and December 31, 2020. The use of these leaves is at the discretion of the Department Head if an employee is a “health care provider” or “emergency responder” as defined by the Department of Labor.

EPSL:

- Provides Full-Time Employees with up to 80 hours of paid sick leave at the employee’s current regular rate of pay. Part-time and Extra Help employees are eligible for the average number of hours they work in a pay period.
- May be taken when an employee is **unable to telecommute** and is quarantined, seeking a COVID-19 diagnosis, caring for someone quarantined, or when caring for a child whose school or child-care facility is closed.
- Employees will be required to submit certification of qualifying reason for the use of leave as outlined in the Department of Labor guidance.

EFMLA:

- Employees who are **unable to telecommute** and must provide care for a child whose school or child-care facility is closed may be entitled to 12 weeks of protected leave and to receive 2/3rds of their regular rate for 10 weeks.
- Employees may post their own balances to supplement and reach 100% pay.
- Employees will be required to submit certification of qualifying reason for the use of leave as outlined in the Department of Labor guidance.

When an employee is unable to work or telecommute due to caring for their child whose school or place of care is closed due to a COVID-19 related reason, the County Leave of Absence process is to be followed – even for employees who are already currently on an approved leave for a qualifying reason. The employee will need to complete a Leave of Absence form and the new Emergency Family and Medical Leave Act Certification form.

The Leave of Absence and certification form is to be submitted to the Department’s Human Resources team who will review the request to determine if the employee qualifies for the leave. A Human Resources representative will notify the employee if they qualify for EFMLA leave and provide instructions on how to complete their timesheet.

For more information please see the Families First Coronavirus Act information document at: <https://www.ocgov.com/civicax/filebank/blobdload.aspx?BlobID=114691>

36. What should I do if I think I was exposed to COVID-19 at work?

An employee may report their concern to a supervisor and an injury or illness report (5020) will be filed. This report will be deemed a record only. An exposure is not an injury or illness and a claim will not be filed. However, CEO-Risk Management will maintain the form on file in the event you as the employee test positive for the disease and feel it is work related.

37. Do I get paid workers’ compensation benefits for time off while my claim is being investigated?

No, as with all workers’ compensation claims, an employee will post their own balances during the investigation of the claim. Workers’ compensation only pays for time away from work if the injury or illness is determined to be work related and there is an accepted claim. If the claim is

accepted, you will be reimbursed for your leave as long as it is documented by a doctor. However, if the claim is denied, no benefits will be paid.

38. Why are the Courts and some cities paying staff who are not able to work but the County is not able to provide paid administrative leave?

Each organization has different degrees of funding sources, authority to use those funds, and budgets. As such, each organization is tasked to make a unique determination based on a variety of factors including whether an agency funds employee positions through fee-based services or receives restricted funds. At this time, the County is providing employees with as much flexibility and as many resources as possible, while balancing the need to continue serving the community and the safety of our valued workforce.

39. During a pandemic, may an employer take employees' temperatures to determine whether they have a fever?

Generally, measuring an employee's body temperature is a medical examination that may only be performed under limited circumstances. Based on current CDC and local public health information and guidance, employers may measure an employee's body temperature for the limited purpose of evaluating the risk that employee's presence poses to others in the workplace as a result of the COVID-19 pandemic. However, Department Heads/Managers should consult with Employee Health prior to the implementation of any process to measure employees' body temperature.

40. Are masks and Personal Protective Equipment (PPE) necessary at work?

Because of severe PPE shortages nationwide, the County must reserve PPEs for those who need it based on appropriate risk assessment and guidelines. At this time, CDC recommendations do not support the use of PPE every time employees come into contact with every member of the public. The County's Public Health Office continues to evaluate the need for PPE and will continue to provide updated guidance in the future.

On April 2, 2020, based on guidance provided by the California Department of Public Health, the County of Orange issued recommendations regarding the use of cloth face coverings during the COVID-19 emergency. These recommendations can be found at:

<https://www.ocgov.com/civicax/filebank/blobdload.aspx?BlobID=114814>

41. What expenses will the County be reimbursing employees for while they are telecommuting?

In general, the County will not reimburse employees for expenses incurred as a result of telecommuting (e.g. telephone, electricity, internet access) but employees should check their Department's telecommuting agreement and policies for specific inquiries. Employees should discuss individual questions and needs regarding telecommuting with their Department.

42. Can I request Catastrophic Leave donations if I have exhausted all paid leave and still have to be off work?

You may qualify to request a Catastrophic Leave donations drive due to "other serious circumstances" if you will be off work for more than 14 days after you have exhausted all paid leave balances, paid Emergency Family Medical Leave under FFCRA, and have used 80 hours of advanced Sick/Healthcare Leave. Requests for Catastrophic Leave drive due to "other serious

circumstances” will be governed by the County of Orange “Catastrophic Leave Procedures” found at:

https://ocgov.sharepoint.com/sites/HRS/Collaborations/hrs_pol_proc_wg/Policies%20%20Procedure/Catastrophic%20Leave%20Procedures.pdf#search=Catastrophic%20Leave

43. What training options are available to me if I am telecommuting and not able to perform all of my core work functions?

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https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA_Poster_WH1422_Non-Federal.pdf

Disaster Services Worker Orientation Video:

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**CORONAVIRUS DISEASE 2019 (“COVID-19”)
GUIDANCE FOR COUNTY EMPLOYEES
FREQUENTLY ASKED QUESTIONS**

**APPLICABLE THROUGH March 31, 2020 *Extended to April 30, 2020
SUBJECT TO UPDATE AND EXTENSION-Version 4**

The County values its employees and understands that the COVID-19 crisis may be creating a difficult and stressful situation for employees’ work and personal lives. The County is committed to providing employees with as much information as possible to help navigate a variety of uncertainties, and has developed guidelines, procedures, and responses to frequently asked questions below. This is version forth of the Frequently Asked Questions.

If questions arise that are not answered below, please contact your Department Human Resources Manager (HR). Given the fluidity of the situation, the procedures described below are subject to change. This guidance will be updated as additional information becomes available.

Please note that the County is following State and Federal guidelines to promote a safe workplace during the COVID-19 crisis. Just as we are committed to our employees, as a local government, we are also committed to providing critical health and safety services to Orange County’s citizens.

Information distributed to employees will be maintained at <http://www.ocgov.com/gov/ceo/covid19employeeinfo> for future reference. In addition, an email address has been established for employee questions (CEOCOM@ocgov.com). Responses to the questions may be incorporated into future updates of this document.

Updates to Existing Questions and Answers

28. How do employees code absences that are a result of COVID-19?

Additional Pay Codes have been created pertaining to COVID-19 absences to allow employees to use new Families First Coronavirus Response Act (FFCRA) Emergency Paid Sick Leave and expanded Family Medical Leave in combination with existing Sick Leave/Healthcare Leave balances. Previously created “CV*” codes can be used in the order listed below. These codes were created for employees to use for COVID-19 related absence (e.g. school or childcare closure, caring for a family member with COVID-19, self or mandated quarantine, suspected or confirmed COVID-19 illness).

The use of Emergency Paid Sick Leave (EPSL) for COVID-19 related absences and expanded paid leave under the Expanded Family and Medical Leave Act (EFMLA) is at the discretion of the Department Head if an employee is a “health care provider” or “emergency responder” as defined by the Department of Labor.

For Regular Employees:

Pay Code Title	Pay Code	Definition
Emergency Paid Sick Leave	EPSL	Up to 80 hours of paid sick leave may be taken when an employee is unable to telecommute and is quarantined, seeking a COVID-19 diagnosis, caring for someone quarantined, or when caring for a child whose school or child-care facility is closed. Part-time employee allotment of hours will be pro-rated based on their regular schedule. EPSL may be used concurrently with the first two weeks of EFMLA which are unpaid.
Emergency Family Medical Leave	EFMLA	Employees who are unable to telecommute and must provide care for a child whose school or child-care facility is closed may be entitled to up to 12 weeks of protected leave. The first two weeks of EFMLA are unpaid, after which, qualifying employees will receive 2/3rds of their regular rate for 10 weeks. Employees may post other COVID-19 related pay codes to supplement and achieve 100% of pay. Employees must submit a Leave of Absence request for consideration for EFMLA.
Emergency Family Medical Leave Unpaid	EFMLU	This is a tracking pay code (like FMLA) that is posted to track all EFMLA time off an employee uses (including discretionary EFMLA). This code should be posted concurrently with all EFMLA.
Coronavirus Sick Leave/ Healthcare Leave	CVSP	This may be used for Coronavirus absences even if an employee has Annual Leave balances. May be posted until an employee reaches zero balance and then all other leave balances must be posted prior to posting up to 80 hours of advanced Sick Leave/Healthcare Leave Balances.
Coronavirus Annual Leave	CVAL	if applicable
Coronavirus Vacation	CVVAC	if applicable
Coronavirus PIP Time	CVPIP	if applicable
Coronavirus Comp Time	CVCT	if applicable

The CVSP Pay Code may be used for Coronavirus absences even if a regular employee has Annual Leave balances. Upon reaching a zero Sick Leave/Healthcare Leave balance, an employee must exhaust all other accrued balances (CVAL, CVVAC, CVPIP, CVCT) prior to posting up to 80 hours of advanced Sick Leave/Healthcare Leave Balances. NOTE: The hours are advanced as needed, up to the maximum of 80 hours. Employees do not need to submit a written request for the 80 hours of advance Sick Leave/Healthcare Leave Balances. Employees will simply use the CVSP Pay Code on

their timecard as long as it complies with the above guidelines. **Future Sick Leave/Healthcare Leave accruals will be used to replenish the advancement of Sick/Healthcare Leave hours.**

Pre-planned vacation time or time off for illnesses unrelated to COVID-19 should be coded as described in the applicable Memorandum of Understanding.

For Extra Help Employees:

Pay Code Title	Pay Code	Definition
Emergency Paid Sick Leave	EPSL	Up to 80 hours of paid sick leave (based on the regular of hours regularly scheduled or average hours worked per pay period) may be taken when an employee is unable to telecommute and is quarantined, seeking a COVID-19 diagnosis, caring for someone quarantined, or when caring for a child whose school or child-care facility is closed. EPSL may be used concurrently with the first two weeks of EFMLA which are unpaid.
Emergency Family Medical Leave	EFMLA	Employees who are unable to telecommute and must provide care for a child whose school or child-care facility is closed may be entitled to up to 12 weeks of protected leave. The first two weeks of EFMLA are unpaid, after which, qualifying employees will receive 2/3rds of their regular rate for 10 weeks. Employees may post other COVID-19 related pay codes to supplement and achieve 100% of pay. Employees must submit a Leave of Absence request for consideration for EFMLA.
Emergency Family Medical Leave Unpaid	EFMLU	This is a tracking pay code (like FMLA) that is posted to track all EFMLA time off an employee uses (including discretionary EFMLA). This code should be posted concurrently with all EFMLA.
Coronavirus Extra Help Sick Leave/Healthcare Leave	CVEHS	This pay code may be used to post all accrued Sick Leave/Healthcare Leave balances accrued for Coronavirus absences.

If an Extra Help employee does not have any leave balances or exhausts all their Sick Leave/Healthcare Leave balances, employees may be advanced up to 24 hours of additional Sick Leave/Healthcare Leave. Employees will use the CVEHS Pay Code to post the additional 24 hours. **Future Sick Leave/Healthcare Leave accruals will be used to replenish the advancement of hours.**

~~30. How do I track my timesheet if I am teleworking and get ill or have childcare issues?~~

~~If you are unable to work all of your scheduled hours, it is important to accurately utilize leave balances in accordance with your designated Memorandum of Understanding and/or related policies for the remainder of the day. (Refer to question # 28)~~

33. As a County employee what are my responsibilities now?

On February 26, 2020, the Orange County Board of Supervisors declared a local health emergency. Pursuant to Government Code § 3100 and Orange County Codified Ordinance § 3-1-6(b)(3), all County employees are considered disaster workers and are subject to such disaster services as may be assigned to them by their superiors or by law.

In this time of emergency, the citizens of Orange County are counting on all of us to help them through this crisis. It is important that we all take individual responsibility to perform our current assignments as directed by our supervisors and be ready to support the completion of an emergency-related task if asked by our supervisor to do so. As we complete our work, we should all support each other and communicate any hazardous situations to ensure our safety.

Please review the eight minute long Disaster Services Worker Orientation Video at the following link for more information about your responsibilities:

<https://drive.google.com/file/d/1ZaPjkAbMi9e5NM9d71w0McxbvHLehL4c/view>

35. Will I be impacted by the newly enacted Families First Coronavirus Response Act (FFCRA)?

Effective April 1, 2020, this law provides Emergency Paid Sick Leave (EPSL) for COVID-19 related absences and expanded paid leave under the Expanded Family and Medical Leave Act (EFMLA) for employees who are unable to telework and need to provide care for their child whose school or place of care is closed as a result of COVID-19 related reasons. On March 31, 2020, the Orange County Board of Supervisors approved expanded measures to further provide relief to employees. These provisions apply to leaves taken between April 1, 2020, and December 31, 2020. The use of these leaves is at the discretion of the Department Head if an employee is a “health care provider” or “emergency responder” as defined by the Department of Labor.

EPSL:

- Provides Full-Time Employees with up to 80 hours of paid sick leave at the employee’s current regular rate of pay. Part-time and Extra Help employees are eligible for the average number of hours they work in a pay period.
- May be taken when an employee is **unable to telecommute** and is quarantined, seeking a COVID-19 diagnosis, caring for someone quarantined, or when caring for a child whose school or child-care facility is closed.
- Employees will be required to submit certification of qualifying reason for the use of leave as outlined in the Department of Labor guidance.

EFMLA

- Employees who are **unable to telecommute** and must provide care for a child whose school or child-care facility is closed may be entitled to 12 weeks of protected leave and to receive 2/3rds of their regular rate for 10 weeks.
- Employees may post their own balances to supplement and reach 100% pay.
- Employees will be required to submit certification of qualifying reason for the use of leave as outlined in the Department of Labor guidance.

When an employee is unable to work or telecommute due to caring for their child whose school or place of care is closed due to a COVID-19 related reason, the County Leave of Absence process is to be followed – even for employees who are already currently on an approved leave for a qualifying reason. The employee will need to complete a Leave of Absence form and the new Emergency Family and Medical Leave Act Certification form.

The Leave of Absence and certification form is to be submitted to the Department's Human Resources team who will review the request to determine if the employee qualifies for the leave. A Human Resources representative will notify the employee if they qualify for EFMLA leave and provide instructions on how to complete their timesheet.

For more information please see the Families First Coronavirus Act information document at: <https://www.ocgov.com/civicax/filebank/blobdload.aspx?BlobID=114691>

39. During a pandemic, may an employer take employees' temperatures to determine whether they have a fever?

Generally, measuring an employee's body temperature is a medical examination that may only be performed under limited circumstances. Based on current CDC and local public health information and guidance, employers may measure an employee's body temperature for the limited purpose of evaluating the risk that employee's presence poses to others in the workplace as a result of the COVID-19 pandemic. However, Department Heads/Managers should consult with Employee Health prior to the implementation of any process to measure employees' body temperature.

40. Are masks and Personal Protective Equipment (PPE) necessary at work?

Because of severe PPE shortages nationwide, the County must reserve PPEs for those who need it based on appropriate risk assessment and guidelines. At this time, CDC recommendations do not support the use of PPE every time employees come into contact with every member of the public. The County's Public Health Office continues to evaluate the need for PPE and will continue to provide updated guidance in the future.

On April 2, 2020, based on guidance provided by the California Department of Public Health, the County of Orange issued recommendations regarding the use of cloth face coverings during the COVID-19 emergency. These recommendations can be found at: <https://www.ocgov.com/civicax/filebank/blobdload.aspx?BlobID=114814>

New Questions and Answers

41. *What expenses will the County be reimbursing employees for while they are telecommuting?*

In general, the County will not reimburse employees for expenses incurred as a result of telecommuting (e.g. telephone, electricity, internet access) but employees should check their Department's telecommuting agreement and policies for specific inquiries. Employees should discuss individual questions and needs regarding telecommuting with their Department.

42. *Can I request Catastrophic Leave donations if I have exhausted all paid leave and still have to be off work?*

You may qualify to request a Catastrophic Leave donations drive due to "other serious circumstances" if you will be off work for more than 14 days after you have exhausted all paid leave balances, paid Emergency Family Medical Leave under FFCRA, and have used 80 hours of advanced Sick/Healthcare Leave. Requests for Catastrophic Leave drive due to "other serious circumstances" will be governed by the County of Orange "Catastrophic Leave Procedures" found at:

https://ocgov.sharepoint.com/sites/HRS/Collaborations/hrs_pol_proc_wg/Policies%20%20Procedure/Catastrophic%20Leave%20Procedures.pdf#search=Catastrophic%20Leave

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