

HUMAN RESOURCES MEMORANDUM 20-027		DATE ISSUED: 09/29/2020
SUBJECT: GUIDANCE FOR MANAGERS AND SUPERVISORS ON CORONAVIRUS (COVID-19)		REFERENCE: CalHR Announcement
TO: All DGS Managers and Supervisors		SUPERCEDES: <i>None</i>

PLEASE ENSURE THAT THIS INFORMATION IS SHARED WITH YOUR EMPLOYEES

Purpose

The purpose of this memorandum is to provide guidance and information to departments during this time of emergency. Every effort has been made to provide current information. However, because of the evolving nature of the emergency, we encourage you to check the public health links provided in this communication for the most current information.

Staying Safe

What precautions can be taken by state workers to protect themselves?

In order to reduce the spread of viruses (including COVID-19) at work, some important and necessary steps can be taken by all employees to protect themselves and those around them. Employees should:

- Engage in safe physical distancing of 6 feet or more from others not of the same household.
- Wash hands often with soap and water for at least 20 seconds, especially after blowing nose, coughing, or sneezing, or having been in a public place.
- Avoid touching eyes, nose or mouth with unwashed hands.
- Avoid close contact with people who are sick and gatherings and crowds.
- Stay away from work or other people if sick with symptoms of COVID-19.
- Wear a face covering at work and when in public, in accordance with the June 18, 2020 [CDPH Guidance for the Use of Face Coverings](#).
- Avoid cruise travel and non-essential air travel.
- Clean and disinfect homes to remove germs; practice routine cleaning of frequently touched surfaces.
- Follow guidance from public health officials.

Employees should work with their supervisor/manager on options for telework and flexible work schedules, and/or their human resources office on leave options.

It is especially important for employees who are at higher risk for serious illness from COVID-19 because of age or health condition to take these precautions to reduce the risk of getting sick. Additional guidance for employees who are at higher risk for serious illness from COVID-19 can be found on the [CDC website](#). Employees taking precautions, based on higher risk for serious illness from COVID-19, should work with their supervisor/manager on options for telework and flexible work schedules, and/or their human resources office on leave options.

Employees can self-screen to lessen community spread of COVID-19. The self-screening process involves employees taking their temperature and recognizing if they have symptoms of COVID-19 (e.g., fever, chills, cough, shortness of breath, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea, vomiting, or diarrhea). Employees with any these symptoms or that have a recorded temperature of greater than 100.4 degrees, should stay home and work with their supervisor/manager on alternate work arrangements and leave options.

Do employees need to wear a face mask or face covering?

On June 18, 2020, CDPH issued statewide [Guidance for the Use of Face Coverings](#). Employees must follow this guidance and wear a face covering when at work or in public in the situations where face coverings are required. However, it is important to remember that face coverings are to be worn in addition to, and not as a substitute for other important measures including maintaining safe physical distancing of at least 6 feet from others and frequent handwashing. The CDPH Guidance outlines some individual exemptions from wearing a face covering; departments will need to establish a process and policy for handling exemptions.

Is increased cleaning of state buildings taking place?

The Department of General Services (DGS) started a more frequent and rigorous disinfectant regime focused on high-touch surfaces, paying extra attention to surfaces in public areas such as doorknobs, elevator buttons, bathroom fixtures, etc. In addition, DGS is ensuring public hand sanitizer dispensers are in all DGS-managed state offices. Within state-leased buildings, DGS contacted lessors to determine what actions lessors are taking to ensure that public areas are cleaned regularly, and that hand sanitizer dispensers are available in their buildings.

State Workers Deployed for COVID-19

Do State employees have to follow state and federal guidance for the facility they are deployed to?

All State employees (and contractors included therein) who will be actively deployed to off-site locations/facilities as “investigators” (such as employees of Alcohol Beverage Control, Cal/OSHA, etc.) must, at all times, follow state and federal guidance and applicable California Division of Occupational Safety and Health (Cal/OSHA) regulations for the sector specific location or facility to which they are deployed. This means, at a minimum, State employees are to wear acceptable face coverings, practice physical distancing, and engage in proper hygiene – such as hand washing. If the location or facility maintains stricter guidelines than current State and/or federal guidance, then the State employee is to abide by those stricter guidelines. For healthcare settings, State employees must follow healthcare worker specific guidance from the Centers for Disease Control and Prevention ([CDC](#)) and [Cal/OSHA](#) regulations.

Do State employees have to follow testing protocols for the facility they are deployed to?

All State employees must abide by the testing protocols for their department and the specific sector to which they are being deployed. For example, employees deployed to correctional facilities should follow the California Department of Corrections and Rehabilitation (CDCR) testing policy and protocol, while employees deployed to California State Hospitals should follow the Department of State Hospital testing policy and protocol, etc. Employers should provide sector specific testing as appropriate to employees prior to their deployment. State employees may find general sector-by-sector guidance here:

<https://www.cdc.gov/coronavirus/2019-ncov/hcp/testing.html>.

Departments' testing policies and protocols should align with sector specific guidance and testing protocols, which may continue to evolve as testing availability changes.

If there is no sector specific testing guidance for a location to which an employee is deployed, then [general testing guidance](#) should be followed. Testing is recommended when an employee has symptoms of COVID-19, or has an exposure to a known positive case.

Where can State employees get COVID-19 testing?

State employees can receive COVID-19 testing through state run testing sites such as Verily or Optum Serve, other locally sponsored testing sites, or via their personal health care provider. To obtain testing through Verily or Optum, State employees must locate a testing site and follow the location specific directions for setting up an appointment. If State employees test with their personal health care provider, as a condition of employment, employers must reimburse any cost incurred by the employee. Departments should provide information to employees about how to obtain reimbursement. Testing is completed during work time.

What actions should be taken to protect staff that are deployed?

CDC guidance refers to standard precautions in healthcare settings to protect healthcare workers from infection and prevent the spread of infection from patient to patient. Standard precautions include:

- Perform hand hygiene with alcohol-based hand rub before and after all patient contact, contact with potentially infectious material, and before putting on and upon removal of personal protective equipment. Use soap and water if hands are visibly soiled.
- Follow respiratory hygiene/cough etiquette principles.
- Use PPE whenever there is an expectation of possible exposure to infectious material.

Employers are required to protect employees including field-deployed staff during the COVID-19 emergency. Which protections are needed will depend on the specific job tasks and locations involved; direction should be provided by staff having the responsibility for employee health and safety.

The Cal/OSHA Aerosol Transmissible Diseases Standard that covers healthcare facilities, prisons, jails, homeless shelters, first responders and certain other workers in jobs at higher risk for these infectious diseases should be followed by the employers and workers in those facilities. Information on the standards for protecting workers from COVID-19 is available within the [Cal OSHA Guidance to Protect Workers](#). Additionally, the CDC provides guidance on how to prepare before, during and after staff deployment within the [CDC Guidance on Deployment of Staff](#).

What actions, if any, should be taken for a deployed employee's return to the office?

Employees need to have their risk assessed depending on whether there was contact with a known case and whether appropriate Personal Protective Equipment (PPE) was worn. CDC risk assessment guidelines are available for [community exposures](#), [healthcare exposures](#), and practices for [critical infrastructure employees](#) who may have been exposed.

Employees Reporting Illness or Symptoms

What if an employee reports they have tested positive for COVID-19?

Each department should have a single point of contact that will:

- Coordinate communication within the Department and Agency.
- Contact Local Public Health Office to confirm/inform of positive case and obtain guidance to compare/confirm with latest CDPH guidance.
- Coordinate internal communication emails to human resources, labor relations, and employees that may be at risk.
- Inform support operations to coordinate additional cleaning needs, if needed, depending on situation (DGS, leased facility, or state building).
- Ensure absenteeism is reported through the GovOps tracker.

If an employee is confirmed to have COVID-19, departments should promptly inform any employees identified as contacts or potentially exposed of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by applicable health and privacy laws and rules.

An employee with COVID-19 symptoms who is waiting for test results, should remain at home and work with their supervisor to discuss all viable options for telework or leave availability in coordination with their human resources office.

When should an employee who tests positive for COVID-19 return to work?

After testing positive, employees must stay remain in isolation until they meet CDC criteria to be released from isolation. Criteria for return to work may vary by work setting and circumstances and is determined by the employer's occupational health program or human resources department, based on guidance from CDC and CDPH or instructions from the local health department in the jurisdiction where the workplace is located. Employees should contact their supervisor/manager to discuss all viable options for telework and leave availability while they are required to stay at home. For non-healthcare setting return to work criteria, please visit the [CDC website](#).

In a health care setting or a congregate living setting (e.g., a skilled nursing facility or correctional institution) the criteria for return to work are complex, and for this reason, an employee's supervisor, occupational health program, or human resources department should seek instruction from the local health department where the facility is located, to ensure that decisions are based on guidelines and best practices from CDC and CDPH.

In other settings, especially those with high transmission or difficulty in complying with infection prevention best practices, return to work decisions may be guided by the local health department.

What if an employee develops symptoms consistent with COVID-19 in the workplace (e.g., fever, cough, shortness of breath, severe fatigue, muscle aches, headache, sore throat, runny nose, nausea, vomiting, or diarrhea)?

If an employee reports symptom(s) consistent with COVID-19 while in the workplace, the employee should be isolated from others, provided a mask to wear (if available), and sent home (or to a medical provider, if needed), as soon as possible. Employees who develop symptoms at home should stay home.

Employees should work with their supervisors to discuss all viable options for telework or leave availability as recommended by the local public health office and in coordination with their human resources office.

An individual's healthcare provider exercises discretion on whether to test an individual with symptoms of COVID-19. That decision may be based on the clinical presentation, availability of tests, or other external factors. Some individuals with mild symptoms who do not require hospitalization may therefore be asked to stay home instead of entering a healthcare facility for care and testing. Testing for symptomatic employees is recommended.

Can I require a doctor's note from an employee to make sure they do not have COVID-19?

All requests for doctor's notes must follow state policies, laws and memoranda of understanding (MOU).

Can I ask for specifics on an employee's illness when they call in sick?

You must follow sick leave policies and MOU in requesting information on employee illnesses. You may only request information on prognosis (i.e., symptoms, duration, anticipated return and any restrictions), not diagnosis. Employers must maintain all information about employee illness as a confidential medical record in compliance with the Americans with Disabilities Act.

If an employee calls in sick and expresses that they may have been exposed to COVID-19 due to travel or contact, what should I do?

Supervisors must provide the reported information to your human resources office to determine if any action is needed and handle any further communication with the employee. Relevant information in assessing employee risk includes: 1) whether employee had exposure to someone with COVID-19 (testing confirmed or pending), 2) environment and proximity in which exposure occurred, and 3) length of time of exposure. Someone who spent 15 minutes or more within 6 feet of an individual with COVID-19 is considered a close contact (regardless of whether face coverings are worn) and should remain at home for 14 days post-exposure. CDC guidance for recommended precautions based on potential exposures to COVID-19 is available from: [CDC Public Recommendations for Community Related Exposure](#).

If someone the employee lives with tests positive for COVID-19, the employee should remain at home. The employee may consult with their personal physician or [local public health department](#) either by phone or their website about any possible actions to take based on individual circumstances. Household members of a confirmed case will usually be quarantined for 14 days following last exposure to the household member who was diagnosed with COVID-19.

In cases in which employees have had close contact with a person with symptoms of COVID-19 who does not have confirmed or pending testing for COVID-19, employees should consult with their medical provider or [local public health department](#) about actions to take based on community transmission of COVID-19 and individual circumstances. Reasonable approaches may be teleworking for 14 days post-exposure or working onsite with a face covering, strict physical distancing from other employees, and active self-monitoring for symptoms.

Employees in quarantine should contact their supervisors to discuss all viable options for telework or leave availability as recommended by the local public health department or human resources office.

What should I do if an employee arrives to work and is visibly sick?

The employee should be isolated from others, provided a mask to wear (if available), and sent home (or to a medical provider, if needed), as soon as possible. They should also be provided viable telework options and referred to their human resources office for information on leave options. See [Cal OSHA Guidance Page 10](#) and [CDC Guidance](#) for additional information.

What if there are cases of COVID-19 in a state workplace?

COVID-19 in the workplace should be managed by an occupational health program, if available, or human resources department, in consultation with the local health department in the jurisdiction where the department is located. Additional coordination may be needed with local health departments in jurisdictions where employees reside. Information gathering from the laboratory confirmed employee cases will be needed in order to notify other employees of their potential exposure and need to quarantine. Employees are considered close contacts to the confirmed case when they spent 15 minutes or more within 6 feet of the individual, regardless of whether face coverings were worn.

When there is concern for exposure, transmission, or an outbreak of COVID-19 in a workplace, the employer may be instructed to recommend testing of many or all employees in a workplace by local public health authorities or the employer's occupational health program or human resources department, based on guidance from CDC and CDPH, even for employees who did not have close contact with a confirmed case or who do not have any symptoms of COVID-19.

The occupational health program or human resources department will use instructions and guidance from the local health department, CDC, and CDPH to determine which employees must quarantine and whether employees can continue to work based on their symptoms and test results. Even employees who test negative for COVID-19 or who were not tested may not be permitted to return to work until a quarantine period has ended, especially if they had close contact with a laboratory confirmed case.

State Workers on Quarantine

What if an employee is subject to quarantine or self-monitoring?

An employee who is subject to quarantine or self-monitoring will be provided with telework options if available. If telework is not viable, the employee may qualify for up to 14 days of paid leave under the Emergency Paid Sick Leave Act (EPSLA).

What if an employee is subject to quarantine or self-monitoring?

An employee who has been subject to quarantine or self-monitoring and tests positive for COVID-19 or otherwise becomes ill, no sooner than 14 days after the quarantine or self-monitoring began, shall be able to use leave credits of all types available and may be eligible for other benefits. Employees who have tested positive for COVID-19 or are caring for a family member who has tested positive for COVID-19 may be eligible for 2 weeks of paid leave under the Families First Coronavirus Response Act, EPSLA. Supervisors are encouraged to work with their human resources office regarding the time off for the employee to determine eligibility for leave and benefit options.

If an employee has been in the workplace prior to mandatory or self-quarantine, is there any special disinfecting or cleaning that should be completed?

There is [CDC Guidance for Cleaning/Disinfection](#) after an individual with COVID-19 has been in the facility. Additionally, CDC has recommendations for routine environmental cleaning located at [CDC Guidance for Response](#).

State Workers with Household Members on Quarantine

If someone an employee lives with tests positive for COVID-19 and is quarantined, can the employee come in to work?

If someone the employee lives with tests positive for COVID-19, the employee should remain at home. The employee may consult with their personal physician or [local public health department](#) either by phone or their website about any possible actions to take based on individual circumstances. Household members of a confirmed case will usually be quarantined for 14 days following last exposure to the household member who was diagnosed with COVID-19.

The employee should contact their supervisor/manager to discuss all viable options for telework or leave availability.

Employees who have tested positive for COVID-19 or are caring for a family member who has tested positive for COVID-19 may be eligible for two weeks of EPSLA under the Families First Coronavirus Response Act. Employees should remain at home and work with their Human Resources office to determine if they meet eligibility.

An employee who had close contact to a confirmed case, does not have COVID-19 symptoms and is awaiting test results, should be quarantined at home for 14 days after the last known close contact. The employee should contact their supervisor/manager to discuss all viable options for telework or leave availability.

State Workers in Healthcare Settings

What precautions should be taken for state workers in healthcare settings?

The Cal/OSHA aerosol transmissible diseases standard that covers healthcare workers should be followed by the healthcare facilities and workers in those facilities. Information on the standard is available within the [Cal/OSHA Guidance to Protect Workers](#).

Departments should also follow the rules and policies of the department, and applicable MOUs. CDC guidance refers to standard precautions in healthcare settings to protect healthcare workers from infection and prevent the spread of infection from patient to patient. Standard precautions include:

- Perform hand hygiene with alcohol-based hand rub before and after all patient contact, contact with potentially infectious material, and before putting on and upon removal of personal protective equipment (PPE). Use soap and water if hands are visibly soiled.
- Follow respiratory hygiene/cough etiquette principles.
- Use PPE whenever there is an expectation of possible exposure to infectious material.

State Workers at Higher Risk

Which employees are considered at greater risk or “high risk” for COVID-19?

CDPH advises that the information available about risk groups is based on limited data and could change as we learn more about the disease, but [CDC](#) has identified several groups of people as being at higher risk of getting very sick from this illness. This includes adults over 65 years of age and people who have serious chronic medical conditions like heart disease, diabetes, and lung disease and those who are immunocompromised (see link for complete list).

Departments should not proactively ask employees about their health or age-related risks. Upon an employee’s request, departments will consider all available options for telework and flexible work schedules for individuals considered at greatest risk including those 65 and older and with serious chronic medical conditions.

If the department determines the employee’s work is non-essential and telework is not available due to the job type, employees requesting to stay home should consult with their human resources office on all leave and benefit options available.

Employees who have a doctor’s note that state they must self-isolate because they are high-risk for COVID-19, and telework is not available, may be eligible for two weeks of Emergency Paid Sick Leave under the Families First Coronavirus Response Act. Employees in this situation should also be informed of their rights under regular FMLA/CFRA and SDI/NDI.

Departments are reminded to review the provisions for leave usage, including catastrophic leave, return to work, and medical verification in the appropriate collective bargaining agreements.

Department Operations

How does the State best implement the State and local public health orders and directives?

Departments should establish a staff management plan that allows for effective physical distancing for those who have essential functions that can only be performed on-site, take into consideration Stay at Home and other public health directives from state and local public health departments, and protect the health of employees over the entire length of this crisis. This plan must ensure that mission critical (“critical”) functions and services are maintained, consistent with public health needs arising from this emergency.

Departments should do the following:

1. Determine which critical employees cannot telework and need to continue to report to the office and establish appropriate physical distancing protocols to reduce risk in the office.
2. Establish a telework or rotational telework schedule for all other employees who are eligible for telework.
3. For anyone whose job duties are not critical to the continuity of operations, and are not viable for telework, a review should be conducted to determine if the employee can be redirected to other work that is either critical (#1) or eligible for telework (#2).

4. As a last resort, for anyone who is not eligible for telework and cannot be redirected, Administrative Time Off (ATO) may be provided, regardless of available leave balances.
5. Departments should report all staff on ATO to CalHR for possible redirection to appropriate work, in another department. All staff on ATO should be provided with directions on how to stay in contact with management for assignment of duties.
6. In establishing telework schedules, departments should prioritize those employees who are considered at greatest risk and employees who are impacted by school closures.

For employees 65 and older and those with chronic health conditions, departments should consider all available options for telework and flexible work schedules. Those employees not eligible for these options and subject to a local stay-at-home directive should contact their human resources office for leave and benefit options.

This does not include people in essential classifications who are needed to protect our most vulnerable residents, such as hospital and health care workers, pharmacists, peace officers, firefighters, or those specifically named in the Governor's Executive Orders.

It is State public policy to continue to operate effectively during this emergency. We must keep as many employees as possible engaged to allow departments to deploy state staff to critical functions as absenteeism due to illness increases.

What are considered essential functions?

Essential functions include tasks that the public needs government to continue to provide, such as:

- Government Leadership
- Medical/Health
- Emergency Management
- Critical Infrastructure
- Social Services/Education
- Food Supply
- Information Technology/ Communication
- Environmental Protection
- Public Safety
- Public Information

The Governor's Office of Emergency Services provides an Emergency Support Function Crosswalk for departments to determine essential functions for the specific work performed. In addition, departments have business continuity plans that include essential functions.

Essential functions may be modified due to Governor's Executive Orders. For example, [Executive Order N-40-20](#) waived various laws and rules for a 60-day period to meet the existing emergency which modified some essential functions provided to the public.

What if an employee's job duties are not essential and cannot be performed remotely?

Departments should consider whether the telework request is feasible and consider the extent that the department can still fulfill its critical essential services to the public. There will be limitations in positions that are eligible for telework or leave, including at departments with 24/7 institutions, public safety classifications, and other types of classifications that are not conducive to telework. A review should be conducted to determine if the employee can be provided other duties conducive for telework or redirected to other work that is either 1) critical or 2) conducive for telework.

What other measures should departments take?

- Departments should ensure business continuity plans are up to date and work with their human resources office to explore flexible work arrangements (e.g. telecommuting). Ensure that you have the information technology and infrastructure needed to support employees who may be able to work from home.
- Departments should ensure all staff are respectful, fair, and without bias in interactions with all persons. Do not assume someone of a national origin, race, or background is more likely to have COVID-19. Public health emergencies, such as the outbreak of COVID-19, are stressful times for people and communities. Fear and anxiety about a disease can lead to social stigma toward people, places, or things. For example, stigma and discrimination can occur when people associate a disease, such as COVID-19, with a population or nationality, even though not everyone in that population or from that region is specifically at risk for the disease. Stigma can also occur after a person has been released from COVID-19 quarantine even though they are not considered a risk for spreading the virus to others.

Stigma hurts everyone by creating fear or anger towards other people. Stigmatized groups may be subjected to:

- Social avoidance or rejection
- Denials of healthcare, education, housing or employment
- Physical violence

Stigma affects the emotional or mental health of stigmatized groups and the communities they live in. Stopping stigma is important to making communities and community members resilient. Everyone can help stop stigma related to COVID-19 by [knowing the facts](#) and sharing them with others in your community.

Administrative Issues

Are union notifications still required during emergency situations?

Yes. In responding to emergency situations, departments should work with their labor relations office to ensure that appropriate, timely notice is provided to employee representatives when implementing any changes that concern the working conditions of employees.

What if an employee's child's school is closed because of COVID-19?

Sudden or prolonged school closures disrupt work schedules and increase absenteeism. Departments should consider all viable options for telework and flexible work schedules. Employees who are not able to telework or work at their physical worksite due to school or childcare closures may be eligible for leave under the Families First Coronavirus Response Act. Employees should work with their human resources office for all leave and benefit options. Do not bring children into the workplace.

Can an employee elect to use dock instead of leave credits for a COVID-19 related absence?

Departments should have an established policy on whether employees with leave can use dock when they have leave credits available. Per California Code of Regulations, section 599.785, departments have discretion to approve or deny requests for dock. The policy should be applied consistently across the entire department.

Do we need to report time differently on the timesheet?

Timesheets are still required and will be coordinated by each department. Contact your human resource office for guidance.

GovOps has requested additional tracking of absenteeism in addition to timesheets which is also coordinated through department human resource offices. Additionally, GovOps is tracking department office closures through department points of contact.

State Workers Traveling for Work or Involved with Work-Related Gatherings

How are work-related gatherings impacted?

All gatherings, such as meetings, trainings, and conferences should be conducted virtually, if possible. Only essential gatherings that cannot be conducted virtually may be held, as long as participants maintain 6 feet physical distance from each other and wear face coverings. Non-essential gatherings that cannot be conducted virtually should be postponed or cancelled.

What about required Public Participation Meetings?

State entities must continue to adhere to the Bagley-Keene Act's requirements for publicizing meeting times and posting meeting agendas. CalHR has issued guidance based on [Executive Order N-25-20](#) which was superseded by [Executive Order N-29-20](#).

Are there any travel restrictions related to COVID-19?

The CDC recommends travelers avoid all nonessential international travel. [CDC Travel Notice](#) Additionally, departments should limit travel within the State of California to essential functions or mission critical. All individual travel requests, mission critical and border state travel under five days must be reviewed and approved by Governor's Office. If travel is approved, then review latest information regarding travel at [COVID19.CA.GOV](#).

Given the extensive disruption and limitations on travel, all visiting delegations to departments and agencies from international destinations should be postponed or conducted by videoconferencing or conference calls. Additionally, please continue to notify CalOES of any scheduled visiting delegations at: TravelSecurity@CalOES.ca.gov.

What do I do if employees are refusing to travel for work?

If the travel is not essential to work functions, the supervisor/manager has the discretion to determine whether travel is required.

If the travel is essential to the employee's job functions, the employee would be required to travel. Any refusal to travel by employees should be addressed with your human resources office.

However, this guidance may change based on updated guidelines issued by the CDC and CDPH.

Employees should postpone or cancel travel to any non-essential meetings, conferences, or trainings, consistent with the statewide stay at home order for California.

Questions

If employees have questions not addressed in this communication, they are encouraged to contact their supervisor/manager, human resources office, and/or employee representative as appropriate.

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