East Bay Municipal Utility District

QUESTIONS AND ANSWERS FOR ALL EMPLOYEES

Question 1: What can I do to protect myself and others against the Coronavirus?

Answer: According to the CDC, and Cal/OSHA, these steps help prevent personal infection and the transmission of the Coronavirus.

- Wash your hands often with soap and water for no less than 20 seconds, especially after you cough or sneeze. If soap and water aren’t available, use alcohol-based hand sanitizer.
- Avoid touching your eyes, nose and mouth. Germs spread this way.
- Don’t shake hands
- Try to avoid close contact with sick people.
- Cover your nose and mouth with a tissue when you cough or sneeze. Throw the tissue in the trash after you use it. If you get sick, stay home and limit contact with others to keep from infecting them.
- Practice social distancing by observing the six-foot distance as much as possible when working around others.
- Clean and disinfect frequently touched objects and surfaces before and after use (e.g., shared vehicles, phones, common workspaces, etc.)

Question 2: What should I do if I get sick?

Answer: Stay home and take care of yourself. Contact your health care provider and supervisor. Your health care provider will determine whether testing or treatment is needed. If you learn that you have been exposed to the Coronavirus or have been diagnosed with COVID-19, please inform the HR Regulatory Coordinator (ext. 0380) immediately.

Question 3: Where can I get more information?

Answer: The following agencies are providing the latest updates and developments:

1. Centers for Disease Control and Prevention at www.cdc.gov
2. California Department of Public Health (CDPH) at www.cdph.ca.gov
4. Alameda County Department of Public Health at http://www.acphd.org/
5. Contra Costa County Health Services at https://cchealth.org/public-health/

The District will provide updates as the situation develops.

**Question 4:** If the District directs me to stay at home, will I still get paid?

**Answer:** The employee may use their leave balances to be compensated while they recover from the illness. The District has a duty to protect the health and safety of their workers at the workplace. Therefore, if an employee chooses to come to work sick, he/she will be sent home to avoid the spread of illness to other employees. For those employees who have exhausted their paid leave, the District will provide an advance of up to 80 hours of additional sick leave for absences related to COVID-19. New federal legislation (HR 6201 – Emergency Family and Medical Leave Act) was signed by the President. The Act provides 80 hours of additional sick leave for employees who are sick, have a sick family member to take care of, or children to take care of. We are reviewing the legislation and will be sharing more information with employees next week. Employees who are out of accrued sick leave hours may seek further compensation through the State Disability Insurance (SDI) or the District’s Short Term Disability Leave if the employee does not participate in SDI.

**Question 5:** I’m sick or have to care for a sick family member, but I’ve run out of sick leave and family sick leave. What are my options?

**Answer:** Paid leave will apply if you have accrued vacation, compensatory time, or administrative leave. For those employees who have exhausted their paid leave, the District will provide an advance of up to 80 hours of additional sick leave for absences related to COVID-19. New federal legislation (HR 6201 – Emergency Family and Medical Leave Act) was signed by the President. The Act provides 80 hours of additional sick leave for employees who are sick, have a sick family member to take care of, or children to take care of. We are reviewing the legislation and will be sharing more information with employees next week. If applicable, you may also be eligible for FMLA or CFRA leave. If you have exhausted all your paid leave, SDI or Paid Family Leave Insurance may be available. Governor Newsom gave the Employment Development Department the discretion to waive the one week waiting period for SDI benefits for illness and/or disability related to Coronavirus.

The District’s short-term disability leave may be available to those who do not participate in the SDI Program.

*Please contact the HR Regulatory Coordinator (ext. 0380) to inquire about other options.*
**Question 6:** I have plans to travel internationally. What should I do?

**Answer:** A global health advisory was issued March 19, 2020 by the U.S. Department of State advising U.S. citizens to avoid all international travel due to the global impact of COVID-19.

**Question 7:** I learned that my co-worker contracted the Coronavirus. What should I do? Can I tell the other employees in our work unit?

**Answer:** If you learn that a co-worker has contracted the Coronavirus, contact the HR Regulatory Compliance Coordinator (ext. 0380) as soon as possible. Do not share this information with your coworkers due to the confidentiality of medical information and out of respect for your co-worker’s privacy.

**Question 8:** Is telecommuting available to me during this time?

**Answer:** Per the General Manager’s employee communication on March 18, 2020, if you have obtained appropriate equipment, agreed on specific work approaches with your supervisor, and received departmental approval, you may telecommute.

You are to adhere to the Temporary Emergency Telecommute Agreement. In addition to adhering to the telecommute agreement you will ensure you work with your supervisor to:
- Maintain a list of activities and/or work assignments
- Develop a regular check-in plan
- Develop expectations around response times to emails/calls
- Participate in meetings (teleconferences, webinars, etc.)
- Complete online District training while working from home as applicable

You should continue coordinating your telecommute schedule with your supervisor and come in to the office as needed to pick up work products, equipment, or perform other tasks that cannot be done at home. All employees working remotely would benefit from loading Microsoft Teams software and using the tutorials on the District’s Splashpad. As stated in the Temporary Emergency Telecommute Agreement you may be asked to return to the office at any time.

**Question 9:** What is the District’s response if an employee gets diagnosed with COVID-19?

**Answer:** Following CDC’s guidance and our Communicable Disease Emergency Response Plan, offices and dedicated workspaces will be closed off for as long as practical before beginning cleaning and disinfection to minimize potential for exposure to respiratory droplets. Janitorial staff will clean and disinfect all shared workspaces (e.g., shared offices or cubicles, break rooms,
bathrooms, and other common areas) used by the infected person(s), focusing especially on frequently touched surfaces.

The HR Regulatory Coordinator and/or the Manager of Workplace Health and Safety will coordinate with the work unit supervisor, and will conduct the CDC’s risk assessment to determine the level of risk (e.g., low or medium risk) to the employees in the area. Based on the assessment, the appropriate direction will be provided.

Example of Low Risk according to the CDC – Being in the same indoor environment as a person with symptomatic laboratory-confirmed COVID-19 for a prolonged period of time but not meeting the definition of close contact.

Example of Medium Risk according to the CDC – Close contact with a person with symptomatic laboratory-confirmed COVID-19.

Close Contact is defined as: a) being within approximately 6 feet of a COVID-19 case for a prolonged period of time; close contact can occur while caring for, living with, visiting, or sharing a healthcare waiting area or room with a COVID-19 case, or b) having direct contact with infectious secretions of a COVID-19 case (e.g., being coughed on)

**Question 10:** What if someone I’m living with (e.g., spouse or child) is diagnosed with COVID-19 but I do not have symptoms?

**Answer:** Per the CDC guidelines, employees in this situation should stay home and self-monitor for 14 days. Notify supervisor of your situation. The supervisor should contact the HR Regulatory Coordinator at x0380. The supervisor should maintain the confidentiality of the employee’s situation.

Following CDC’s guidance and our Communicable Disease Emergency Response Plan, offices and dedicated workspaces will be closed off for as long as practical before beginning cleaning and disinfection to minimize potential for exposure to respiratory droplets. Janitorial staff will clean and disinfect all shared workspaces (e.g., shared workspace, break rooms, bathrooms, and other common areas) used by the infected person(s), focusing especially on frequently touched surfaces.
**Question 11:** What if someone I’m living with (e.g., spouse or child) works or goes to school with someone who is diagnosed with COVID-19?

**Answer:** If the family member is asymptomatic (showing no symptoms), this is considered low risk by the CDC. The employee should self-monitor for flu-like symptoms. The employee should stay home if flu-like symptoms develop and seek medical attention as necessary.
QUESTIONS AND ANSWERS FOR MANAGERS AND SUPERVISORS

Question 1: What should I do if I believe someone is ill at work?

Answer: The District has a duty to protect the health and safety of their workers at the workplace and protect the confidentiality of an employee’s medical information. If your employee is exhibiting symptoms of illness, please send them home to avoid spreading the illness to other employees. Supervisors should control rumors and disinformation by providing information that is relevant to protecting the health and safety of the workplace. For example, supervisors may inform other employees that the District is taking additional measures to disinfect and clean that employees work area to prevent the spread of disease in the work area. Supervisors must not share medical information about a specific employee with other employees in the work unit unless instructed to do so by HR. If the employee being sent home has questions, have them contact the HR Regulatory Coordinator (ext. 0380).

If an employee is diagnosed with COVID-19, the Centers for Disease Control have specific protocols, which could include a mandatory 14-day quarantine period, that may be applied to the District.

Supervisors are encouraged to become familiar with the District’s policies and procedures for obtaining and maintaining confidential health information.

Question 2: Can I send an employee to a fitness for duty exam because they are coughing excessively?

Answer: The District’s fitness for duty program does not provide a medical diagnosis, but provides information about whether an employee may perform his or duties in a safe manner. The District’s medical provider who conducts fitness for duty exams will not test for exposure to the Coronavirus or any other communicable disease.

Question 3: Will the District continue to pay an employee who has been asked to go home due to illness?

Answer: The District will apply any paid leave available to the employee, including sick leave, vacation, administrative time off, or compensatory time off. For those employees who have exhausted their paid leave, the District will provide an advance of up to 80 hours of additional sick leave for absences related to COVID-19. New federal legislation (HR 6201 – Emergency Family and Medical Leave Act) was signed by the President. The Act provides 80 hours of additional sick leave for employees who are sick, have a sick family member to take care of, or
children to take care of. We are reviewing the legislation and will be sharing more information with employees next week.

The employee may also seek wage replacement under the California SDI Program. If an employee does not participate in the California State Disability Program, he or she may be eligible for Short-Term Disability Leave under Procedure 213.

**Question 4:** Can the District require an employee who is out sick to provide a doctor’s note before they return to work?

**Answer:** Yes. According to the District’s Sick Leave Policy, Procedure 225, if sick leave (excluding Family Sick Leave/Kicare Leave) extends past ten consecutive workdays, a written doctor’s statement is required for return to work indicating time under doctor’s care, approval for return to work and any work limitations. However, during a pandemic or outbreak, healthcare resources may be overwhelmed and it may be difficult for employees to get appointments with doctors or other health care providers to secure a written verification. If an employee is having difficulty getting an appointment with a health care provider to obtain a release, please contact the Human Resource Regulatory Coordinator.

*Supervisors are advised to consult with HR and refer to District policies and procedures for specific questions. Supervisors must also ensure any medical information received from an employee be kept confidential.*

**Question 5:** What if an employee must take time off work due to their child’s school closure?

**Answer:** Employees will have access to paid leave. The District policies, procedures, work rules, and MOUs would apply. Employees are encouraged to discuss their need for leave with their supervisors and discuss workload issues that may be impacted. Under these circumstances, leave may be provided and the employee may use vacation, compensatory time off, administrative leave,

*Supervisors are encouraged to consult with HR and review applicable District policies, procedures and MOU provisions.*

**Question 6:** Can an employee stay home under the Family Medical Leave Act (FMLA) if they do not show symptoms of serious illness?

**Answer:** No. FMLA and California Family Rights Act (CFRA) apply to employees who are incapacitated due to a serious health condition or who are required to care for a family member with a serious health condition. Employees may take other leave such as vacation or
compensatory time pursuant to applicable leave policies and procedures, the needs of the work unit, and supervisory approval.

*Supervisors should consult with HR regarding such requests from employees.*

**Question 7:** What options do existing leave policies provide for employees to be away from work?

**Answer:** Managers and supervisors are encouraged to review applicable MOUs and District policies and procedures. For an employee’s own illness, available paid leave includes Sick Leave, Short Term Disability leave, and SDI. To care for family member, available paid leave includes Family Sick Leave/Kin Care (up to 13 days of employee’s sick leave balances), and California Paid Family Leave (up to six weeks of paid family leave to care for a seriously ill child, parent, parent-in-law, grandparent, grandchild, sibling, spouse or registered domestic partner). For those employees who have exhausted their paid leave, the District will provide an advance of up to 80 hours of additional sick leave for absences related to COVID-19. New federal legislation (HR 6201 – Emergency Family and Medical Leave Act) was signed by the President. The Act provides 80 hours of additional sick leave for employees who are sick, have a sick family member to take care of, or children to take care of. We are reviewing the legislation and will be sharing more information with employees next week. If an employee has exhausted all accrued paid leave, Leave Without Pay is available for up to six months.

**Question 8:** During an outbreak such as the Coronavirus, can an employee who has no symptoms of illness refuse to come to work, travel for work, or perform other job duties because of a belief that by doing so, he or she would be at an increased risk of exposure?

**Answer:** Generally, employees are expected to come to work for their scheduled shifts and workdays to ensure that the District continues to be able to deliver water and wastewater services to our customers. There are circumstances where an employee, who is not exhibiting symptoms of illness, may have legitimate reasons for not reporting to work. If an employee raises concerns about reporting to work, the employee must speak directly with his/her supervisor or contact HR.

Employees are strongly encouraged to communicate with their supervisors and with HR if they are unable to report to work during this time. Communication will enable both the employee and the District the opportunity to evaluate staffing needs, alternative options for performing work, and the use of leave time. It is critical for employees to maintain communications with their supervisors or HR.
**Question 9:** Could my staff or I be re-assigned to another work group?

**Answer:** Yes. In the event of an emergency, and in accordance with the policies, procedures, and MOUs, District rights include the right to direct and assign its employees, maintain the efficiency of operations, and take all necessary actions to carry out its mission in emergencies. It is the responsibility of the supervisor assigning the work to determine if the employee has received the appropriate level of training for the task(s) to be performed prior to assigning the work. Supervisors should be aware, however, that absent an emergency, the impacts of a reassignment may be subject to meet and confer with the unions.