Return to Campus Guidelines

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The University of Alabama in Huntsville
Office of Human Resources

THE UNIVERSITY OF
ALABAMA IN HUNTSVILLE

Return to Campus Guidelines

Key Considerations:

- Decisions and recommendations regarding staffing are made with the goal of sustaining the operational efficiency of the university's academic programs and research activities, while mitigating the impact of the COVID-19 pandemic. Mitigation measures will include use of Personal Protective Equipment (PPE), social/physical distancing, enhanced cleaning and sanitization, training, and re-entry/post re-entry requirements.
- Policies will align with UA System Task Force Guidelines, UAH Return to Campus Health and Safety Protocols, as well as applicable federal and state regulations.
- Polices should be applied consistently across departments to ensure there is no disparate treatment. This includes ensuring employee access to COVID-19 resources such as expanded options for leave and University-provided benefits.
- Managers are encouraged to be flexible and compassionate, and to stay informed about the various policies and resources related to returning employees to work.
- Employees may experience heightened anxiety and fear about returning to campus. It is important to convey that the university is making every effort to minimize the risk of exposure and transmission of COVID-19.
- Managers are empowered to identify and implement staffing approaches that ensure efficient operation of their work units as a priority, which may mean declining employee requests for staffing options that are not conducive to effective business operations.

Options for Staffing

Managers are encouraged to consider the on-site staffing complement necessary to run efficient operations. Changes in process and resource/equipment utilization may be implemented long-term, to the extent to which each department can continue to provide efficient operations and service.

100% On-site: Consideration should be given to work that cannot be performed efficiently or safely within a remote work environment. These positions may be required to work consistently on-site, adhering to appropriate health and safety protocols.

100% Telework: Consideration may be given to continue teleworking options for individuals in roles requiring limited/no regular in-person contact with others, and for which work may be performed safely and efficiently from home. Individuals with Teleworking Agreements on file may continue to work under those agreements.

Alternate work hours/schedules: Managers may consider reduced or alternate work schedules to limit the number of persons in the office as well as on-site working contact with other employees. This may include assigning employees (or granting employee requests) to work earlier or later in the work day, or less work days, to minimize contact with others. Employees must continue to work the required number of hours per week even within an alternate work schedule. Managers maintain the option to terminate or modify an alternate work schedule depending on the operational needs of the unit or department.

Staggered teams: Consideration may be given to reorganization of work teams/groups and assigned work days to promote social distancing, while maintaining business operations. For example, employees may be grouped into teams, with each team working on-site on alternate days.

Guidance for Specific Return-to-Work Situations

   1. *Employee is high-risk and does not want to return to campus.*

The CDC classifies the following individuals at higher risk for contracting COVID-19 or experiencing severe illness from COVID-19:

- Individuals age 65 or older
- Individuals who are immunocompromised
- Individuals with certain underlying medical conditions, such as moderate to severe asthma, serious heart disease, chronic lung or kidney disease, HIV, and diabetes
- Individuals who are severely obese

Managers are **not allowed** to ask if an employee is in a high risk category or to inquire about an employee's medical condition or health history. However, if the employee self discloses, the manager should direct the employee to contact Human Resources. Any information disclosed by the employee **must be kept confidential**. The employee may have certain protections under the *Americans with Disabilities Amendments Act* or they may be eligible for leave under the *Emergency Family and Medical Leave Expansion (EFML)* or the *Emergency Paid Sick Leave Act (EPSL)*. Human Resources will work with the manager and the employee to determine the best outcome, which may include allowing the employee to telework, an adjustment in work schedules, use of accrued leave, or additional PPE.

   2. *Employee has had exposure to COVID-19 or has had COVID-19.*

According to the CDC: "Employers should not require a COVID-19 test result or a healthcare provider's note for employees who are sick to validate their illness…or return to work." Although employers are permitted to request such documentation under the ADAA, it may be practically very difficult for employees to obtain a doctor's note. Employees may be eligible for coverage under the *Emergency Family and Medical Leave Expansion Act or* the *Emergency Paid Sick Leave Act*. A summary of both is provided below. If an employee is ill or exhibits any symptoms of COVID-19, they should be encouraged to stay at home. Employees should be directed to comply with the protocols established by the UAH Return to Campus Health and Safety Working

Group regarding clearance to return to campus. An employee who tests positive for COVID-19 or who exhibits symptoms of COVID-19, should contact Human Resources immediately. An employee may be sent home if they are sick or exhibiting COVID-19 symptoms.

3. *Employee refuses to return to work because they are afraid.*

An employee generally may not refuse to return to work simply because they are afraid. The university understands that this pandemic has had a significant impact on employees' emotional health. Therefore, managers are encouraged to be flexible and compassionate in responding to employee concerns. The employee may be allowed to telework, if practicable, or use accrued leave. The employee can also be directed to contact American Behavioral, the university's Employee Assistance Provider, to talk with a counselor who may be able to assist the employee in returning to work. Managers should document conversations with the employee or memorialize in front of a witness. If the employee still refuses to return to work, the manager should consult with Human Resources to discuss disciplinary options, which may include immediate termination.

4. *Employee does not respond to manager and fails to report to work.*

If an employee fails to respond to repeated requests to return to work, they may be subject to disciplinary action, including immediate termination. The manager should contact Human Resources to discuss options.

5. *Employee is observed working in an unsafe and/or unhygienic manner, which has caused concerns from coworkers.*

Managers may enforce the use of Personal Protective Equipment (PPE) and other safe working practices related to one's job and work environment, including any protocols prescribed by the UAH Return to Campus Health and Safety Working Group. Non-compliance with these protocols may be discussed with Human Resources to identify options to address the behavior, including possible disciplinary action. The university

will continue to promote proper etiquette and personal hygiene in managing the spread of COVID-19.

Appropriate Use of Leave

Group 3 employees are expected to return to work when directed to do so by their manager or supervisor. Once directed to return to work, these employees will no longer be eligible for administrative leave pay. An employee who cannot return to work may be eligible for EFML or EPSL, depending on the circumstance. If they are not eligible for either EFML or EPSL, they may use accrued leave. Once accrued leave is exhausted, they may request to take unpaid leave. All requests for leave must continue to follow existing UAH policies and departmental procedures. Additional guidance on the use of accrued leave is provided in the Summary of the Families First Coronavirus Recovery Act.

Health and Safety Protocol

The University is committed to providing a safe and healthy environment for all faculty and staff. Employees will be required to adhere to new protocols developed by the UA System Health and Safety Task Force and the UAH Return to Campus Health and Safety Working Group.

Personal Protective Equipment (PPE)

- Face coverings are required when buildings are in Red, Orange, or Yellow COVID-19 status. Examples of face coverings include cloth face masks, disposable face masks, home-made face masks, face shields, or sneeze guards. The Office of Environmental Health and Safety is coordinating the purchase and distribution of face masks for the campus community. Exceptions on the use of face coverings include:
    - Alone in an enclosed office or room
    - Alone in one's personal vehicle
    - Large, public outdoor settings where physical distancing requirements are met

Training

All returning faculty and staff must participate in an online educational module, including but not limited to general information regarding COVID-19 and the COVID-19 assessment tool. This training is **required prior to employees returning to campus**. Certain groups of employees may be required to participate in specific training related to the safe performance of their duties (e.g. custodial staff will be trained on cleaning and disinfecting protocols).

Re-Entry and Post Re-Entry Guidelines

- All returning faculty and staff must enroll and participate in the **UA System's symptom monitoring tool**.
- Faculty and staff will be expected to continue participation in the **UA System's symptom monitoring tool** to report symptoms and/or exposure. The frequency of reporting will be based on public health and medical guidance, and may range from daily to every three (3) days.
- When there is a confirmed positive case of COVID-19, a testing team will be deployed for contact tracing in an effort to manage outbreaks. The UA System Health and Safety Task Force and the UAH Return to Campus Health and Safety Working Group are developing additional methods of contact tracing that will be made available as a resource for faculty and staff.

Mental and Emotional Well-Being

The COVID-19 pandemic can cause stress and increased fear and anxiety. Employees may experience one or more of the following: disruptions in sleep patterns, depression, hopelessness, difficulty concentrating, and feelings of loneliness and isolation. Employees with pre-existing mental health conditions may experience more severe symptoms. Managers are encouraged to remind employees that their mental and emotional health and well-being are important, and recognize that employees will need time to adjust to the "new normal" of PPE, social distancing, etc.
The Employee Assistance Program, offered through American Behavioral, is a confidential assessment counseling and referral service provided to employees and

their families at no cost. The service is available 24/7, 365 days a year. American Behavioral may be contacted at 1-800-925-5327 or https://americanbehavioral.com/. Alternatively, employees may contact The Substance Abuse and Mental Health Services Administration Disaster Distress Helpline, which provides 24/7, 365-day-a-year crisis counseling and support to people experiencing emotional distress related disasters. Call 1-800-985-5990 or text TalkWithUS to 66746 to connect with a trained counselor.

Additional Workplace Expectations

- Children are not allowed in the workplace at any time.
- Employees are expected to continue to adhere to established University policies and procedures.
- Employees are expected to perform their job duties whether working on-site, remotely, or a combination of both.
- Employees should maintain social distancing, which is defined as at least 6-foot circumferential distance regardless of space size.
- Employees are responsible for cleaning/sanitizing their personal workspace.

Available Resources

- HR Web Page   https://www.uah.edu/hr
  - COVID-19 Updates
    https://www.uah.edu/news/news/coronavirus-precaution
  - Benefits FAQ
    https://www.uah.edu/hr/announcements/14798-covid-19-hr-resources
  - Employee FAQ
    https://www.uah.edu/hr/announcements/14798-covid-19-hr-resources
  - COVID-19 Education and Resources
    https://www.uah.edu/hr/announcements/14798-covid-19-hr-resources
  - Telecommuting Guidelines
    https://www.uah.edu/images/administrative/human-resources/uah_telecommuting_guidelines.pdf

- o Managers' Resources
  https://www.uah.edu/hr?view=article&id=14934:covid-mgr-resources&catid=204:hr
- o Health and Safety FAQ
- CUPA-HR Coronavirus COVID-19 Resources
  https://www.cupahr.org/knowledge-center/covid-19-resources/
- SHRM – Coronavirus and COVID-19
  https://www.shrm.org/ResourcesAndTools/Pages/communicable-diseases.aspx

Families First Coronavirus Response Act
(FFCRA)

The FFCRA was signed into law on March 19, 2020, and went into effect on April 1, 2020. Two of its key provisions are applicable to "public agencies", including governmental employers like UAH. A summary of these provisions is provided below.

	EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT ("EFML")	EMERGENCY PAID SICK LEAVE ACT (EPSL")
Summary	Amends FMLA by adding a 6th reason for leave - *'Qualifying childcare need related to public health emergency'* - to permit employees to take up to 12 weeks of leave.	Requires UAH to provide employees with emergency paid sick leave if employee is unable to work or telework due to any of the following reasons:
Qualifying Reasons	Employee is unable to work or telework due to a need for leave to care for a **son or daughter** whose school or place of care has been closed, or the childcare provider of such son or daughter is unavailable due to COVID- 19 related reasons. Employee is also eligible for EPSL.	1) Employee is subject to Federal, State, or local quarantine or isolation order, 2) Employee has been advised by health care provider to self-quarantine, 3) Employee is experiencing COVID-19 symptoms and seeking medical diagnosis 4) Employee is caring for an individual based on reasons (1) or (2) above (e.g., quarantine or isolation), or 5) The employee is caring for a son or daughter whose school or place of care has been closed, or the childcare provider of such son or daughter is unavailable.
Important Definition	*Son or daughter* is defined as biological, adopted, or foster child, stepchild, legal ward, or child of person standing in loco parentis who is either **under 18 years of age** or is older and "incapable of self-care due to mental or physical disability."	
Eligible Employees	All employees, FT and PT, exempt and non-exempt, who have worked for UAH for **at least 30 calendar days** on payroll.	All employees, FT and PT, exempt and non-exempt are eligible regardless of length of service at UAH. **Available to use immediately. No length of service requirement.**
Excluded Employees	An employee who is a healthcare provider or emergency responder is exempt from these new leave laws due to staffing needs, so the employee is NOT eligible for EFML or EPSL. ALL employees in the following departments are excluded: • UAH Public Safety • Student Wellness Center • Faculty and Staff Clinic	
Amount of Leave	Up to 12 work weeks in a rolling backward 12-month period; same as standard FML. Less time if employee has used a portion of their FML	Full-time employees (e.g. 40 hours per week) – up to 80 hours of EPSL Part-time employees – EPSL equal to

	entitlement. If all FML leave is exhausted, employee is not eligible.	the average number of hours the employee works in a two-week period
	NOTE: Based upon reason (5) above for EPSL, certain employees may receive *up to 14 weeks of leave* (12 weeks for EFML + 2 weeks for EPSL) to care for a son or daughter while school or place of care is closed. This assumes the employee is full-time and has the entire 12 work weeks of FML entitlement remaining. Example: Employee may elect to use 2 weeks (80 hours) of EPSL *before* 12 weeks of EFML starts, *during* EFML to cover the 10-day unpaid period, or *after* 12 weeks of EFML ends.	
Continuous or Intermittent Leave	EFML may be taken on a **continuous** or **intermittent** basis. Employees will be required to submit an Intermittent Leave Timesheet to the Human Resources office at the end of each biweekly pay period.	EPSL must be taken on a **continuous** basis, except for reason #5 related to childcare. Only EPSL for childcare reason may be taken on an **intermittent** basis.
Payment for Leave	First 10 days unpaid, but employee may substitute accrued annual, sick, personal, or compensatory time. May also choose to use EPSL hours here. Remaining leave (up to 10 weeks) is paid: • Two-thirds employee's regular rate of pay multiplied by the number of hours employee is normally scheduled to work up to the limits specified below. • For variable schedules, the average number of hours per day an employee was scheduled to work during the six months preceding the first day of EFML will be used to determine the number of hours to be used in calculating pay. **PAY SUPPLEMENT:** Employees can use accrued leave time during the 10-day unpaid period, and may supplement an additional one-third of their regular rate of pay (e.g., $200 + 1/3 pay) during remaining 10 weeks.	• "Self-care" Leave taken for the employee's own care (reasons #1 – 3 above) is paid at 100% of the employee's regular rate of pay, subject to the limits specified below. • "Family Care" Leave taken for care of others (reasons #4 and #5 above) is paid at two-thirds the employee's regular rate of pay. **PAY SUPPLEMENT:** For reasons #4 and #5, employees can use accrued leave time to supplement an additional one-third of their regular rate of pay (e.g., $200 + 1/3 pay).
Daily Limit and Aggregate	$200 per day; $10,000 aggregate	• Self-Care: $511 per day; $5,110 aggregate • Family Care: $200 per day; $2,000 aggregate
How to Request	Employee should complete the **Family and Medical Leave Request Form** and select the reason: *Qualifying Childcare Need Related to a Public Health Emergency*	Employee should submit the **EPSL Request Form**
Processing Timeline	Standard FML processing timeline applies to both types of request – up to 5 days for employer to notify employee of eligibility; 15 days for employee to supply required documentation; 5 days for employer to approve/deny leave request	

Required Documentation	1) Complete the **Employee Statement for Childcare Need** certifying names, ages, and school or place of care for each child, AND 2) Proof of school closure or unavailability of childcare provider (e.g. notice of closure posted on a government, school, or place of care website, newspaper article with announcement of closure, or email from school official documenting closure)	1) "Self-Care" Leave (reasons #1 – 3) and "Family Care" Leave (reason #4) – employee must complete the **Employee Statement for Isolation/Quarantine Reasons** listing names of government entity or healthcare provider recommending quarantine/isolation, and/or information about family member, OR 2) "Family Care" (reason #5) for childcare – employee must complete the **Employee Statement for Childcare Need** certifying names, ages, and school or place of care for each child.
Expiration	December 31, 2020	December 31, 2020 EPSL ends with the first scheduled shift immediately following the termination of the need for leave for any of the reasons above. Unused EPSL does not carry over.