

CITY OF CHINO

2020 EMERGENCY WORKPLACE POLICY

2019 NOVEL CORONAVIRUS (COVID-19):

On January 31, 2020, the U.S. Department of Health and Human Services declared a public health emergency in the United States related to COVID-19. On March 4, 2020, California declared a state of emergency related to COVID-19. On March 10, 2020, The County of San Bernardino declared a public health emergency. On March 17, 2020 the City of Chino declared the existence of a Local Emergency.

Coronaviruses are a large family of viruses that are common in people and many different species of animals, including camels, cattle, cats, and bats. Outbreaks of novel virus infections among people are always of public health concern. The risk to the general public from these outbreaks depends on characteristics of the virus, including how well it spreads between people; the severity of resulting illness; and the medical or other measures available to control the impact of the virus (for example, vaccines or medications that can treat the illness). This disease has caused severe illness, including illness resulting in death is concerning, especially since it has also shown sustained person-to-person spread in several places. These factors meet two of the criteria of a pandemic. As community spread is detected in more and more countries, the world moves closer toward meeting the third criteria, worldwide spread of the new virus.

The World Health Organization has declared COVID-19 a pandemic. This is a rapidly evolving situation and Center for Disease Control's (CDC) risk assessment will be updated as needed - <https://www.cdc.gov/coronavirus/2019-ncov/index.html>.

SYMPTOMS (according to current CDC information):

Reported illnesses have ranged from mild symptoms to severe illness and death for confirmed COVID-19 cases.

The following symptoms may appear 2-14 days after exposure.

- Fever of 100.4 degrees Fahrenheit or greater
- Persistent Cough or Sore Throat
- Shortness of breath

CITY'S PURPOSE:

To establish a policy related to the COVID-19 Pandemic to meet our duty to provide a safe work environment for employees.

POLICY PROVISIONS:

This is an emergency policy in accordance with Government Code Section 3504.5(b) that allows the City an emergency exception to the normal meet and confer process. This policy may change as additional information from the CDC, the California Department of Education (CDE), and/or the San Bernardino County Health Department (SBCHD), The Occupational Safety and Health Administration (OSHA), The California Division of Occupational Safety and Health, better known as Cal/OSHA, and/or Any Other Formerly Recognized Government Related Agency.

A. Employees Exhibiting Symptoms Common to COVID-19

In order to provide for the safety of other employees and in furnishing a suitable and safe place of work, any employee showing symptoms associated with COVID-19 (such as fever, coughing and/or shortness of breath) should stay at home and notify their supervisor or Department of the absence and the reason. For that same reason, employees showing symptoms associated with COVID-19 who come to work will be sent home. Whether determined by the employee or the City, employees exhibiting the symptoms of COVID-19 can return to work with a doctor's note releasing them to return to work.

Full-time employees who notify the City of such symptoms or who are sent home in accordance with this policy will use accrued sick leave for the first 3 day's leave and thereafter be paid their base salary until they are able to return to work (see Return to Work Affidavit).

Part-time employees who notify the City of such symptoms or are sent home in accordance with this policy will use accrued sick leave for the first 3 day's leave and thereafter be paid their normally scheduled number of work hours until they are able to return to work (see Return to Work Affidavit).

What if the employee insists it is just a cold or allergies?

- a. In order to ensure safe and healthy working conditions for all employees, the City will consistently apply the same standard to all employees who are symptomatic.
- b. If an employee provides a certification from their treating physician that the symptoms are non-communicable, the City will rely on such assurances and allow the employee to return to work.

B. Travel or Employees That Have Been in Close Contact with Someone Who Has Tested Positive for COVID-19

If the City has reason to believe that an employee was exposed to COVID-19 as outlined below and therefore poses a threat to other employees, the City will place the employee on leave as outlined below.

For individuals returning from international travel from a level 3 or higher area as defined by the CDC or from travel on a cruise ship, (<https://www.cdc.gov/coronavirus/2019-ncov/travelers/index.html> and <https://wwwnc.cdc.gov/travel/page/covid-19-cruise-ship>) the City will require employees to remain at home and away from work for no less than 14 days after such travel. Employees who have returned from a level 3 or higher area as defined by the CDC in the last 14 days, will be sent home for the remainder of their time until the 14 days from the date of return has passed.

For individuals who have known or suspected exposure to an individual who has tested positive for COVID-19, the City will require self-quarantine away from work for 14 calendar days after such potential exposure.

Full-time employees who are self-quarantined in accordance with this policy, may work remotely with the approval of their Department Director. If the employee is unable to work

remotely, employee will be paid their base salary for 14 calendar days until they are able to return to work.

Part-time employees who are self- quarantined in accordance with this policy, may work remotely with the approval of their supervisor or Department Director. If the employee is unable to work remotely, employee will be paid their normally scheduled number of work hours for 14 calendar days until they are able to return to work.

C. Time off due to COVID-19 Related Closures and to Care for a Family Member Due to COVID-19

Employees may need time off to address any family related COVID-19 issues such as school closures, or to care for an immediate family member (spouse, parent, brother, sister, child, step-child, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, grandparent or grandchild). The City will work with the employee to determine accommodations until childcare issues have been resolved. Should there extenuating circumstances, employee will work with Department Director and Human Resources to resolve.

Full-time employees will be paid their base salary until they are able to return to work.

Part-time employees will be paid their normally scheduled number of work hours until they are able to return to work.

D. Employees Performing “Non-Essential Duties” Who Are Sent Home from Work

Department Heads and Supervisors have been tasked to identify employees that may be sent home in order to reduce the number of employees working in the same location. If an employees’ duties include “non-essential” duties, they may be sent home from work.

Full-time employees who are sent home in accordance with this policy, may work remotely if possible – with the approval of their supervisor. If the employee is unable to work remotely, employee will be paid their base salary until they are required to return to work.

Part-time employees who are sent home in accordance with this policy, may work remotely if possible – with the approval of their supervisor. If the employee is unable to work remotely, employee will be paid their normally scheduled number of work hours until they are required to return to work.

E. Employees Who Are Higher Risk

Employees should report any concerns to their Supervisor or Human Resources. According to the CDC, preliminary data suggests that older adults with underlying health conditions or compromised immune systems might be at greater risk for severe illness from the virus. While older adults are not strictly protected under either the Americans with Disabilities Act (“ADA”) or the Fair Employment and Housing Act (“FEHA”) under these circumstances, FEHA allows employees with known pre-existing conditions, including underlying health conditions or compromised immune systems, to request a reasonable accommodation that will

allow them to work remotely as opposed to returning to work. The City will engage in the interactive process with employees who request reasonable accommodations.

F. Employees Who Refuse to Work

The City uses reasonable care to provide for the safety of employees and in furnishing a suitable and safe place of work. This includes providing employees safety devices that are reasonably necessary in order to protect their health and safety. Safety devices related to COVID-19 would be in accordance with CDC, OSHA, and/or Cal/OSHA related guidelines.

The City will view an employee's refusal to return to work, despite the employer's reasonable steps to ensure safe and healthy working conditions, as an unexcused absence and/or insubordination.

Employees who refuse to report to work and do not fall under any of the situations specifically described in this Policy will use their own accrued leave available to them (except for sick leave). Unpaid leave will only be allowed after all leave banks (except for sick leave) have been exhausted.

Furthermore, all City/public employees are declared to be disaster service workers subject to such disaster service activities as may be assigned to them by superiors following a declaration of emergency. Failure to follow a lawful emergency assignment could be grounds for discipline or insubordination.

Employees should report any concerns to their Supervisors, but absent an employee exhibiting symptoms associated with COVID-19 or having traveled to areas or interacted with persons that would place them at increased risk of exposure to COVID-19, the City will not subject an employee suspected by another employee of being infected to medical tests or removal from the workplace.

G. Employees Who Voluntarily Stay Home

Employees who choose to voluntarily stay home during this time will use their own accrued leave available to them (except for sick leave). Unpaid leave will only be allowed after all leave banks (except for sick leave) have been exhausted. Should City Hall be closed to employees, employee will be placed on paid leave.

H. Time off due to Sick Family Member Not Related to COVID-19

Employees who stay home during this time will use their own accrued sick leave available to them. Use of other available leave banks if sick leave bank has been exhausted.

I. This Policy May Be Amended as Needed to Meet the Best Practices as Outlined by the CDC, CDE, SBCHD, OSHA, Cal/OSHA or Any Other Formerly Recognized Government Related Agency

The City may from time to time amend this policy as needed in accordance with Government Code 3504.5(b). Should changes occur, a notice will be provided to all the affected employee associations and Unions, and the City will provide them with the opportunity to meet and confer on policy changes at the earliest practicable time.

LEAVE BALANCES

The deadline to use Holiday Comp or Management Leave accruals will be extended to September 30, 2020. Cash outs of available time will still occur on the last pay period in June.

WORKPLACE SAFETY

The City provides access to water and soap at all facilities. We will work to provide additional hand sanitizer, disinfectant wipes, and ongoing cleaning supplies or cleaning services in compliance with CDC recommendations - <https://www.cdc.gov/coronavirus/2019-ncov/community/home/cleaning-disinfection.html>.

QUESTIONS/CONCERNS

Employees with questions or concerns regarding this policy or COVID -19 can speak to their Supervisor, Manager, Department Head, and/or Human Resources (Extension 3274).

MANAGING ANXIETY AND STRESS

The Community Services Department/Human Services 909-334-3259 is available to all employees for confidential counseling. The Employee Assistance program is available for all full-time employees and can be reached at 800-222-9691 to confidentially discuss stress or anxiety related to COVID-19 with you and your immediate family.

COVID-19 related CDC websites:

Coronavirus Disease 2019 (COVID-19) <https://www.cdc.gov/coronavirus/2019-ncov/index.html>.

Interim Guidance for Business and Employers - <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>.

Coronavirus Disease 2019 Information for Travel - <https://www.cdc.gov/coronavirus/2019-ncov/travelers/index.html>.

Protect Yourself and Your Family - <https://www.cdc.gov/coronavirus/2019-ncov/protect/index.html>.

Frequently Asked Questions and Answers - <https://www.cdc.gov/coronavirus/2019-ncov/faq.html#protect>.

Employment Development Department – Unemployment Insurance Claim - https://edd.ca.gov/Unemployment/Filing_a_Claim.htm

**Employee Affidavit – COVID-19 (May be used if a Doctor’s Note is not practicable)
ABSENT FROM WORK**

I certify that I must be absent from work due to the following:

- I am exhibiting symptoms common to COVID-19 (I cannot get a doctors’ note as I am not in a high-risk group).

- I have been in close contact with someone exhibiting symptoms common to COVID-19 and am self-quarantining for 14 days (this person cannot get a doctors’ note as they are not in a high-risk group).

- I must care for my child or family member due to closure of school or daycare facility (school/facility name _____). I will update my Supervisor of any changes.

- I have been sent home from the City not related to illness and will return upon notification to do so.

- I am voluntarily remaining at home to care for my family.

Employee Signature

ID#

Employee Printed Name

**Employee Affidavit – COVID-19 (May be used if a Doctor’s Note is not practicable)
RETURN TO WORK**

I certify that I have been asymptomatic for at least 72 hours, without the use of fever-reducing or other symptom-altering medicines (e.g. cough suppressants) and at least 7 days have passed since symptoms first appeared. I have been free of fever (100.4° F or greater using an oral thermometer), signs of a fever, and any COVID-19 related symptoms (Cough and Shortness of Breath) have improved.

Employee Signature

ID#

Employee Printed Name