

Frequently Asked Questions Concerning COVID-19 and its impact on the Workplace

About COVID-19

What is COVID-19?

The Novel Coronavirus 2019 (COVID-19) is a new or novel coronavirus, also called SARS-CoV-2. Coronaviruses are a large family of viruses that cause illness in animals and humans, including the common cold, severe acute respiratory syndrome (SARS), and Middle East Respiratory Syndrome (MERS).

There is no specific medical treatment or vaccine at present for COVID-19. There is a great deal of information available on the Centers for Disease Control's website at <https://www.cdc.gov/coronavirus/2019-ncov/index.html>, as well as on the Maryland Department of Health's website at <https://phpa.health.maryland.gov/Pages/Novel-coronavirus.aspx>.

What are the symptoms of COVID-19?

Current symptoms reported for patients with COVID-19 have included mild to severe respiratory illness with fever, cough, and difficulty breathing.

NEW How is COVID-19 treated?

Currently, there is no FDA-approved medication to treat COVID-19. Individuals infected with the virus need to rest, get enough fluids, control fever and seek medical attention if symptoms intensify.

NEW Can COVID-19 be spread by a person who is not showing symptoms?

According to the CDC, people are thought to be most contagious when they are most symptomatic (the sickest), but some spread might be possible before people show symptoms. While there have been reports of this occurring with COVID-19, this is not thought to be the main way the virus spreads.

UPDATED Where can I find policy guidance on dealing with COVID-19 in the workplace?

The Pandemic Flu and Other Infectious Diseases Attendance and Leave Policy is posted on the DBM website and may be viewed at the following link, along with information on screening protocols and other useful information:

<https://dbm.maryland.gov/employees/Pages/COVID19.aspx>

The Pandemic Flu and Other Infectious Diseases Attendance and Leave Policy refers to a "flu-like illness." What is a flu-like illness?

A condition under which a person displays some or all the following symptoms typically associated with the flu: fever, chills, cough, sore throat, runny nose, body aches, headache,

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tiredness, diarrhea, or vomiting. Fever is usually described as temperature of 100.4° F (38° C) or greater.

See also, *Guidelines for Reporting to Work*.

Congregate Care Facilities

NEW What is a “congregate care” facility?

When you see this term in connection with the State’s response to COVID-19, it means a facility that consists of 24-hour supervision or care of inmates, patients, or youth within a State-run facility. These facilities are within the Departments of Health, Juvenile Services, Public Safety and Correctional Services and Veterans Affairs.

NEW What protocols are in place in congregate care facilities?

Screening protocols are in place at the entrance to each facility, which includes a temperature check and screening questions. Anyone who answers “yes” to any of the screening questions, has a temperature of 100.4°F [38°C] or higher, or refuses to participate in the screening process will be denied entry to the facility. Visitors are limited to essential delivery services only. The Access Protocols for All State-Operated Facilities and Buildings may be viewed at this link: <https://dbm.maryland.gov/employees/Documents/COVID-19%20Building%20Entry%20Protocol.pdf>.

See also, *Guidelines for Reporting to Work*.

Contractual Employees

NEW Should a contractual employee report to work if the employee’s job duties can’t be performed remotely?

Only if the contractual employee’s supervisor determines that the employee performs emergency essential or mission critical work that **must** be done in the office and the supervisor directs the employee to report to work should the employee do so; otherwise, the employee will be placed on administrative leave.

See also, *National Guard*.

Guidelines for Reporting to Work

NEW What will happen if an employee reports to work with fever, recent onset of cough that is not attributable to allergies or habits like smoking, shortness of breath, or other flu-like symptoms?

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When an employee is ill, the employee should take leave to recover and prevent the spread of illness. When an employee is exhibiting symptoms like fever, recent onset of cough or shortness of breath, the employee should self-quarantine for a period of at least seven days. The employee may return to work after these three things have happened: there has been no fever for 72 hours (i.e., three full days) without the use of fever reducing medication, other symptoms have improved, and at least 7 days have passed since symptoms first appeared.

NEW If an employee has been tested and is positive for COVID-19, what should happen?

The same protocol should be followed for an employee who has tested positive as for one who is symptomatic but has not been tested. The sick employee should stay home for a period of at least seven days. The employee may return to work after these three things have happened: there has been no fever for 72 hours (i.e., three full days) without the use of fever reducing medication, other symptoms have improved, and at least 7 days have passed since symptoms first appeared.

NEW If an asymptomatic employee has been in close, prolonged contact with a symptomatic person who is pending a test or has tested positive for COVID-19 what should the employee do?

The employee should take leave for a period of 14 days. If the employee develops no symptoms, the employee may return to work.

If the employee develops symptoms, the employee may not return to work until these three things have happened: there has been no fever for at least 72 hours (i.e., three full days of no fever without the use of medicine that reduces fevers), other symptoms have improved, and at least 7 days have passed since symptoms first appeared.

NEW How should an agency handle an employee who has been in the same indoor environment (like an office space) as a person with suspected or confirmed COVID-19 for longer than 3 minutes, but who does not meet the definition of having had close contact (within 6 feet) with the individual?

There are no work restrictions, but the employee should self-monitor for symptoms. If symptoms develop the employee should take leave to self-quarantine for at least 7 days.

If the employee develops symptoms, the employee may not return to work until these three things have happened: there has been no fever for at least 72 hours (i.e., three full days of no fever without the use of medicine that reduces fevers), other symptoms have improved, and at least 7 days have passed since symptoms first appeared.

Health Benefits

NEW Will the State's health insurance plans pay for testing for COVID-19?

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The State Employee and Retiree Health & Welfare Medical Plans will cover medically necessary diagnostic tests that are consistent with CDC guidance related to COVID-19 at no cost to the member.

NEW **How will COVID-19 affect a member's ability to obtain prescription drugs?**

The State Employee and Retiree Health & Welfare Prescription Drug Plan is waiving early medication refill limits on maintenance medications and encouraging members to use their 90-day mail order benefit (Free Home Delivery). Member cost sharing will apply as normal. In the event of shortage or access issues for prescription drugs due to COVID-19, the State will ensure formulary flexibility as needed.

NEW **What if an employee needs to add a dependent because of a marriage or birth or other qualifying event and cannot get the necessary documentation due to COVID-19 related closures of courts and other offices?**

Employees may add dependents or make other health benefits related changes in accordance with established timeframes for doing so. If an employee is unable to get the necessary documentation relating to the addition or change to the employee's health benefits, the employee will be given up to 30 days after the Governor declares an end to the State of Emergency announced on March 5, 2020 to provide the necessary documentation.

NEW **Due to the COVID-19 State of Emergency, if an employee now needs to obtain dependent day care can the employee enroll in a Dependent Care Flexible Spending Account (FSA)?**

Yes, a need for dependent care not previously required is considered a change in cost and creates an opportunity to enroll in the Dependent Care FSA. If the employee expects this need to be temporary, the employee should calculate carefully the expected cost being mindful that Workday will calculate the per pay cost through December 31, 2020.

NEW **What can an employee do if the employee's daycare provider is closed due to the declared State of Emergency as a result of COVID-19?**

If the employee is enrolled in a Dependent Care Flexible Spending Account and the daycare provider's closure has reduced the employee's daycare provider costs to a lower amount or no charge, the employee is eligible to change the annual deferral to an amount greater than or equal to the amount deducted to date.

NEW **How does an employee process a change to (or elect) a Dependent Care FSA if COVID-19 has caused a change in circumstances for the employee?**

The change should be processed in Workday using event: Employee: Change in Dependent Daycare. The event will be reviewed and presuming it meets IRS requirements, approved by the Employee Benefits Division.

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Questions should be directed to EBD.Mail@Maryland.gov

Leave Issues

NEW **How much information may an employer request from an employee who calls in sick?**

Guidance from the U.S. Equal Employment Opportunity Commission (EEOC) states that employers may ask if employees are experiencing COVID-19-related symptoms. Any information received about employee illnesses must be maintained confidentially and discussed with only those who have a “need to know,” such as the appropriate agency human resources professional.

UPDATED **If an employee is sick with a flu-like illness while at work, should the employee go home?**

Yes, employees who are ill should take sick leave to recover at home to avoid spreading illness at work. Now that we are in an Elevated Level II status under the Pandemic Flu and Other Infectious Diseases Attendance and Leave Policy, an employee who does not have paid leave available may request Advanced Sick Leave, or in the case of temporary employees, advanced paid time off (refer to the Advanced Sick Leave Policy issued in March 2020) to deal with the employee’s own illness or that of an immediate family member.

If an employee is sick, but asymptomatic, or caring for an immediate family member who is ill and wishes to work remotely, agencies are being encouraged to permit telework, if possible, or use a combination of telework and leave to promote social distancing.

If an employee has a flu-like illness, does leave have to be approved by the supervisor before the employee may leave the worksite?

An employee must notify a supervisor prior to leaving work due to illness. If an employee is requesting a form of leave other than sick leave, supervisors are encouraged to err on the side of caution and approve leave liberally in order to prevent the spread of illness in the workplace.

UPDATED **If an employee has had a flu-like illness, when can they return to work?**

Employees should remain out of work for a minimum of seven (7) days from the onset of a flu-like illness. The employee may not return until: the employee is fever-free (without the use of fever reducing medications) for 72 hours, the employee experiences an improvement in other symptoms, and at least 7 days have passed since the symptoms first appeared.

It is expected that hospitals, urgent care centers and doctors’ offices will be overwhelmed by patients seeking treatment. For this reason, while Level II is in effect, an employee will not be required to provide medical documentation upon return to work for a flu-like illness, even if the

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employee has been out sick for five or more consecutive days or is on a sick leave control measure (i.e., one-day doctor's note requirement).

Normal documentation requirements are in effect for absence due to a non-flu-like reason.

NEW **Can supervisors ask employees what type of medications they are taking to help determine if they may have COVID-19 or whether they can return to work?**

Employers may ask if an employee has taken a fever-reducing medication but should not inquire further.

Can employees who are not sick, but are afraid to come to work because of COVID-19 stay home and use leave?

Concern about COVID-19 is understandable, but employees should be encouraged to prepare, not panic. If an employee makes a request to take leave for any reason unrelated to the employee's own illness or that of an immediate family member, supervisory approval is required.

NEW **If an employee needs to be off work while on administrative leave, does the employee have to take earned leave?**

It depends.

If the employee is out on a period of paid or unpaid leave unrelated to COVID-19 that began before the State entered an elevated Level II status on March 12, 2020, the employee remains on paid or unpaid leave through the anticipated end date of the absence.

An employee who has been placed on administrative leave must be available by phone if the supervisor has work for the employee to do. If the employee cannot be available, the employee must request leave.

See also, *Guidelines for Reporting to Work*.

National Guard

NEW **What happens when an employee who is in the National Guard is activated by the Governor in response to COVID-19?**

On March 12, 2020, the Governor activated the National Guard in response to COVID-19; therefore, Regular State employees will receive their full State salary and their National Guard pay.

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Additionally, an exception has been made to allow temporary or contractual employees to continue to receive their State employment check while on State Active Duty in support of COVID-19 operations.

NEW **How does a State employee who also is in the National Guard get paid when called to Active Duty by the Governor?**

State Active Duty National Guard pay will be paid every two weeks by the Central Payroll Bureau (CPB) during the contractual pay week, but it will be separate from the employee's normal State employee pay. It will most likely be paid via a check mailed to the employee's home address, unless CPB received and processed a Direct Deposit form for the employee's Active Duty Service. It normally takes one to two pay periods for Direct Deposit to be set up after CPB receives the form.

NEW **How should an employee's timesheet be coded for the time the employee is on State Active Duty due to COVID-19 operations?**

If the employee is called to Active Duty by the Governor of Maryland to assist with COVID-19 operations, the employee is entitled to paid administrative leave for the duration of the State Active Duty. The employee's timesheet for this period will be coded based on employee type (regular/non-temporary, contractual, and temporary), as follows:

- **Regular/non-temporary employee:** COVID-19 Admin Leave for Regular (Timesheet) Time Off.
- **Contractual employee:** COVID-19 Admin Leave for Contract (Timesheet) Time Off.
- **Temporary Emergency employee:** COVID-19 Admin Leave for Temp (Timesheet) Time Off.

Quarantine

NEW **When is it appropriate for an employee to self-quarantine?**

There are a variety of scenarios in which it may be appropriate for an employee to self-quarantine, including:

- If the employee has fever, the recent onset of cough that the employee cannot attribute to allergies or habits like smoking, if the employee has shortness of breath or other flu-like symptoms.
- If the employee has been laboratory-confirmed positive for COVID-19.
- If the employee has had close contact (within 6 feet) for a prolonged period (longer than 3 minutes) with a person suspected of having COVID-19 or who has been lab-confirmed positive for COVID-19.
- If the employee has been advised to self-quarantine by the employee's health care provider.

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- If the employee has returned from a cruise ship or river cruise.

NEW When can an employee who has been diagnosed with COVID-19 come out of quarantine?

An employee who has self-quarantined because of a diagnosis of COVID-19 or suspicion that the employee has contracted the virus can stop home isolation under the following conditions:

- The employee has had no fever for at least 72 hours (that is three full days of no fever without the use of medicine that reduces fevers), **AND**
- Other symptoms have improved (for example, when cough or shortness of breath have improved), **AND**
- At least 7 days have passed since symptoms first appeared.

See also, *Guidelines for Reporting to Work*.

Screenings in the Workplace

NEW When may an ADA-covered employer perform a temperature check of an employee during a pandemic event?

When an outbreak becomes sufficiently severe or widespread, as assessed by the CDC or State or local public health officials, temperature checks may be instituted. Temperature checks have been instituted in 24/7 facilities.

See also, *Guidelines for Reporting to Work*.

Telework

If employees are teleworking, will they be reimbursed for paper, printer ink and any other supplies used for work purposes?

Employees who telework may use State property, when available, to accomplish their duties. If supplies are needed, supervisors should determine if the supplies are available to take home. Employees also are encouraged to explore alternate solutions to printing, such as scanning and emailing, when possible.

NEW How would a school closure affect an employee who is teleworking to promote social distancing in response to COVID-19?

Normally, an employee who is teleworking must be free of childcare duties, but while we are in Level II of the Pandemic Flu and Other Infectious Diseases Attendance and Leave Policy, supervisors have been encouraged to take a more flexible approach to permit an employee to

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work around their childcare duties. This may involve permitting an employee to start and stop work, as necessary, understanding that the employee must accurately record work time.

If an employee wants to work a flexible schedule, the first thing the employee should do is make the request to the supervisor to ensure that the employee's current job duties can be accomplished off hours. If it is feasible, the supervisor should discuss with HR and the agency's timekeeper to request that the proper "compressed schedule" indicator is added to Workday and to provide the employee with instructions on how to complete the timesheet while on a compressed schedule. The schedule must be balanced for both weeks in the pay period (e.g., in the case of a full-time employee, 40 hours must be accounted for in each week by work hours or work hours and leave). The work week begins on Wednesday and ends on Tuesday.

Transportation

NEW What if public transportation providers stop operating and employees are unable to get to their worksite using public transportation?

Employees who are designated as emergency essential or mission critical and cannot telework due to the nature of their job duties are expected to report to work unless told otherwise by their supervisor. Supervisors have been encouraged to be as flexible as possible in dealing with issues that arise due to interruptions in public transportation service.

Travel

If an employee contracted COVID-19 while traveling, would regular health insurance cover those health expenses?

If someone contracts COVID-19 while traveling, the coverage for health expenses would be determined based on the employee's health insurance or any additional insurance the employee may have purchased. Coverage is subject to plan provisions including medical necessity in the event of an urgent or emergent need.

UPDATED Is there a State policy in the event a State employee is quarantined either in a foreign country or upon return to the U.S.? How would that be addressed in terms of time off/teleworking, and costs incurred such as hotel and meal costs?

If an employee is traveling for non-business purposes and can telework, that would be the ideal solution. Any hotel/meal costs would be the responsibility of the employee. If the employee is unable to work remotely, the employee would need to request leave. If the employee does not have accrued leave to cover the period of quarantine, during the period that the State is in Level II of the Pandemic Flu and Other Infectious Diseases Attendance and Leave Policy, the employee may request advanced sick leave.