

### **PROTOCOL FOR DEALING WITH COVID-19 (CORONAVIRUS)**

1. Each Department shall designate an individual, who shall be from upper management, to serve as the Department Coordinator.
2. The leadership of each union your Department deals with should be told that any issues or questions relating to the Covid-19 (Coronavirus) should be directed to the Department Coordinator.
3. All Supervisors within your Department are to be told that they are not to have any interaction with either the unions or any employee relating to an issue caused by the Coronavirus.
4. The New Jersey Civil Service Commission has promulgated Guidelines as to how to handle individuals either diagnosed with the Coronavirus or self-isolated or quarantined due to the Coronavirus. A copy of the Guidelines are attached as Schedule A. The Guidelines should be followed in dealing with the absence of any employee due to the Coronavirus, whether diagnosed with it or subject to self-isolation or quarantine due to it. The Guidelines equally apply to the need of an employee to care for a family member who either has been diagnosed with the Coronavirus or has self-isolated or been quarantined because of the Coronavirus.
5. Any questions regarding how to treat employee absences due to the Coronavirus should be directed to the County Personnel Director Elinor Gibney.
6. Whenever it comes to the attention of any supervisor, whether through personal observations or via a report received from another employee that an employee has exhibited any of the symptoms detailed on the attached Schedule B, that information should immediately be reported to the Department Coordinator.
7. The typical symptoms known at this time are fever, coughing and shortness of breath or difficulty breathing. An employee does not need to exhibit all of the symptoms in order to be referred to the Department Coordinator.
8. The Department Coordinator should immediately contact Edmund Shea in Risk Management, who shall determine whether the employee needs to be seen by a medical provider or governmental agency.
9. If Risk Management determines that there is a sufficient basis for having the employee seen by a medical professional or governmental agency, the employee shall be placed on paid administrative leave.
10. That determination shall be communicated by Risk Management to County Personnel and the Department Coordinator.
11. County Personnel will inform the employee that the employee must furnish the County with documentation from a medical professional or government agency within three days stating whether the employee can return to the workplace. Any cost incurred by the employee in securing that documentation shall be paid for by the County.
12. Should it be determined that the employee has the Coronavirus or the employee should be self-isolated or quarantined then the employee shall continue to be remain on paid administrative

leave pending a final determination as to the health of the employee and the ability of the employee to return to the workplace.

13. Should the employee fail to provide the documentation by the end of the three days then the employee shall be required to use accumulated leave time, but shall not be permitted back in the workplace until a clearance is provided to the County by either a medical professional or a governmental agency that it is safe for the employee to return to the workplace.
14. Should it be determined that the employee can be returned to the workplace then the employee must report back to duty.
15. Any time an employee is placed on paid administrative leave relating to the Coronavirus the time off shall not be debited from any vacation or sick time the employee has accrued.
16. Except for law enforcement personnel, any time an employee, who is the sole caregiver for his or her child, is required to remain at home to care for his or her child because the school of the child has been closed due to the Coronavirus and the child is unable to care for himself or herself and requires supervision, then the employee will be permitted to be released from his or her employment duties and placed on paid administrative pending the re-opening of the school. The employee must furnish the County within three days of commencing the leave with evidence verifying the school closure and any other reasonable documentation required by County Personnel to verify that the employee is the sole caregiver and the child is in need of supervision. The failure to provide the evidence as required will result in the administrative leave being unpaid, however, the employee may be allowed to use any accrued leave time. In the event that this situation arises then the Department Coordinator should consult with the Personnel Director for further guidance.

**THIS PROTOCOL IS THE EFFECTIVE PROCEDURE TO FOLLOW AS OF MARCH 13, 2020 AND SHALL REMAIN IN EFFECT UNTIL FURTHER NOTICE**

# SCHEDULE A



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION  
OFFICE OF THE CHAIR/CHIEF EXECUTIVE OFFICER  
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Philip D. Murphy  
*Governor*

Sheila Y. Oliver  
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Deirdré L. Webster Cobb, Esq.  
*Chair/Chief Executive Officer*

## **GUIDELINES FOR STATE EMPLOYEE LEAVE TIME AND STAFFING – COVID-19**

As provided in Executive Order 103, the protection of the health and well-being of New Jersey residents and the State's workforce is a primary concern. It is equally important to ensure the continuous delivery of essential State services during the rapidly evolving outbreak of the novel coronavirus, COVID-19. Therefore, government operations need flexibility to address staffing capabilities to ensure essential operational needs are met. Similarly, employees require greater latitude in applicable leave time procedures to prevent further spread of the virus and to prioritize their health and the health of their immediate family members.

Thus, in accordance with Executive Order 103, which authorizes and empowers the NJ Civil Service Commission ("CSC") to promulgate rules and to waive, suspend, or modify any existing rule where its enforcement would be detrimental to the public welfare, and specifically authorizes the Commission to take appropriate steps to address the public health hazard of COVID-19, the CSC, with the approval of Governor Murphy, has issued the following guidelines:

### **Alterations to Existing Work Arrangements**

As a general matter, State agencies, commissions, political subdivisions, and other Appointing Authorities subject to the provisions of Title 11A of the New Jersey Statutes (collectively, "Appointing Authorities") may implement flexitime programs (N.J.A.C. 4A:6-2.6), alternative workweek programs (N.J.A.C. 4A:6-2.7), and adjusted daily or shift hours (N.J.A.C. 4A:6-2.8) upon approval of the CSC Chair or her designee. However, pursuant to the emergency declaration in Executive Order 103, Appointing Authorities are permitted to implement or modify flexitime or alternative workweek programs and may adjust established hours of daily or shift operations without the need for prior approval. These flexitime arrangements may include modifications regarding hours of work and break times. Prior to implementing a new program or a modification of an existing program, Appointing Authorities shall advise the Governor's Office of Employee Relations ("GOER"), of any anticipated modifications to hours of work or leave times so that GOER may notify affected negotiations representatives of the modifications before implementation.

Further, these Guidelines conditionally waive certain provisions in N.J.A.C. 4A:6-1.4 regarding sick leave procedures for the State service.

## **Applicable Leave Time Procedures**

If an employee is (i) diagnosed with COVID-19, (ii) directed by a medical professional or government agency to self-isolate or quarantine due to suspicion of exposure to or diagnosis with COVID-19, and/or (iii) undergoing a period of self-quarantine or isolation pursuant to public health assessment recommendations, then the employee will not be required to utilize accumulated leave time if they provide documentation verifying the same within three work days of the initial absence. As with any documentation of an illness, the documentation should be provided to the Appointing Authority's representative or office tasked with receiving sick or FLA-FMLA leave documentation and maintaining its confidentiality under the Health Insurance Portability and Accountability Act. If an employee does not provide such documentation, then the employee will be required to utilize their own accumulated leave time.

If the absence is caused by the employee's need to care for an immediate family member who (i) has been diagnosed with COVID-19, (ii) was directed by a medical professional or government agency to self-isolate or quarantine due to suspicion of exposure to or diagnosis with COVID-19, and/or (iii) is undergoing a period of self-quarantine or isolation pursuant to public health assessment recommendations, the employee shall submit documentation verifying the family member's COVID-19-related illness, exposure, and/or quarantine period to the Appointing Authority's representative or office tasked with receiving sick or FLA-FMLA leave documentation within three days of the employee's initial absence. If no such documentation is received, the employee will be required to use accumulated leave time.

Employees who have been exposed to or diagnosed with the COVID-19 virus will not be permitted to enter the workplace until they are either medically cleared (regarding those with COVID-19) or until the expiration of the recommended 14-day period of quarantine from the point of last exposure (regarding those who were exposed).

Until further notice, employees who had previously been subjected to documentation requirements under their Appointing Authority's standard operating procedures due to excessive absenteeism or abuse of sick leave shall not be disciplined for future absences that occur as a result of their being suspected of or diagnosed with the COVID-19 virus or having to be absent to care for a family member impacted by the virus.

## **School Closures**

Employees who are not under suspicion of having been exposed to the virus or diagnosed with the virus but wish to stay home with a child due to the closure of a preschool program, elementary or secondary school, or child care center related to COVID-19, will be required to provide documentation verifying the closing. As explained more fully below, Appointing Authorities should review their current Continuity of Operations Plans to determine if requests to work from home can or should be accommodated for both essential and non-

essential employees during the period of the closure. If a work from home arrangement cannot be accommodated, such employee will not be required to use accumulated leave during the period of the COVID-19-related closure.

If the employee is staying home to care for a child who is under suspicion of having the virus or has been diagnosed with COVID-19, the employee will be required to provide documentation from a medical professional or government agency in order for the leave time procedures outlined above to apply.

## **Staffing**

Appointing Authorities should be actively reviewing their current Continuity of Operations Plans (COOP), including lists of employees designated as essential. In the event of a partial or full closure of State government operations, essential employees should be notified regarding whether they are required to report to work, in accordance with their essential designation, and will be paid at their regular rate of pay. As required, representative unions should also be notified of such changes.

Appointing Authorities should also be reviewing their current COOPs to determine if requests to work from home can or should be accommodated for both essential and non-essential employees during the period of the outbreak.

In the event of staffing shortages that disrupt the usual delivery of government services due to diagnosis and/or necessity of quarantine, it may become necessary for Appointing Authorities to reassign essential work duties to ensure continuity of operations. This potential temporary assignment of out of title work is permissible pursuant to N.J.A.C. 4A:3-3.4 so long as (1) the employee is otherwise qualified for the out of title work, (for example, if a temporary assignment requires an employee to be licensed in a particular trade, an Appointing Authority may not assign someone without such a license to perform the work), (2) the assignment is temporary in nature, and (3) the employee's normal job duties resume upon return of the absent employee(s).

Subject to the requirements of N.J.A.C. 4A:6-2.5, essential employees may be required to work from home under certain circumstances, at the Appointing Authority's discretion. In these circumstances, the Appointing Authority must provide all equipment, tools, and resources necessary to accommodate such work.

## **Required Medical Documentation**

For cases where individuals are undergoing a period of isolation or quarantine under the circumstances described above, documentation from a local, state or federal governmental agency, a medical professional, office, or hospital or proof that the employee was recently in a location where the recommendation by a governmental agency is to self-quarantine will satisfy the requirement to provide documentation. Additional forms of documentation may be permitted by the State agency, commission, or Appointing Authority following consultation with the Chair of the CSC.

For cases where individuals are caring for an immediate family member sickened by or diagnosed with COVID-19, then the employee shall submit documentation verifying the family member's COVID-19-related illness to the Appointing Authority's Human Resources Office within three days of the employee's initial absence.

If an employee is absent from work without sufficient documentation confirming diagnosis or quarantine or isolation due to exposure or potential exposure, standard leave rules apply.

A handwritten signature in black ink that reads "Deirdre' L. Webster Cobb". The signature is written in a cursive, flowing style.

Deirdré L. Webster Cobb, Esq.  
Chair/Chief Executive Officer  
New Jersey Civil Service Commission

# SCHEDULE B

## Symptom and Screening Checklist for COVID-19

HRHC recommends the following screening questions to be asked in accordance with CDC criteria to guide evaluation of determining Persons Under Investigation (PUI) for COVID-19:

1. Does the employee have a fever<sup>1</sup>?
2. Does the employee have a cough?
3. Is the employee experiencing shortness of breath or difficulty breathing?
4. Has the employee had close contact<sup>2</sup> with a laboratory-confirmed<sup>3</sup> COVID-19 patient within 14 days of symptom onset?
5. Does the employee have a history of travel from affected geographic areas<sup>4</sup> within 14 days of symptom onset?

Additionally, any individual suspected to have COVID-19 should call ahead before visiting their doctor.

### Footnotes

<sup>1</sup>Fever may be subjective or confirmed

<sup>2</sup>Close contact is defined as:

a) Being within approximately 6 feet (2 meters) 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)

If such contact occurs while not wearing recommended personal protective equipment or PPE (e.g., gowns, gloves, NIOSH-certified disposable N95 respirator, eye protection), criteria for PUI consideration are met.

<sup>3</sup>Documentation of laboratory-confirmation of COVID-19 may not be possible for travelers or persons caring for COVID-19 patients in other countries.

<sup>4</sup>Affected areas are defined as geographic regions where sustained community transmission has been identified. Relevant affected areas will be defined as a country with at least a CDC Level 2 Travel Health Notice. (Japan, Italy, South Korea, Iran and China [last updated March 10, 2020])