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Sarah H. Steelman
Commissioner

To: All State Departmental Employees

From: Sarah Steelman

Date: March 16, 2020

Re: Leave guidance related to Coronavirus Disease 19 (Revision 1)

To minimize the spread of illness during the Coronavirus Disease 19 (COVID-19) outbreak, we are asking all team members (including supervisors) to be flexible regarding leave for team members who are or may be sick.

This Revision expands the circumstances under which team members may take borrowed leave, expands the options for repaying borrowed leave, and creates certain documentation requirements.

1. Team members who are or may be sick. Influenza and other respiratory infections including COVID-19 have similar if not identical signs and symptoms. Team members who feel sick or who develop a cough and/or shortness of breath should take their temperature twice a day to accurately track their temperature. A team member who is sick should NOT report to work. "Sick" in this context means the team member has a fever at or above 100.4°. If a team member develops a fever at or above this level, they should not return to work until after their fever has reduced below this level for 24 hours after they have stopped taking fever reducing medicines. The team member should use their available leave so that the team member can recover and does not cause others to become sick. If the team member does not have any sick leave, the team member shall be authorized to use borrowed leave for the absence rather than taking annual leave, comp time, or leave without pay. If the team member's duties can be performed from home and the team member feels able, supervisors should request authorization through the division director for the team member to work from home. Team members should call their physician when they feel that would be appropriate.

2. Team members with pending COVID-19 test results. A team member who has been tested for COVID-19 should not report to work while results are pending. In this circumstance, team members should use their available leave. If the team member does not have any sick leave, the team member shall be authorized to use borrowed leave for the absence rather than taking annual leave, comp time, or leave without pay. Instead of taking leave, if the team member's duties can be performed from home and the team member feels able, supervisors should request authorization through the division director for the team member to work from home and be credited time for work actually performed until test results are received.

3. Team members who test positive for COVID-19. A team member who tests positive for COVID-19 cannot return to work until the team member has provided a note from a physician authorizing the team member's return to work. The note must state that the team member has had two negative tests for COVID-19 taken at least 24 hours apart. The physician's note shall be provided to Human Resources. In this circumstance, team members should use their available leave. If the team member does not have any sick leave, the team member shall be authorized to use borrowed leave for the absence rather than taking annual leave, comp time, or leave without pay. Instead of taking leave, if the team member's duties can be performed from home and the team member feels able, supervisors should request authorization through the division director for the team member to work from home and be credited time for work actually performed.

4. Team members who test negative for COVID-19. A team member who tests negative for COVID-19 cannot return to work until their fever has reduced below 100.4° for 24 hours after they have stopped taking fever-reducing medicines. In this circumstance, team members should use their available leave. If the team member does not have any sick leave, the team member shall be authorized to use borrowed leave for the absence rather than taking annual leave, comp time, or leave without pay. Instead of taking leave, if the team member's duties can be performed from home and the team member feels able, supervisors should request authorization through the division director for the team member to work from home and be credited time for work actually performed.

5. Team members with an impacted household member. A team member may feel well but may have a household member who is sick. If a team member has a household member who is sick as defined above or who is in a situation described in categories 2 – 4 above, the team member should NOT report to work and should follow the instructions applicable to the household member's category. If the household member is a spouse, child, other relative or household member requiring the team member's personal care and attention, the team member may use sick leave. If the team member does not have any sick leave, the team member shall be authorized to use borrowed leave for the absence rather than taking annual leave, comp time, or leave without pay. Instead of taking leave, if the team member's duties can be performed from home and the team member is able to work in light of their care responsibilities, supervisors should request authorization through the division director for the team member to work from home and be credited time for work actually performed.

6. Borrowed leave usages under categories 1 – 5. The team member's HR staff shall contact the team member to confirm that borrowed leave as specified in categories 1 – 5 is still appropriate to use after each usage of 140 hours of borrowed leave in any combination from categories 1 – 5 above.

7. School, daycare, and similar closings due to COVID-19. In the event of school, daycare, or adult care closings due to COVID-19, a team member may need to be home with their children or their adult child or parent for whom they need to provide care, even if no one is sick. In such circumstances, the team member should use their available annual and sick leave and may use comp time. If the team member does not have any sick leave, the team

member shall be authorized to use borrowed leave for the absence rather than taking annual leave, comp time, or leave without pay, but only after all of the following options have been considered and determined not viable by the team member's supervisor or manager:

- a. *Expand work hours or allow flexible schedules.* For example, allow early morning, evening, and/or weekend work so that team members can care for their children or parents during the day but work in the evenings when a spouse can be home to care for the children or parents.
- b. *Increase the capacity for telecommuting.* ITSD recently communicated instructions to department directors regarding obtaining remote computer access. But supervisors should also think creatively about whether non-technology-based options that might not traditionally have been considered could facilitate work from home.
- c. *Allow job-sharing or job-splitting.* For example, team members who do the same type of job could split the day – one of them could work the first four hours and the other could work the second four hours, thus reducing the amount of leave that each must take.

Unlike borrowed leave used in categories 1-5 above, the initial use of borrowed leave in this category (7) requires documentation. The team member shall provide documentation to their Department HR staff evidencing the closing of the applicable facility due to COVID-19 during the time period when the team member is requesting to use borrowed leave. The team member shall provide this documentation to their HR staff every 14 days during the use of borrowed leave, and HR staff shall track this leave usage and maintain the relevant documentation.

8. Borrowed Leave. Borrowed leave is leave made available to team members without accumulated sick leave for use only in the circumstances identified above. Borrowed leave will be repaid from sick leave, beginning when the team member returns to work, at their normal rate of accrual for sick leave. At the team member's option, borrowed leave may be repaid from annual leave or comp time, in addition to sick leave.

9. Team members with portable equipment (e.g., laptops, iPads) that would allow them to work from home under the conditions set forth above should consider taking such equipment home with them each evening.

10. Guard against unlawful discrimination and stigma by learning the facts about COVID-19 from trusted sources such as the Centers for Disease Control and Prevention and the Missouri Department of Health and Senior Services.

<https://www.cdc.gov/coronavirus/2019-ncov/about/related-stigma.html>.

<https://health.mo.gov/living/healthcondiseases/communicable/novel-coronavirus/>.

11. Questions regarding this email should be addressed to your agency's HR staff. We will monitor the progression of the outbreak and issue additional or different guidance or directives as may become necessary.