



REDUCING PANDEMIC TRANSMISSION AMONG EMPLOYEES

ADMINISTRATIVE PROCEDURE NUMBER: 12.06.12

POLICY AUTHORITY: [Workplace Safety Policy 12.06](#), [Sick Leave Policy 12.22](#); and [Disability, Serious Illness and Accommodation Policy 12.48](#)

SCOPE: This procedure applies to all WCLS employees during the COVID-19 Pandemic national emergency and phased re-opening period.

Overview

- A. **General Guidance:** Sick employees are actively encouraged to stay home.
- B. Employees who have [symptoms](#) (i.e., fever, cough, or shortness of breath) should notify their supervisor, consult with their health care provider, and stay home. The Whatcom County Health Department advises that even mild symptoms should be taken seriously. See *Mandatory Employee Health Assessment* section.
- C. Sick employees should follow [CDC-recommended steps](#). Employees should not return to work until the criteria to discontinue home isolation are met, in consultation with healthcare providers and state and local health departments. See *Employee Becomes Ill* section.
- D. Employees who are well but who have a sick family member, or a family member who was exposed to COVID-19 should notify their supervisor and follow [CDC recommended precautions](#). Employees are requested to remain away from work for 14 days if directly exposed to an individual with COVID-19. See *Employee Exposed to Confirmed COVID-19 Case* section.

Mandatory Employee Health Assessment

- A. **Overview:** During a pandemic, employers may ask employees if they are experiencing symptoms of the pandemic virus. For COVID-19, these include symptoms such as fever, chills, cough, shortness of breath, or sore throat. Employers must maintain all information about employee illness as a confidential medical record in compliance with the Americans with Disabilities Act (ADA).
- B. **Self-Reporting:** employees will be asked to self-report on their health status prior to entering any WCLS facility each day that they work. Each supervisor is responsible for developing a method of communication with their employees and implementing the process. Employees should not report to work unless they have communicated they have passed the health assessment. Substitutes or employees who work in multiple locations should report to the supervisor of the location where they are assigned to work that day; in the event of a failed health assessment, the employee should **also** report to their regular (or second) supervisor.
- C. **Format:** Employee must answer **NO** to all the following questions:
 - 1. Are you currently showing any signs of one or more of the following symptoms that cannot be attributed to something else (such as allergies, physical exercise, etc.)?
 - a. Fever or chills (temperature >100.4 °F or higher)
 - b. Cough
 - c. Shortness of breath or difficulty breathing
 - d. Fatigue
 - e. Muscle or body aches
 - f. Headache
 - g. Sore throat
 - h. New loss of taste or smell

- i. Congestion or runny nose
 - j. Nausea or vomiting
 - k. Diarrhea
2. If you have recently had any of the symptoms listed in #1 above, did they begin within the last ten days?
 3. Have you had a fever or taken medication to reduce a fever within the last three days?
 4. Within the last 14 days:
 - a. Have you tested positive for COVID-19?
 - b. Has anyone you live with tested positive for COVID-19?
 - c. Have you had close and prolonged contact with someone who has tested positive for COVID-19?
 - d. Have you been directed to self-quarantine by a medical professional or other authority?

D. **Failed Health Check:** employee is advised to go (or stay) home and consult/visit their health care provider.

1. **Return to work:** employee may return to work under the guidelines outlined in *Return to Work* section.
2. **Pay Status:** employee may utilize leave accruals as appropriate, including [FFCRA paid sick leave](#). In the absence of available sick leave accruals, the employee will be granted unpaid leave.

E. **Timeline:** WCLS Return to Service Phases 1 through 3

Masks and Cloth Face-Coverings

For the health and safety of employees and patrons, all employees working in WCLS facilities are required to wear a mask or cloth face-covering that covers their mouth and nose at all times* while in the workplace. WCLS has provided cloth face-coverings to all employees. Instructions on how to wear, remove, and clean cloth face-coverings have been provided on WCLSNET and by your supervisor. Please continue to practice social distancing even when wearing a mask or face-covering.

*Please note the following exceptions:

- Employees whose health or safety is put at risk by wearing a mask or cloth face-covering are not required to do so. If this applies to you, please contact Human Resources.
- Employees who wish to eat or drink may remove their mask to do so, provided they are situated six feet away from others, perform the necessary hand hygiene and replace the mask when they are done.

Timeline: WCLS Return to Service Phases 1 through 3

High Risk Individuals

- A. **Overview:** Governor Inslee’s April 13, 2020 proclamation provides employment protections for employees who are “high risk” individuals for severe coronavirus illness.
- B. **Relevant WCLS Policy:** Disability, Serious Illness, and Accommodation Policy
- C. **Definition:** The Centers for Disease Control’s (CDC) definition for employees who are at “higher risk” for severe coronavirus illness as those who meet any one of the following factors:
 - Over 65
 - Live in a nursing home or long-term care facility

- Have chronic lung disease or moderate to severe asthma
- Have serious heart conditions
- Are immunocompromised
- Have severe obesity (body mass index [BMI] of 40 or higher)
- Have diabetes
- Have chronic kidney disease undergoing dialysis
- Have liver disease

- D. **Identification of High-Risk Individuals:** employers cannot identify high-risk employees or even ask employees to self-identify. Requesting that information would be eliciting disability-related information. Rather, employees will need to identify themselves when seeking an accommodation. Employees may notify their supervisor, Human Resources, or the Executive Director of their request for accommodation. Supervisors should not assume an employee who is in the higher risk group will need a particular type of accommodation (or any accommodation at all).
- E. **Verification:** Under Washington and federal disability laws, employers must be careful about asking employees to verify their underlying condition and may only ask for documentation for conditions that are not apparent and obvious and when the inquiry is job-related and related to business necessity.
- F. **Employer requirements:** Employers must be prepared to engage in the reasonable accommodation process, grant leave and continue health insurance benefits under the following circumstances:
1. When requested by high-risk employees, WCLS must utilize all available options for alternative work assignments to protect such high-risk employees from exposure to the COVID-19 disease. This expressly includes: telework, alternative or remote work locations, reassignment, and social distancing measures. The proclamation requires employers to “seek any and all options for alternative work assignments.” The supervisor and Human Resources Manager should engage in a collaborative dialogue with high-risk employees seeking accommodation to find creative solutions to these unique working circumstances
 2. If an alternative work arrangement is not feasible, WCLS must permit any high-risk employee to use any available employer-granted accrued leave or unemployment insurance in any order the employee chooses to use.
 3. Even when an employee exhausts their paid time off during a period of leave, WCLS must fully maintain employer-related health insurance benefits until the employee is “deemed eligible” to return to work.
 4. WCLS is prohibited from retaliating against employees who exercise their rights under the proclamation.
 5. WCLS is prohibited from permanently replacing a high-risk employee who takes COVID-related leave.
 6. WCLS and the union are prohibited from enforcing any contractual provision (including provisions in a collective bargaining agreement) that contradicts the proclamation’s rules.
 7. Violations may result in steep consequences — a willful violation of the proclamation is a gross misdemeanor.
- G. **Pay status:** employee may utilize leave accruals as appropriate, including [FFCRA paid sick leave](#). In the absence of available sick leave accruals, the employee will be granted unpaid leave. Remote work may be performed if there is demonstratable work available and the technology and resources are available.

- H. **Timeline:** WA State proclamation in effect through the duration of the state of emergency, or until otherwise rescinded or amended, in accordance with the Governor's July 29, 2020 extension.

Employee Exposed to Confirmed COVID-19 Case

- A. **Isolation:** Employees who had close and prolonged contact with an individual with confirmed COVID-19 illness should stay home until 14 days after the last exposure and maintain social distance (at least 6 feet) from others at all times.
- B. **Return to work:** employee may return to work under the guidelines outlined in *Return to Work* section.
- C. **Pay Status:** employee may utilize leave accruals as appropriate, including [FFCRA paid sick leave](#). In the absence of available sick leave accruals, the employee will be granted unpaid leave. Remote work may be performed if there is demonstratable work available and the technology and resources are available.
- D. **Timeline:** WCLS Return to Service Phases 1 through 4

Employee Becomes Ill

- A. **Overview:** WCLS may require that an employee leave the workplace if they become ill. The CDC states that employees who become ill with symptoms of COVID-19 should leave the workplace. The ADA does not interfere with employers following this advice. Supervisor should direct the ill employee to leave work and go home and consult their health care provider.
- B. **Return to work:** employee may return to work under the guidelines outlined in *Return to Work* section.
- C. **Pay Status:** employee may utilize leave accruals as appropriate, including [FFCRA paid sick leave](#). In the absence of available sick leave accruals, the employee will be granted unpaid leave.
- D. **Timeline:** WCLS Return to Service Phases 1 through 4

Confirmed COVID-19 Case of an Employee in the Workplace

- A. **Overview:** If an employee is confirmed to have COVID-19 infection, employers should inform fellow employees of their possible exposure to COVID-19 in the workplace but maintain confidentiality as required by the Americans with Disabilities Act (ADA). WCLS will instruct fellow employees about how to proceed based on the CDC [Public Health Recommendations for Community-Related Exposure](#).
- B. **Contact Tracing:** The supervisor will identify persons who may have been in contact with the suspected infected employee. Unless required by the local health authority, the name of the infected employee should not be provided.
- C. **Notification:** The Human Resources Manager will advise employees that they may have been in contact with a suspected infected employee, to monitor their health closely, and to contact their supervisor if they have any symptoms of COVID-19.
- D. **Isolation:** Employees who had close and prolonged contact with the infected employee should stay home until 14 days after the last exposure and maintain social distance (at least 6 feet) from others at all times.
- E. **Pay Status:** employee may utilize leave accruals as appropriate, including [FFCRA paid sick leave](#). In the absence of available leave accruals, the employee will be granted unpaid leave. Remote work may be

performed if there is demonstratable work available and the technology and resources are available.

F. **Facility Impact:** The impacted facility will close for 72 hours to allow for natural deactivation of the virus, followed by a comprehensive disinfection of all common surfaces.

G. **Timeline:** WCLS Return to Service Phases 1 through 4

Return To Work

A. **Employees Exposed to COVID-19:** Employees must remain away from work for 14 days if COVID-19 symptoms are present, or if directly exposed to COVID-19, or if a test shows positive results. Employees should avoid leaving the home if possible, but if necessary should practice exceedingly good hygiene and social distancing.

After the 14-day quarantine period, employees may return to work if they never developed symptoms. If they developed symptoms, the employee may return once these conditions have been met:

1. At least 24 hours with no fever without fever-reducing medication **and** improvement in symptoms, **and**
2. At least 10 days have passed since symptoms first appeared.

B. **Employees Without Known Exposure to COVID-19:** Employees may return to work after these conditions have been met:

1. At least 24 hours with no fever without fever-reducing medication **and** improvement in symptoms; **and**
2. At least 10 days have passed since symptoms first appeared **OR** they have received a negative COVID-19 test.

C. **Timeline:** WCLS Return to Service Phases 1-4

References

Lane Powell's [COVID-19 Resource Center](#)

If you are sick: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>

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

Cleaning & Disinfecting a Public Facility: <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html>

EEOC guidance: https://www.eeoc.gov/eeoc/newsroom/wysk/wysk_ada_rehabilitaion_act_coronavirus.cfm

Pandemic Preparedness in the Workplace and the ADA: https://www.eeoc.gov/facts/pandemic_flu.html

Job Accommodation Network: <https://askjan.org/blogs/jan/2020/03/the-ada-and-managing-reasonable-accommodation-requests-from-employees-with-disabilities-in-response-to-covid-19.cfm>

<https://askjan.org/articles/Engaging-in-the-Interactive-Process-During-the-COVID-19-Pandemic.cfm>

Whatcom County Health Department

COVID Positive: <https://www.doh.wa.gov/Portals/1/Documents/1600/coronavirus/COVIDcasepositive.pdf>

COVID Exposed: <https://www.doh.wa.gov/Portals/1/Documents/1600/coronavirus/COVIDexposed.pdf>

COVID Concerned: <https://www.doh.wa.gov/Portals/1/Documents/1600/coronavirus/COVIDconcerned.pdf>

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