



CULLMAN COUNTY COMMISSION PLANNED RESPONSE TO THE CORONAVIRUS PANDEMIC FOR COUNTY EMPLOYEES

Cullman County is committed to the health and well-being of all county employees. As we face the challenges presented by the global coronavirus pandemic the county will put in place certain emergency measures to mitigate the impact this pandemic will have on our workforce. This plan is subject to change based on federal and state rules and regulations and will be amended at any time as needs and conditions change.

A. STAFFING

- Department Heads may encourage work from home when appropriate.
- Department Heads may use alternate staffing, job-sharing, or flexible work hours to minimize exposure and/or address shortages.
- Employees may be assigned to new areas or new job duties as needed.
- All employees are subject to be called back to work while working from home or called to work, depending on the need and circumstances.
- All hiring is temporarily suspended except for replacement of critical personnel performing essential functions.
- All current temporary/seasonal employment will be temporarily suspended.
- All pay actions (pay changes, internal transfers, etc.) are temporarily suspended until further notice.

B. PROTECT YOURSELF AND OTHERS

- Entrance to facilities may be restricted based on determination by Elected Official(s). This may necessitate closing all secondary entrances, instructing anyone entering the facility (including employees) to utilize one main entrance only. Other restrictions may be considered.
- Follow recommended CDC guidelines for anyone entering the facility (including employees). This may include taking temperatures (with digital no-touch thermometer), asking questions regarding recent contacts with exposed/diagnosed individuals, recent travel history, etc.
- Employees should not bring children to work with them – this is for their own protection as well as others in the facility and could present a liability to the county.
- Follow all department specific exposure protocols especially regarding the wearing of assigned Personal Protective Equipment (PPE).
- Practice social distancing of at least six feet.
- Wash hands often and use other sanitary means to prevent the spread of germs.
- If an employee (or immediate family member of an employee) is diagnosed/confirmed positive with the virus, the workplace should be shut down and disinfected thoroughly per CDC recommendations before allowing other employees to return.
- If an employee (or immediate family member of an employee) is diagnosed/confirmed positive with the virus, any county vehicles and/or equipment used by that employee should be shut down and disinfected before allowing another employee to use the vehicle/equipment.

C. IF YOU ARE SICK

- Employees must immediately notify their supervisor/department head if they have experienced an exposure or received a presumed or confirmed diagnosis of coronavirus.
- Employees who report to work having a fever or flu-like symptoms upon arrival, or who become sick during the workday, should be separated from others and immediately sent home. Employees should be fever free for 72 hours before returning to work if they have had a positive or presumed case of the virus. Employees should be fever free for 24 hours for all other sickness.
- Employees may be asked about their health if the information is “job related and consistent with business necessity,” meaning that there is objective evidence that 1) the employee’s ability to perform essential job functions will be impaired by a medical condition or 2) the employee will pose a direct threat due to a medical condition. Employers may require regular temperature checks and may affirmatively ask employees about their health and the health of their contacts. Additional information may be required such as medical releases from employees with on-going symptoms after they have been cleared to return to work. Further, employees may be asked to sign medical releases allowing direct contact with their physician’s office. All protected health information regarding the employee and family’s health will be kept in strictest confidence and maintained in accordance with Section I.J of the County Handbook following all requirements set forth in the Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- Any employee providing false information may be subject to disciplinary action up to and including termination of employment.

D. PAY GUIDELINES SPECIFICALLY RELATED TO LEVEL OF EMERGENCY

EMERGENCY LEVEL	CONDITIONS	PAY/WORK SCHEDULE/BENEFIT PRACTICES
LEVEL 4	Normal Conditions	Standard pay/work schedules/benefit practices
LEVEL 3	Emergency declaration by Cullman County Commission – County facilities are closed to the public but remain open to employees	Standard pay/work schedules/benefit practices. Supervisors/Department Heads should be accommodating as much as possible (keeping in mind the business needs of the department) to those employees requesting leave time through standard leave practices
LEVEL 2	Emergency declaration by Cullman County Commission – County facilities are closed to the public and to county employees Note: Closures may be determined on an individual facility/department basis. Some county facilities may be closed while others remain open. A government mandated shutdown may also qualify as a LEVEL 2 emergency	Standard pay/work schedules/benefit practices may be modified. All Full-Time employees may be required to switch to a different work schedule based on business necessity*. Full-Time hourly employees will receive emergency administrative pay for time missed due to not being allowed to work. Full-Time employees required to report for work, either in person or remotely, may receive additional considerations (TBD). Supervisors/Department Heads are encouraged to provide essential county services with as few employees as possible working as few hours as possible, implementing flexible work hours, job sharing, etc. as appropriate. Pay plans/practices, benefit plans, paid leave plans, health care plans, etc. may be modified to accommodate emergency needs. *Note: Standard pay/work schedules may not be able to be modified in certain areas (i.e. Sheriff’s Office)
LEVEL 1	A prolonged LEVEL 2 type emergency (period of time TBD by Cullman County Commission)	LEVEL 2 pay/work schedule/benefit practices. Non-essential county personnel may be furloughed in accordance with Section I.Z of the County Handbook.

E. BUSINESS FUNCTIONS – MINIMUM STAFFING

- If a **LEVEL 2** or **LEVEL 1** Emergency (as defined above) becomes necessary, minimal staffing levels should be determined so that critical County services can still be provided. While all county employees are deemed essential, non-essential departments/positions (for the purpose of minimal staffing requirements) are defined as those non-critical during a pandemic. Elected Officials/Department Heads should develop documented criteria used to determine Essential Functions performed by their department(s). This criteria should be based on the criticality of the function, not the person(s) performing the task and must be defensible if legally challenged.
- Inventory equipment that remote workers will be utilizing. Elected Officials/Department Heads should reach out to IT in setting up ways to communicate remotely, including (but not limited to) audio/video meeting capability, accessing work e-mails remotely via phone or internet, developing remote access to work desktop computer, etc.
- Essential employees who will be working from home should prepare by developing a “ready bag” that they take home with them at the end of each day. This may include; laptop, files, contact lists, emergency phone numbers, etc.
- All employees are subject to be called back to work during a government shutdown, depending on the need and circumstances.
- An hours code will be established for payroll purposes to track all hours worked due to the coronavirus pandemic. Until this code is set up and programmed into our Payroll and Time Keeping systems all Department Heads should prepare to manually keep track of these hours worked as well as any Emergency Administrative Leave paid. Additionally, departments should document all items purchased related to the pandemic.
- Impact on County Services.
 - Department Heads should be prepared to backfill positions if employees are absent.
 - Communicate and practice various scenarios with staff to ensure understanding.
 - Ensure lines of communication are available for all critical staff and departments, including setting up ways to communicate with employees quickly, as conditions change.

F. PAY GUIDELINES SPECIFICALLY RELATED TO CORONAVIRUS UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT/FFCRA) – Effective per federally mandated start date, Expiring 12/31/2020

Emergency Paid Sick Leave Act		
Items	Category A	Category B
(i) Reason Employee is unable to Work or Telework:	(1) The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19	(4) The employee is caring for an individual who is subject to an order as described in Category A(1) or has been advised as described Category A(2).
	(2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19	(5) The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions.
	(3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.	(6) The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.
(ii) <u>Rate of Paid Sick Time:</u>	The Employee's regular rate of pay, not to exceed \$511 per day	Two-Thirds (2/3) of the employee's regular rate of pay, not to exceed \$200 per day
	Common to Both Categories	
(iii) <u>Who is an Employee for Purpose of Leave†:</u>	Each full-time and part-time employee, regardless of how long the employee has been employed with the County, if the employee is unable to work or telework because of one of the reasons listed above in Item (i).	
(iv) <u>How Much Paid Sick Leave Time :</u>	Full-Time Employees = 80 hours Part-time Employees = number of hours equal to the number of hours that employee works, on average, over a 2-week period	
(v) Effective Date of Act:	The Emergency Paid Sick Leave Act shall take effect not later than 15 days after the date of enactment of the Act. Therefore, the current effective date, according to the federal government, is April 2, 2020, and the federal government may make it effective sooner.	
(vi) †Special Rule for Health Care and First Responders	An employer of an employee who is a health care provider or an emergency responder may elect to exclude such employee from the application of the provisions of the Emergency FMLA.	

Emergency Family and Medical Leave Expansion Act ("Emergency FMLA")	
(i) Who Qualifies for the Emergency FMLA:	An employee who is unable to work (or telework) <u>due to a need for leave to care for the son or daughter under 18 years of age of such employee</u> if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency*.
(ii) *What is a Public Health Emergency	An emergency with respect to COVID-19 declared by a Federal, State, or local authority.
(iii) Eligible Employee Under Emergency FMLA†	An employee of the County who has been employed for at least 30 calendar days by the County and who qualifies for Emergency FMLA under Item(i).
(iv) Initial 10 Days under Emergency FMLA	The first 10 days for which an employee takes leave under the Emergency FMLA may consist of unpaid leave. Option for Employee: The employee may elect to substitute any accrued annual leave, sick leave, compensatory time, holidays earned or floating holidays for unpaid leave.
(v) Paid Leave for Subsequent Days under Emergency FMLA	An employer shall provide paid leave for each day of leave under the Emergency FMLA that an employee takes after taking leave under this section for the initial 10 days stated above. Rate of Pay: The amount of pay during this period under the Emergency FMLA is equal to two-thirds (2/3) of an employee's regular rate of pay, not to exceed \$200 per day and \$10,000 in the aggregate.
(vi) Job-Protected Leave:	Eligible full-time employees and part-time employees are entitled to 12 weeks of job-protected leave under this Act.
(vii) Notice by Employee:	When the need for leave is foreseeable under the Emergency FMLA, an eligible employee shall provide the County notice of leave as is practicable.
(viii) Effective Date:	The Emergency FMLA shall take effect not later than 15 days after the date of enactment of the Act. Therefore, the current effective date, according to the federal government, is April 2, 2020, and the federal government may make it effective sooner.
(ix) †Special Rule for Health Care and First Responders	An employer of an employee who is a health care provider or an emergency responder, which includes deputy sheriffs, may elect to exclude such employee from the application of the provisions of the Emergency FMLA.

The FFCRA also requires specific notices to be posted and specific forms to be completed when claiming benefits. The HR Department will distribute all required notices and forms to the county workforce as soon as they become available.

G. ADDITIONAL RESOURCES

- The State of Alabama Department of Labor has established specific guidelines relative to filing for unemployment benefits if an employee has been laid off (without pay) due to the coronavirus pandemic.
- The Cullman County Commission Personnel Webpage has established a separate section for coronavirus information as it pertains to county employees.

H. OTHER INFORMATION

- **Due to the very nature of the coronavirus pandemic, the Cullman County Commission or County Administrator is authorized to temporarily modify Cullman County Personnel Policies and Procedures (i.e. the Employee Handbook), without prior notice, in consultation with the other Cullman County Appointing Authorities as deemed necessary.**
- **Cullman County Commission reserves the right to modify any portion of this response plan to remain in compliance with any Federal, State or Local law.**