

SUBJECT: COMMUNITY PREVALENT DISEASE POLICY

Purpose. During normal operations, personnel policies are intended to maintain consistent and equitable practices in the workplace. When a disease becomes community prevalent, the City of Madison recognizes the health and safety of employees and the larger community as paramount priorities. The intent of this Administrative Procedure Memorandum (APM) is to navigate the balance between responding to the needs of the community and protecting employees for the duration of an emergency.

Application. This policy may be applied when the following two conditions are met:

1. A state of emergency is declared by one or more of the following entities:
 - A national state of emergency is declared as the result of a disease by the President or their designate.
 - A Wisconsin state of emergency is declared as the result of a disease by the Governor or their designate.
 - A local state of emergency is declared as the result of a disease by Public Health of Madison and Dane County.
2. And, the application of this policy is approved by the Mayor or their designate.

The fulfillment of these conditions will be determined by the Human Resources Director.

Definitions.

1. **Compensatory Time.** Accrual of hours by employees working overtime hours in lieu of money as outlined in the Employee Benefits Handbooks.
2. **Essential Personnel.** To operate core functions, the City may designate some employees as essential in Continuity of Operations Plans.
3. **HIPAA.** The Health Insurance Portability and Accountability Act provides rules around the use of a person's medical information.
4. **Isolation.** Restricting community interaction of people or groups who have the disease or symptoms associated with the disease.
5. **Leave of Absence Without Pay (AWOP).** Department/Division Heads may, in appropriate circumstances, grant employees a leave of absence without pay in accordance with APM 2-31.
6. **Quarantine.** Restricting community interaction of people or groups who do not have symptoms associated with the disease but who may have been exposed to the disease.
7. **Social Distancing.** Intentionally avoiding large gatherings of people and maintaining a distance of at least six feet between individuals to reduce the risk of transmitting diseases.
8. **Sustained Community Transmission.** The source of individuals' exposure to the disease is unknown but is presumed to be from other residents of the community as determined by Public Health.
9. **Telework.** A work-at-home arrangement or a remote access arrangement for at least part of the regular workweek.
10. **Vulnerable.** For the purpose of this policy, vulnerable means an employee that is at a higher risk of becoming sick as the result of a prevalent community illness. The City will base its

determination of vulnerability on guidance from the Center for Disease Control (CDC) and Public Health of Madison and Dane County (Public Health).

11. **Wage Insurance.** Disability Income Continuation Insurance (Wage Insurance) is optional insurance coverage that pays benefits if an employee is totally unable to perform their job functions. Wage insurance is administered by Hartford Insurance. The City has no control over whether or not the employee receives wage insurance from Hartford.

Leave Response Options. In the event of a prevalent community illness, the Mayor may authorize additional leave options to encourage employees to quarantine, isolate, seek medical care, and care for sick family members.

Negative Sick Leave Balances. The Mayor may authorize the ability for employees to use more sick leave than they have currently accrued, resulting in a negative sick leave balance. Employees may not accrue a negative sick leave balance that is greater than their anticipated accrual by the end of this fiscal year.

If an employee leaves City employment before the end of this fiscal year, the employee will not be obligated to repay any outstanding sick leave advanced during this time.

Emergency Paid Leave (EPL). The Mayor may authorize EPL hours for all employees. As general guidance, the amount of EPL should be commensurate with the length of time a person is required to quarantine. The intent is to encourage employees to quarantine themselves to prevent the spread of the disease.

EPL will be prorated for part-time and hourly/seasonal employees.

The Mayor may authorize additional EPL beyond the City-wide amount for employees performing critical operations who are regularly interacting with the public. This additional EPL is intended to recognize the greater risk of exposure and a greater burden placed on specific employee groups.

The Mayor may authorize the use of remaining EPL balances after operations have stabilized as recovery time for essential personnel.

EPL provided to employees expires at the end of the fiscal year. This would be similar to the administration of existing floating holiday leave [MGO 3.32(8)]. EPL use may be extended into the following year on a case-by-case basis with the approval of the Department/Division Head and the Human Resources Director.

Quarantine. The City of Madison supports the role of quarantines in protecting the health of the larger community. Employees will comply with all mandatory quarantine requirements issued by the CDC or Public Health prior to returning to work after exposure.

With guidance from Public Health, employees may be prevented from returning to work when a quarantine is recommended. This situation is likely to occur if an employee has traveled to a location where a disease is widespread or if an employee has had close contact with someone visiting from an area where the disease is widespread. Because the duration of the quarantine depends on the disease, the City of Madison defers to guidance from the CDC and Public Health.

If employees are able to telework during quarantine, they may do so at the discretion of their Department/Division head or their designee. Employees may be required to report their hours worked and tasks accomplished while teleworking.

Employees who cannot telework should be prepared to use EPL, sick leave, vacation leave, floating holiday time, comp time, and/or AWOP to complete their quarantine before returning to work.

Employees who fail to disclose relevant travel to their supervisor and to complete quarantine requirements before returning to work may be subject to discipline up to and including termination.

Quarantined Vehicles for Essential City Services. When conditions are appropriate, as needed to provide essential public services, Department/Division Heads may designate and assign an enclosed City vehicle (e.g., garbage truck, sweeper) as a quarantined vehicle. This vehicle may be occupied and operated by a single employee.

A quarantined vehicle must be identified as a quarantined vehicle on all entrances. No other employee other than the employee assigned to the quarantined vehicle, and no resident may enter the vehicle at any time while it is designated as a quarantined vehicle. The vehicle shall remain locked when not in use. All copies of the keys to the vehicle must remain in possession of the employee assigned to the quarantined vehicle and the employee's supervisor.

Care should be taken to avoid exposing other employees as the employee enters and leaves the quarantined vehicle and parking premises.

The quarantined vehicle may be assigned to others or returned to normal service after a complete cleaning of the vehicle surfaces with an appropriate disinfectant.

If, while driving the quarantined vehicle, the employee assigned to the vehicle tests positive or shows symptoms of disease, the employee will be asked to follow the Isolation protocol.

Isolation. Employees should not report to work when presenting symptoms associated with the disease, as identified by the CDC and Public Health. Employees reporting to work with symptoms may be required to leave.

If the employee can produce documentation from a physician that they are well enough to work and are not contagious within 72 hours of leaving work, they will be permitted to return to work and will have any absence that was required by their supervisor covered by paid administrative leave.

During isolation, symptomatic people (regardless of confirmed positive tests) can return from isolation after relevant criteria, set by the CDC and/or Public Health are satisfied.

If employees are able to telework during isolation, they may do so at the discretion of their Department/Division Head or their designee. Employees may be required to report their hours worked and tasks accomplished during the telework period.

Employees whose work cannot be meaningfully done by telework or whose work cannot be supported by available telework resources may use EPL, sick leave, vacation leave, floating holiday time, comp time, and/or AWOP.

Isolated employees who have exhausted their sick leave may become eligible for wage insurance.

Social Distancing. Attachment A provides an overview of the City's social distancing response for different employee categories.

Telework. In the interest of promoting social isolation and the health of vulnerable employees, Department/Division Heads may permit employees to telework.

Supervisors should check in with employees by phone and/or email regularly. Employees may be required to document their hours worked and tasks accomplished. The City recognizes that many employees may not be as efficient while teleworking as they could be with resources available in the office.

In the event that Information Technology is unable to support the demand on the City's telework infrastructure, employees may need to telework during specific hours or in shifts. The Director of Information Technology will provide guidance on IT infrastructure availability.

Employees shall continue to comply with technology guidelines issued by Information Technology while teleworking.

This policy temporarily supersedes APM 2-34 in times of applicability, as defined on page 1.

Reduction in Non-Essential City Services. When a disease becomes prevalent in a community and/or there is sustained community transmission, the Mayor may authorize a reduction in City services. During a reduction, impacted employees may be redeployed to other areas throughout the City to address potential staffing shortages. Employee redeployment decisions will be made through the Unified Command Structure of the Emergency Operations Center (EOC).

Employees who are not redeployed may have options to telework, if able.

Employees whose work cannot be meaningfully done by telework or whose work cannot be supported by available telework resources may be placed on paid administrative leave. Employees on paid administrative leave must be available to work and be fit for duty during regular hours if called.

If employees who are teleworking or on paid administrative leave are unavailable to work during regular hours, they are required to use leave as described in the Employee Benefits Handbook. This includes employees traveling for personal purposes, volunteering, or engaging in ad hoc employment. Employees who are or become sick during a reduction in services should follow the isolation protocol.

Hourly employees on paid administrative leave will continue to be paid for the average number of hours worked during their regular schedule.

Employees not using leave appropriately during a reduction in City services may be subject to discipline up to and including termination.

Additional Guidance.

Residential Services. In an effort to protect City employees who are regularly in homes and residential shelters, Department/Division Heads may implement policies allowing employees to ask residents if anyone in the home or residential shelter is exhibiting symptoms that the CDC or Public Health has associated with the illness. Prior to implementing these policies, the Department/Division Head shall confirm that the conditions for a HIPAA pandemic waiver have been satisfied.

Department/Division Heads may also delay non-emergency repairs and prioritize services that preserve life and property.

Should the disease achieve sustained community transmission, Department/Division Heads, in consultation with the Mayor, may choose to discontinue all services in homes and residential shelters until the disease is contained. To evaluate containment, the Department/Division Head should consult the CDC or Public Health.

Residential services employees who are unable to continue work as a result of this policy should follow the Reduction in City Services policy outlined above.

School, Child Care Closures. In the event of a prevalent community disease, services for children may close while City services remain open. This will result in significant hardship for employees. Supervisors are encouraged to support flexible work schedules, to redistribute tasks, and to permit telework when possible.

If employees can no longer substantially meet their position responsibilities as a result of child care responsibilities, they can use EPL, sick leave, vacation leave, floating holiday time, comp time, and/or AWOP leave.

Employees should not care for children at work.

The City will work to support childcare solutions for City employees so that they can continue their duties.



Satya Rhodes-Conway
Mayor

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Attachments

Attachment A: Social Distancing Response