

# McNeese State University

## LEAVE GUIDANCE DURING COVID-19

The University may deem it necessary to have an employee away from the workplace when potentially exposed to COVID-19, whether or not the employee is exhibiting symptoms of the virus. In such cases, Appointing Authorities should maintain employees in paid status, if possible, and in accordance with State Civil Service Guidelines. [Click Here](#) to view the latest General Circular containing leave guidance during COVID-19 crisis.

**Effective May 31, 2020, the use of special leave under Civil Service 11.23(d) shall not be granted by an appointing authority for any employee absence related to COVID-19 health pandemic.**

Additionally, [The Families First Coronavirus Response Act \(FFCRA\)](#) signed into law on March 18, 2020, and effective April 1, 2020, temporarily requires the university, to provide paid leave for specified reasons related to the COVID-19 pandemic under the Emergency Paid Sick Leave Act (EPSLA) and the Emergency Family and Medical Leave Expansion Act (EFMLA). You can click on the link above or find information on the MyMcNeese Portal, Human Resources Page, Payroll and Personal Information Section.

In all circumstances, please be reminded to contact Charlene Abbott, Director of Human Resources, for specific leave guidance, before taking action on COVID-19 related leave requests. EEOC, ADA, and HIPPA regulations may apply.

The below scenarios prepared by State Civil Service provide guidance on handling individual employee situation for both classified and unclassified faculty and staff. Those scenarios that apply to the FFCRA are identified. **Where applicable, FFCRA regulations will govern.**

### **SCENARIO ONE: Employee presumptively or positively diagnosed with COVID-19**

The employee shall remain home until they are cleared by a medical doctor to return to work. Additionally, the **Families First Coronavirus Response Act (FFCRA)** is applicable for eligible employees, and the FFCRA regulations will govern.

In any event an employee is deemed ineligible for paid leave under the FFCRA, normal sick leave rules apply. **CONTACT MUST BE MADE WITH THE DIRECTOR OF HUMAN RESOURCES BY THE EMPLOYEE OR SUPERVISOR. HUMAN RESOURCES WILL MANAGE LEAVE CERTIFICATIONS IN ACCORDANCE TO POLICY.**

### **SCENARIO TWO: Employee is visibly sick and/or exhibits symptoms of COVID-19 and refuses to leave work**

An appointing authority may place an employee on sick leave and require that he remove himself from the workplace when he has declined to utilize sick leave but presents for duty displaying symptoms associated with COVID-19 including fever, cough and/or shortness of breath. The symptoms must be observed by at least two individuals, one of whom must be in a supervisory position. The employee may be returned to duty at the appointing authority's discretion; however, he shall be returned to duty upon presentation of a certification from a medical doctor or nurse practitioner who, after personally examining the employee, certifies that he is capable of performing the essential functions of his position without posing a risk of harm to himself or others. **CONTACT HUMAN RESOURCES BEFORE TAKING ACTION AND REPORT ANY CASES TO THE DIRECTOR OF HUMAN RESOURCES.**

Additionally, the **Families First Coronavirus Response Act (FFCRA)** is applicable for eligible employees, and the FFCRA regulations will govern.

### **SCENARIO THREE: Employee possibly exposed to COVID-19 and is asymptomatic**

An appointing authority may desire to have an employee away from work and or tested for COVID-19, after being exposed through close contact to an individual with a confirmed positive COVID-19 diagnosis. The employee will remain away from work during the incubation period of the virus. Since the employee is ready for duty and has no

visible symptoms of illness, every effort should be made to maintain the employee in paid status while off from work. When an appointing authority determines it is in the best interest of his agency, he may take the following actions, in the listed order of preference:

- Allow the employee to work remotely through the designated incubation period, if applicable.
- Provide time off without loss of pay, annual or sick leave through Special Leave. Such special paid leave shall not extend beyond 14 calendar days as recommended by the Centers of Disease Control and Prevention.

If a health official or health care provider has advised an employee that they may have been possibly exposed to someone presumptively or positively confirmed to have COVID-19, the employee will remain away from work during the virus incubation period. **CONTACT MUST BE MADE WITH THE DIRECTOR OF HUMAN RESOURCES BY THE EMPLOYEE OR SUPERVISOR. HUMAN RESOURCES WILL MANAGE INCUBATION PERIOD AND RETURN TO WORK SAFELY.**

Additionally, the **Families First Coronavirus Response Act (FFCRA)** is applicable for eligible employees, and the FFCRA regulations will govern.

**SCENARIO FOUR: Employee is needed to provide care for a dependent child residing in the household due to a school closure related to COVID-19 (Through December 31, 2020)**

We encourage appointing authorities to allow employees to work remotely if able. If an employee is not able to work remotely, cannot report to work because of dependent care issues and there is ***no other suitable person available to care for the child or children***, accrued sick leave may be utilized by the employee.

Additionally, the **Families First Coronavirus Response Act (FFCRA)** is applicable for eligible employees, and the FFCRA regulations will govern.

*An appointing authority may authorize use of compensatory and or annual leave, as appropriate.*

**SCENARIO FIVE: Employee is needed to care for a spouse or dependent child residing in the household who has been positively diagnosed with COVID-19**

Under this scenario an employee may request to use sick leave, in lieu of requesting annual leave.

Additionally, the **Families First Coronavirus Response Act (FFCRA)** is applicable for eligible employees, and the FFCRA regulations will govern.

*An appointing authority may authorize use of compensatory and or annual leave, as appropriate.*

**SCENARIO SIX: Employees who have a high-risk immunological disorder**

It is encouraged that an appointing authority allow an employee with a high-risk immunological disorder, who needs to be isolated from the workplace to avoid a health risk exposure, during a health pandemic declared by the Governor, to work from home.

If an employee is not able to work remotely, accrued sick leave may be utilized by the employee.

*An appointing authority may authorize use of compensatory and or annual leave, as appropriate.*

**SCENARIO SEVEN: Employees who do not report to campus for duty**

Employees who are designated as essential personnel and do not report to campus for duty, when required, may use available compensatory and annual leave time. These employees do not have a high-risk immunological disorder that prevents them from reporting for duty due to a health risk exposure, during a health pandemic declared by the Governor. Employees in this scenario are not eligible to be paid sick or special leave. Once compensatory and annual leave have been exhausted, the employee will receive LWOP.