



City of Memphis Temporary Coronavirus Leave and Travel Policy

PM-46-04

Section: 46-00, LEAVE WITH PAY

I. PURPOSE AND SCOPE

The City of Memphis is responding to the coronavirus (COVID-19) pandemic with rules and regulations that include providing temporary leave and travel provisions for all employees, reporting requirements, and leave under the Families First Coronavirus Response Act (FFCRA). This policy is necessary to promote employee and public health and safety, while also mitigating the City's operational impact because of the health emergency that has been declared.

This policy is effective immediately by proclamation of the Mayor, pursuant to his powers under City of Memphis Ordinances 9-8-4 and 2-58-7, and will remain in effect until further notice. This policy shall supersede any other policy, rule or regulation that may be inconsistent with it.

This policy, as amended, is effective April 1, 2020 – December 31, 2020.

II. POLICY STATEMENT

The City of Memphis is requesting that all employees assess their level of exposure risk by using the CDC's guidelines: <https://www.cdc.gov/coronavirus/2019-ncov/php/risk-assessment.html>

Based on risk the following definitions apply:

Close Contact – Approximately 6 feet (2 meters) or closer to a person with a confirmed diagnosis of COVID-19 ("COVID-19 case") for a prolonged period (more than 10 minutes). Close contact can occur while caring for, living with, visiting, or sharing a healthcare waiting area or room with a person diagnosed with COVID-19 or having direct contact with the secretions of a person diagnosed with COVID-19 (e.g., being coughed on).

High Exposure Risk – Living in the same household as an intimate partner, or providing care in a non-healthcare setting (such as a home) for a person diagnosed with COVID-19, where you do not have access to or do not use recommended precautions for home care and home isolation, such as medical respirator masks. This category also includes individuals diagnosed with COVID-19, and those under investigation (testing, symptomatic, etc.) for COVID-19. Also, travel to high-risk locations is considered a high exposure risk (see section 4).

***Medium Exposure Risk** – Close contact with a person with a person diagnosed with COVID-19; e.g., on an aircraft, in a car or other confined space within 6 feet (two meters) of a person diagnosed with COVID-19; living in the same household as a person diagnosed with COVID-19; an intimate partner of a person diagnosed with COVID-19; or taking care of a person diagnosed with COVID-19 in a non-healthcare setting (such as a home) where you consistently utilize recommended precautions for home care and home isolation.



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Low Exposure Risk – In the same indoor environment (e.g., a classroom, a hospital waiting room) as a person with a symptomatic or asymptomatic person diagnosed with COVID-19 for a period of time, but not meeting the definition of close contact. Interactions with a symptomatic or asymptomatic person diagnosed with COVID-19 that do not meet any of the high or medium conditions discussed above. For example, walking by the person or being briefly in the same room, are considered low exposure risk.

Isolation – The separation of a person or group of people known or reasonably believed to be infected with a communicable disease and potentially contagious from those who have not been diagnosed or infected with the communicable disease to prevent the possible spread of the communicable disease. Isolation for public health purposes may be voluntary or compelled by federal, state, or local public health order.

Quarantine – The separation of a person or group of people reasonably believed to have been exposed to a communicable disease, but who are not symptomatic, from others who have not been exposed to prevent the possible spread of the communicable disease.

Self-monitoring – Individuals monitoring their health by taking their body temperatures twice a day and remaining alert for symptoms of fever, coughing, or difficulty breathing. If these individuals feel feverish or develop measured fever, cough, or difficulty breathing during the self-monitoring period, they should self-isolate, limit contact with others, and seek advice by telephone from a healthcare provider or their local health department to determine whether the require medical evaluation.

III. POLICY

The use of leaves under this Section does not impact leaves provided under the Families First Coronavirus Response Act (FFCRA). ** Police and Fire employees are excluded from return to work provisions in this policy and must follow departmental protocols. * Police and Fire employees that are commissioned, communications, EMS, PSTs or recruits are not eligible for Families First Coronavirus Response Act Benefits (FFCRA).*

1 . As a public health precaution, all City employees are required to report a confirmed diagnosis of COVID-19, or exposure to a person who has been diagnosed with COVID-19. This includes any employee who: is positively diagnosed with COVID-19; has been in close contact with a person diagnosed with COVID-19; is living in the same household as a person diagnosed with COVID-19; is an intimate partner of a person diagnosed with COVID-19; or is caring for a person diagnosed with COVID-19. Employees falling into any of these categories must notify City of Memphis HR of the diagnosis or exposure by calling benefits at 1-901-636-6800.



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Employees will be required to **remain out of the workplace for 14 days from the estimated last day of exposure regardless of displayed symptoms.**

- i. Any employee who is under investigation for COVID-19 and awaiting laboratory confirmation (test results) will be asked to self-isolate until test results are confirmed.
- ii. The employee's confidentiality will be protected, and the specifics of the employee's health status will not be disclosed. HIPAA protected information will be safeguarded accordingly.
- iii. Full-time and part-time City of Memphis employees may use this policy for the illness of themselves or the following family members only:
 - Parent/Step parent/ Legal guardian
 - Child/Stepchild
 - Spouse/Partner

2 FFCRA eligible Full-Time Employees (High/Medium Exposure Risk/Awaiting Test Results)

Full-time City of Memphis employees (**High/Medium Exposure Risk/Awaiting Test Results**) may use accrued and donated leaves based on eligibility in the following order:

- FFCRA Emergency Sick Leave
- Sick Leave
- Donated Leave (for current sick leave bank participants)
- Vacation and Bonus Leave
- Borrowed Sick Leave (up to 80 hours for 8-hour employees and 96-144 hours for 24-hour employees)

Procedure

Employees will need to use regular city and departmental sick leave notification procedures to access these leave benefits.

For more information, visit: <https://totalrewards.memphistn.gov/families-first-covid-response-act/>

3. FFCRA eligible Part-Time Employee (High/Medium Exposure Risk/Awaiting Test Results)

Part-time City of Memphis employees (**High/Medium Risk/ Awaiting Test Results**) may use FFCRA Emergency Sick Leave.



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Procedure

Employees will need to use city notification procedures to access this benefit. For more information, visit: <https://totalrewards.memphistn.gov/families-first-covid-response-act/>

4. Full-time City of Memphis employees not eligible for FFCRA (High/Medium Exposure Risk/Awaiting Test Results) may use accrued and donated leaves based on eligibility in the following order:

- Sick Leave
- Donated Leave (for current sick leave bank participants)
- Vacation and Bonus Leave
- Borrowed Sick Leave (up to 80 hours for 8-hour employees and 96-144 hours for 24-hour employees)

Procedure

Employees will need to use regular city and departmental sick leave notification procedures to access these leave benefits.

5. Part-Time Employees not eligible for FFCRA (High/Medium Exposure Risk/Awaiting Test Results)

Part-time Fire and Police Division employees (**High/Medium Exposure Risk/Awaiting Test Results**) will be paid for fourteen (14) days after being identified as having high or medium exposure risk. Payment will be based on the part-time employees' monthly average of hours worked and 100% of current wage rate.

Procedure

Employees will need to use regular departmental leave notification procedures to access this benefit.

6. Full-Time or Part-Time Employee (Low or Limited Exposure Risk)

Full-time City of Memphis employees identified as **low or limited exposure** risk may inform their supervisor and continue to monitor their health.

Procedure

Self-quarantine is not necessary in this situation. The employee does not need to be sent home and should continue to work according to his/her normal schedule.



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IV. SCHOOL CLOSURE

Eligible FFCRA Full-Time and Part-Time City of Memphis employees may access FFCRA

Emergency Paid Sick Leave and Emergency Paid Family and Medical Leave if they are not eligible to work remotely and their son or daughter's school/child care has been closed due to a health emergency. A statement of special circumstances is required for students between the age of 14-17 for employees whose shifts are during the day.

Procedure

Employees will need to use city notification procedures to access this benefit. For more information, visit: <https://totalrewards.memphistn.gov/families-first-covid-response-act/>

V. VACATION LEAVE

City of Memphis has instituted a moratorium on all vacation requests and approvals until further notice. With this change we will be cancelling all vacation requests (including those that have already been approved or are pending). This moratorium does not impact an employee's ability to use accrued leave as stated in sections III.2 and III.4 in this document. City employees will be allowed to use carryover vacation until December 31, 2020.

VI. SAFER AT HOME ORDER

City of Memphis requires that all city employees comply with the City of Memphis Safer at Home Order. Any employee not complying with the Safer at Home Order will be subject to discipline.

VII. TRAVEL

**Nothing in this section is intended to interfere with travel necessitated by military service or otherwise covered by the Uniformed Services Employment and Reemployment Rights Act.*

1. Business Travel

The City of Memphis has suspended all work-related business travel until further notice.

2. Personal Travel as of March 5, 2020**

The City of Memphis strongly discourages employees from nonessential business and personal travel.



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- a) Any employee traveling to or through an area that is identified by the Centers for Disease Control and Prevention with a Level-3 travel health notice or domestic travel advisory, international travel, or a cruise **will be required to remain out of the workplace for 14 days from the day the individual returned to Memphis from travel regardless of displayed symptoms.** *** police and fire employees should use their department protocols.*

Procedure

1. Travel to any location that meets the above criteria requires notification before or after travel to your Division Director and HR by using this form: <https://fs29.formsite.com/CityofMemphis/selfreporttravel/index.html>.
2. Upon returning from a Level-3 notice location, cruise, international or domestic travel, take the following actions:
 - Do not return to work. Once you return to Memphis, contact your Division Director or his or her designee. You may be requested to self-quarantine for 14 days from your day of return. You may be asked to telecommute or take leave during this time.
 - If you have symptoms (i.e. fever, cough, shortness of breath), contact your primary care physician. Do not return to work. Employee must immediately contact their healthcare provider to get guidance on next steps. The employee must remain out of the workplace until they receive clearance from healthcare provider to return to work.
 - If you traveled and have no symptoms, please monitor your health.

VIII. RETURN TO WORK – NO SYMPTOMS/TRAVEL RELATED QUARANTINE

If an employee has traveled to or through an area that is identified by the Centers for Disease Control and Prevention with a Level-3 travel health notice or domestic travel advisory, international travel, or a cruise, the employee will be requested to self-quarantined for 14 days. The employee may return to work after 14 days if no symptoms were displayed during the 14 days. Medical documentation is not required if the employee remained asymptomatic the entire 14 days.



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If the employee begins to develop symptoms of COVID-19 (fever, cough, shortness of breath) during quarantine, that employee must immediately contact their healthcare provider to get guidance on next steps. The employee is required to notify City of Memphis HR by calling benefits at 1-901-636-6800, as a public health precaution. The employee must remain out of the workplace until their symptoms resolve for at least 72 hours and they have a negative COVID-19 test result or medical clearance to return to work.

IX. RETURN TO WORK – COVID CONFIRMATION

If an employee who has been diagnosed with COVID-19, is under investigation for COVID-19, or exposed to a person diagnosed with COVID-19, the employee is required to notify City of Memphis HR of the diagnosis as a public health precaution by calling benefits at 1-901-636-6800. The employee must immediately contact his/her health care provider to get guidance on next steps.

The employee should immediately begin at-home isolation, and the employee should follow guidance from Public Health and the employee's health care provider.

The employee should remain under at-home isolation for 72 hours after their symptoms resolve and a total of 14 days before returning to work. The employee should also start identifying their close contacts (less than 6ft and more than 10 mins). The employee must remain out of the workplace for 14 days and may return once he or she can provide a negative Covid-19 test result to or clearance from his or her health care provider to return to work.

X. ON-THE-JOB INJURY (OJI) – COVID EXPOSURE OR CONFIRMATION

- 1. If a City of Memphis employee has been diagnosed (positive) with COVID-19**, because of exposure to COVID-19 while performing his/her job duties for the City, the employee will be eligible to submit an OJI claim.

Procedure

If the employee meets the above definition, the employee should contact his or her supervisor immediately. The employee supervisor will report the OJI immediately to Sedgwick.

- 2. If a City of Memphis employee has been isolated because he/she worked in the proximity** of a coworker who was subsequently diagnosed with COVID-19, and said employee is waiting on COVID-19 test results, the employee will be eligible to submit an OJI claim.



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Procedure

If the employee meets the above definition, the employee should contact his or her supervisor immediately. The employee supervisor will report the OJI immediately to Sedgwick.

NON-ELIGIBLE OJI CLAIMS

A City of Memphis employee who has a positive COVID-19 diagnosis because of contracting COVID-19 while on personal travel or outside of city work time will not be eligible for OJI.

If you have any questions please email memphishr@memphistn.gov

Links referenced in this document:

1. CDC Risk Assessment: <https://www.cdc.gov/coronavirus/2019-ncov/php/risk-assessment.html>
2. CDC International Travel Level-3 Travel Notice: <https://www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notice.html>
3. CDC Domestic Travel Advisory: <https://www.cdc.gov/coronavirus/2019-ncov/travelers/travel-in-the-us.html>
4. City of Memphis FFCRA Information: <https://totalrewards.memphistn.gov/families-first-covid-response-act/>