



# City of Memphis Temporary Coronavirus Leave and Travel Policy

**PM-46-04**

Section: 46-00, LEAVE WITH PAY

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## 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 and reporting requirements. 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 12, 2020 – March 31, 2022.

The City is following guidelines outlined by the Centers for Disease Control and Prevention (CDC) and medical experts. In establishing the COVID-19 Return to Work Requirements outlined in this policy. This policy should be used in conjunction with the City's "What to do" fact sheet.

## II. Definitions

- A. Close Contact** – An employee who was within 6 feet of a person with a confirmed diagnosis of COVID-19 for a total of 15 minutes or more over a 24-hour period. (Three individual 5-minute exposures within a 34-hour period is considered close contact).

For Example:

- You are living in the same household as a person diagnosed with COVID-19 and cannot isolate yourself from them.
  - You are caring for a person who is diagnosed with COVID-19.
  - You had direct physical contact with a person who is diagnosed with COVID-19 (i.e. hugged, kissed, shared eating or drinking utensils; the person sneezed, coughed, or got respiratory droplets on you.)
- B. Infectious Period** – Any person who has tested positive for COVID-19 should be considered infected starting 48 hours before the onset of symptoms or 48 hours before the positive testing date (This specimen collection date, not the date results are received), whichever occurred first. A person is considered infected until the completion of their isolation period and resolution of symptoms as defined in this policy.
- C. Isolation:** used to separate people with confirmed or suspected COVID-19 from those without COVID-19.
- D. Quarantine:** strategy used to prevent transmission of COVID-19 by keeping people who have been in close contact with someone with COVID-19, or people who are awaiting COVID-19 test results, apart from others.

## III. Policy

The City of Memphis will be following the Centers for Disease Control and Prevention (CDC) and medical expert guidelines in determining its COVID-19 related policies. The City reserves the right to adapt its policies, at any time, based on new information or to support operational needs.



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This policy applies to cover the illness of full-time and part-time City of Memphis employees who are diagnosed with COVID-19 and their following family members:

1. Parent/Stepparent/ Legal guardian
2. Child/Stepchild
3. Spouse/Partner

## **A. Employees who are not Sick**

To ensure our government operates effectively every day, employees must report to work according to normal schedules if they are symptom-free unless on approved leave or this policy dictates otherwise. Reporting to work may include your assigned work location, telecommuting, reassignment, and other duties assigned by management. Any employee who is absent without authorization and/or notice to their illness will be in violation of policy PM 38-02 and may be subject to discipline, up to and including termination

## **B. COVID-Reporting Requirement**

As a public health precaution, if a City employee receives a diagnosis of COVID-19, or they are in close contact with someone who was diagnosed with COVID-19, that employee is required to report this information to Human Resources, by calling Contact Tracing at 901-636-6800, please press 1.

An employee failing to report will be in violation of PM 38-02 and may be subject to discipline, up to and including termination.

This includes any employee who:

- is positively diagnosed with COVID-19.
- has been in close contact with a person diagnosed with COVID-19 as defined in this policy.

## **C. Symptomatic Employees**

1. All employees actively experiencing cold and/or flu-like symptoms should remain out of the workplace until the symptoms have significantly improved or resolve regardless of vaccination status per CDC guidance.
2. Directors, Supervisors, and Managers shall not encourage employees actively experiencing and/or displaying cold and/or flu-like symptoms to return to the workplace, and must contact the HR Division or HRBP to receive guidance to alternatives including but not limited to leave or telework options.

## **D. Face Coverings and Social Distancing**

1. Based on CDC guidance, all employees, regardless of vaccination status, are encouraged to wear a well-fitted mask while indoors at city buildings/worksites. Also, all employees are encouraged to wear a mask in outdoor settings involving crowds and/or activities with close contact with others.



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2. Employees must follow social distancing and other CDC and city policy guidelines in the workplace.
  3. The employee's confidentiality will be protected, and the specifics of the employee's health status will not be disclosed. Federally protected medical information will be safeguarded accordingly

## E. COVID-19 Testing

1. COVID-19 Testing is recommended for the following (Employees should follow the OJI procedure if it is considered a workplace exposure.):
  - a. Any employee actively experiencing cold and/or flu-like symptoms;
  - b. Any employee who has close contact with a person with a confirmed diagnosis of COVID-19; or
  - c. Any employee who is requested by the Shelby County Health Department or a medical professional to take a Covid-19 test.
2. Employees will be required to self-quarantine and leave work while awaiting test results.
3. Home tests must be verified by testing in a clinical/lab setting. **The COM will not accept home tests without clinical verification.**
4. If an employee's COVID-19 test result is negative, the employee may return to work. The employee must provide proof of the negative tests result, when requested.
5. If an employee's COVID-19 test is positive, please refer to page 7

## F. On-the-Job Injury Claims

1. If a City of Memphis employee has been diagnosed with COVID-19 because of exposure while performing their job duties for the City, the employee will be eligible to submit an OJI claim. The employee should contact his or her supervisor immediately.
2. A City of Memphis employee who contracted COVID-19 while on personal travel or not at work for the City will not be eligible for OJI.
3. Any OJI questions or inquiries should be sent to [memphishr@memphistn.gov](mailto:memphishr@memphistn.gov).

## G. Paid Leave

### 1. Vaccinations and Booster Shots

COVID-19 vaccines including CDC recommended booster shots are free and available to anyone who wants one. Please visit <https://www.shelby.community/> for more information about vaccinations. The employee may be required to show proof of vaccination.

- a. Employees who have not been fully vaccinated will receive two (2) hours of paid time off to receive each dose of the vaccine including booster shots with management's approval. Proof of vaccination must be provided upon request to receive paid time.



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- b. Full-time employees who experience side effects after receiving the vaccine including booster shots may use accrued and donated leave for vaccination recuperation. Proof of vaccination must be provided upon request to receive paid time.
      - c. Part-time employees who experience side effects after receiving the vaccine including booster shots will receive up to two (2) days of paid time off for vaccination recuperation after each dose. Proof of vaccination must be provided upon request to receive paid time.
      - d. City employees will be eligible to receive the City of Memphis one-time vaccine incentive. Visit <https://totalrewards.memphistn.gov/> for more information.
2. Any employee that has been exposed to an employee with a confirmed COVID-19 diagnosis in the workplace may use accrued and donated leave to cover time away from work in accordance with this Policy.
3. Employees must use regular City and departmental sick leave notification procedures to access leave benefits. For more information, visit <https://totalrewards.memphistn.gov/>.
4. Employees who are exposed to COVID-19 in the workplace should use On-the-Job Injury procedures in Section F.
5. **Full-Time Employees**
  - a. Full-time employees may use accrued and donated leaves to cover COVID-19 related time off if actively experiencing symptoms or related to close contact exposure. Leave time may be used in the following order based on eligibility:
    - i. Sick Leave
    - ii. Donated Leave (for current sick leave bank participants)
    - iii. Vacation and any remaining rollover Bonus Leave
6. **Part-Time Employees**
  - a. Part-time employees will be paid up to two (2) days while awaiting test results if actively experiencing symptoms or related to close contact exposure.
  - b. Part-time employees will also be paid up to seven (7) days from the estimated last day of COVID-19 close contact exposure if diagnosed positive for COVID-19.
  - c. Payments will be based on the part-time employees' monthly average of hours worked at their full rate of pay.

## H. Additional Leave Considerations

### 1. School Closure

Employees should talk with their immediate supervisor about work options if their child's school/childcare has been closed due to a health emergency. If possible, the supervisor will attempt to accommodate the



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employee by offering remote work or flexible work scheduling, based on the employee's specific role and duties.

## 2. Vacation Leave

Vacation leave is subject to scheduling and approval by management in accordance with division work schedules, employee seniority, employee preference, and applicable Memorandum of Understanding per PM 46-02.

### I. Travel

Domestic and International travel is permitted without quarantine regardless of vaccination status.

### J. False Statements and Discipline

Any City of Memphis employee who makes a false statement of material fact in connection with their job, including misrepresentation or falsification of COVID-19 diagnosis or other illness, will be in violation of policy PM 38-02 and may be subject to discipline, up to and including termination.

### K. Returning to Work Strategy --General Employee

The Chief HR Officer will prescribe the Return to Work Strategy and will follow Centers for Disease Control and Prevention (CDC) and medical expert guidelines in determining its COVID-19 Return to Work Requirements. Return to work guidance will be issued via the City's "What to do fact sheet." The "What to do fact sheet." will be posted online and emailed to all City employees. Any questions or concerns should be directed to the HR Division at [memphishr@memphistn.gov](mailto:memphishr@memphistn.gov) or by calling 1-901-636-6800, please press 1.

1. The City of Memphis is using a symptom-based strategy for employees with COVID-19 symptoms and a time-based strategy for employees without symptoms based on CDC guidelines.
2. All Divisions must adhere to the protocols within this policy. Note: Police and Fire employees should refer to their departmental protocols.
3. Proof of vaccination will be required to verify employee vaccination status (for purposes of receiving paid leave as outlined in this policy only, and not as a condition of employment) and proper procedures outlined in this policy. Please contact the HR Division regarding any questions about the policy at [memphishr@memphistn.gov](mailto:memphishr@memphistn.gov) or call 901-696-6800, please press 1.

### L. Contacts/ References

**To report a COVID exposure, positive COVID diagnosis, or for related questions call 901-636-6800.**

**For COVID related questions, please email [memphishr@memphistn.gov](mailto:memphishr@memphistn.gov)**

Links referenced in this document:

1. CDC Risk Assessment: <https://www.cdc.gov/coronavirus/2019-ncov/php/risk->



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- [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/>
5. US COVID-19: <https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html>
6. Return to Work Plan <https://www.fisherphillips.com/news-insights/cdc-reduces-covid-19-isolation-quarantine-periods.html>
7. Quarantine and Isolation <https://www.cdc.gov/coronavirus/2019-ncov/your-health/quarantine-isolation.html>