



**City of Seattle
 COVID-19 Paid Leave Policy Changes
 FAQ**

As of October 5, 2020. Guidance subject to change.

1. What is the City’s temporary COVID-19 Pay policy and when is it expiring?

The temporary COVID-19 Pay policy was established by Mayoral Directive on March 13, 2020 (and updated on April 6, 2020) to authorize compensation to employees who could not telework or be reassigned while impacted by a facility closure or on COOP 3 or 4 duties, or who identified as high risk. The policy expires November 4, 2020. Effective November 5, 2020, the pay codes for COVID-Pay (AF and CE) will no longer be available.

2. Why is the City ending the temporary COVID-19 pay policy?

The City is facing a \$300 million revenue shortfall caused by the COVID-19 pandemic. Because of this historic shortfall, the City has needed to make hard decisions in order to mitigate the impact on City employees and the communities we serve. To date, the City has provided tens of millions of dollars in COVID pay supporting hundreds of employees. We have been one of the only jurisdictions providing this benefit and unfortunately this policy is unsustainable given our fiscal condition.

In addition, the City has implemented robust [return to worksite plans and safety protocols](#) including enhanced cleanings, mandatory face coverings, personal protective equipment, occupancy limits and temperature screenings (starting in October) to protect workers to safely return to worksites. As a City, we must continue to deliver services that residents and communities rely on. We understand this decision could add anxieties to our City workforce. We will do the best we can to support employees. Contact your manager or HR representative anytime.

3. Which employees are impacted?

The chart below provides a high-level overview of employee categories impacted by the ending of COVID-19 Pay on November 4, 2020, and their options effective November 5, 2020. For the most part, employees who have been performing their duties via teleworking will continue to do so, unless there is no longer a need for such work. Departments will inform employees who have been temporarily redeployed whether they will return to their regularly assigned duties.

	Employee Categories	Options for Employees Effective November 5, 2020
GROUP 1	In accordance with Governor Proclamation 20-46 and 20-46.2, employees who are 65 years or older or whose conditions are listed by the CDC under the “at increased risk” category.	<p>A. Opt to return to work.</p> <p>B. Opt to request reasonable accommodation or alternative work assignment to enable safe return to work.</p> <ul style="list-style-type: none"> This may require an interactive process to occur.

		<ul style="list-style-type: none"> • May be eligible for up to 10 working days of additional one-time COVID-pay while waiting for City implementation of accommodation, or, if the City determines the accommodation is not possible. After that employees may use applicable leave or leave without pay. <p>C. Opt not to return to work due to higher risk status (i.e. age 65+ years or “at increased risk”).</p> <ul style="list-style-type: none"> • May use applicable leave or leave without pay. No medical verification required.
GROUP 2	In accordance with Governor Proclamation 20-46 and 20-46.2, employees who have conditions listed by the CDC under the “might be at increased risk” category.	<p>A. Opt to return to work.</p> <p>B. Opt to request reasonable accommodation or an alternative work assignment to enable safe return to work.</p> <ul style="list-style-type: none"> • This may require an interactive process to occur. • May be eligible for up to 10 working days of additional one-time COVID-pay while waiting for City implementation of accommodation, or, if the City determines accommodation is not possible. After that employees may use applicable leave or leave without pay. <p>C. Opt not to return to work due to “might be at increased risk” status.</p> <ul style="list-style-type: none"> • Submit a medical verification form confirming employee meets CDC criteria for “might be at increased risk” category to be authorized to use applicable leave or leave without pay (City personnel policies will apply unless addressed by a collective bargaining agreement).
GROUP 3	Employees affected by facility closure	Telework or reassign to other duties (based on the City operational needs). If telework or reassignment to other priority function is not possible, employee may be eligible for up to 20 working days of COVID administrative leave. After that the employee may use applicable leave or leave without pay.
GROUP 4	Employees completing COOP priority 3 or 4 work, or work reprioritized due to COVID operational changes	Telework or reassign to other duties (based on City’s operational needs). If telework or reassignment to other priority function is not possible, employee may be eligible for up to 20 working days of COVID administrative leave. After that the employee may use applicable leave or leave without pay.

4. Why has the age for individuals considered at higher risk changed from 60 to 65 years and older?

Governor Inslee's [Proclamation 20-46 High-Risk Employees – Worker's Rights](#) issued on April 13, 2020 cited those 65 years of age and older as higher risk. On July 29, 2020, Governor Inslee issued further [guidance](#) defining the higher risk category due to age as "employees who are 65 years or older." Per the proclamation, and according to the [CDC](#), older adults and people with certain medical conditions are particularly susceptible to severe illness from COVID-19. The City is updating its policies to align with County, State, and CDC guidance.

5. Who is considered at "increased risk" of severe illness from COVID-19?

Governor Inslee's proclamation utilizes the CDC definition. According to the CDC, people of any age with the following medical conditions are at increased risk of severe illness from COVID-19:

- Cancer
- Chronic kidney disease
- COPD (chronic obstructive pulmonary disease)
- Immunocompromised state (weakened immune system) from solid organ transplant
- Obesity (body mass index [BMI] of 30 or higher)
- Serious heart conditions, such as heart failure, coronary artery disease, or cardiomyopathies
- Sickle cell disease
- Type 2 diabetes mellitus

Please consult [CDC guidance](#) for the latest information.

6. Who is considered "might be at increased risk" for severe illness from COVID-19?

Governor Inslee's Proclamation utilizes the CDC definition. According to the CDC, because COVID-19 is a new disease there are currently limited data and information about the impact of underlying medical conditions and whether they increase the risk for severe illness from COVID-19. Based on what is known at this time, people with the following conditions, according to the CDC, might be at an increased risk for severe illness from COVID-19:

- Asthma (moderate-to-severe)
- Cerebrovascular disease (affects blood vessels and blood supply to the brain)
- Cystic fibrosis
- Hypertension or high blood pressure
- Immunocompromised state (weakened immune system) from blood or bone marrow transplant, immune deficiencies, HIV, use of corticosteroids, or use of other immune weakening medicines
- Neurologic conditions, such as dementia
- Liver disease
- Pregnancy
- Pulmonary fibrosis (having damaged or scarred lung tissues)
- Smoking



- Thalassemia (a type of blood disorder)
- Type 1 diabetes mellitus

Please consult [CDC guidance](#) for the latest information.

7. Are employees categorized in groups 1-4 from question 3 above exempt from layoff?

No. All City employees, including those who are higher risk or whose facilities are closed, remain subject to potential layoff consistent with the City's collective bargaining agreements and Personnel Rules. However, employees who are at higher risk will not be laid off because of decisions they make regarding whether and how to return to work due their higher risk status.

8. Do I need to provide medical verification if I meet the "might be at increased risk" definition and want to use applicable leave?

Yes. Employees who meet all of the criteria below are required to provide medical verification:

1. Identify as having a condition listed by the CDC under "[might be at increased risk](#)",
2. Opt not to return to work, and
3. Seek to use applicable leave.

If you meet the above criteria, please request a Health Care Provider Medical Verification form from your HR representative. The form must be completed by your provider and submitted to HR within two weeks of your initial receipt of the form. If the form substantiates that the employee meets CDC criteria, the employee may use applicable leave as described in the table above on page 1.

9. What steps do I need to take if I previously self-identified as higher risk and now want to return to work?

Please notify your manager to arrange for immediate return to work or to request accommodation if you feel you need accommodation in order to safely return to work.

10. If I request an accommodation to return to work, what is the interactive process?

The interactive process is a collaboration between employers and employees with disabilities who request accommodations to come up with accommodations. When the requested accommodation is not obvious, information from the employee's health care provider may be required. The goal of the interactive process is to work together to identify and implement the accommodation that is most appropriate for both the employee and the employer.

11. What is a reasonable accommodation?

A reasonable accommodation is a change in the work environment or in the way things are usually done to enable an employee with a disability to safely and effectively perform their job or enjoy equal access



to benefits available to other individuals in the workplace. No specific form of accommodation is guaranteed for all employees with a particular disability. Rather, an accommodation will be tailored to match the needs of the disabled employee with the requirements of the job.

12. What leave options are available to employees who do not wish to return to work?

You may use your accrued leave. Please speak with your HR representative to discuss other leave options.

13. What is the Families First Coronavirus Response Act (FFCRA) and what potential leave options are available through this Act?

The Federal Families First Coronavirus Response Act (FFCRA) provides eligible employees with leave options for qualified coronavirus related absences. The law became effective April 1, 2020 and includes two types of leave: 1) Emergency Paid Sick Leave (EPSL) and 2) Expanded Family Medical Leave (EFML). The leaves may be used through December 31, 2020. The chart below provides an overview of FFCRA eligibility scenarios. Please note that not all City employees are eligible to receive FFCRA benefits. Please check with your HR representatives if you have questions regarding your eligibility.

Please also refer to this [FFCRA timesheet backgrounder](#) for more detailed information about FFCRA leave scenarios and potential entitlements.

FFCRA eligibility scenarios	Pay code
I am eligible for Emergency Paid Sick Leave (EPSL) because of one of the following reasons: <ul style="list-style-type: none"> I am subject to a federal, state or local quarantine or isolation order related to COVID-19 I have been advised by a health care provider to self-quarantine due to concerns related to COVID-19 I am experiencing symptoms of COVID-19 and am seeking a medical diagnosis 	PS
I am eligible for EPSL because of one of the following reasons: <ul style="list-style-type: none"> I am caring for an individual who is subject to a federal, state or local quarantine or isolation order related to COVID-19 or have been advised by a health care provider to self-quarantine due to concerns related to COVID-19 I am experiencing other substantially similar condition per a designated federal authority 	PH
I am eligible for EPSL and am caring for my child under age 18 due to closure of my child's school or unavailability of childcare due to COVID-19 precautions	P5
I have exhausted my EPSL, I am eligible for EFML and am caring for my child under age 18 due to closure of my child's school or unavailability of childcare due to COVID-19 precautions	PE
I have used COVID-19 FFCRA pay codes PS, PH or P5 and want to use unpaid leave to supplement my reduced hours	WC - Unpaid leave
I have exhausted all eligible leave and need more leave due to a qualifying COVID-19 (except for care for a child under the age of 18)	WB - Unpaid leave
I have exhausted all eligible leave and need more leave due to the qualifying COVID-19, to care for a child under the age of 18	W5 - Unpaid leave

14. If I am eligible to take unpaid leave on or after November 5 and choose to do so, do I retain my health insurance benefits?

Please consult your HR representative for benefit eligibility. Under the Governor's Proclamation 20-46, high risk employees who exhaust their paid time off are entitled to a continuation of health insurance benefits.

15. What health and safety protocols are in place at City worksites?

Not all City facilities and worksites have re-opened. We will likely remain in Phase 2 of the State of Washington's [Safe Start plan](#) for a while longer. Balancing budgetary and operational needs, slowly and safely, we will recommence suspended services if and where possible or make operating changes where required

To ensure the continued safety of essential employees required to be at worksites, and to prepare for when more employees return to worksites next year, a number of new protocols and policies will be instituted in City facilities beginning October 2020.

These health and safety protocols were developed by the City's Return to Worksite Operational Task Force, led by the Department of Finance and Administrative Services and the Seattle Department of Human Resources. The task force consisted of cross-functional workgroups that met over 100 times and involved over 75 staff from a dozen departments to produce the protocols. The protocols were developed through close coordination across City departments and are based on the best and most up-to-date state, federal and international guidance and best practices. City labor unions were given the opportunity to review and bargain return to work policies and the process of implementation of these policies.

Learn more about the City's [return to worksite plans and safety protocols](#).

16. What supporting resources are available to employees?

The City has several resources available to support employees as well as their families. The Employee Assistance Program (EAP) offers counselling, wellness, and financial health resources at <https://www.resourcesforliving.com/login> (both the employee login and password is: city of seattle) or at 1-888-272-7252 or 1-888-879-8274 (TTY)).

The City's well-being platform, Reach, also offers resources to increase resiliency, including health and financial management tools to tangibly track goals. Visit Reach at <https://cityofseattle.limeade.com>.

Contact your manager or HR representative any time. We are here to support you.