

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

As of March 10, 2021. Updates noted. Guidance subject to change.

1. What leave option is available to an employee if they experience symptoms of COVID-19, or side effects from the COVID-19 vaccine? (UPDATED)

If the employee is experiencing COVID-19 symptoms due to illness, the employee must immediately follow the steps outlined in the [exposure and testing protocols](#), including guidelines for isolation per public health guidance to minimize the spread of the disease. Employees should use applicable paid or unpaid leave. Please contact your HR representative for additional information.

2. What is the Governor’s proclamation regarding sick leave for high-risk employees during the pandemic and how is the City complying? (UPDATED)

Governor Inslee’s [Proclamation 20-46 High-Risk Employees – Worker’s Rights](#) was first issued on April 13, 2020, and extended on July 29 through the duration of the COVID emergency. The proclamation provides [guidance](#) defining the higher risk category due to age as “employees who are 65 years or older” and “people of any age who have certain chronic underlying health conditions,” under CDC guidelines. 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 chart below provides a high-level overview of employee categories and options if on paid or unpaid leave status, in accordance with the Governor’s [proclamation](#) and [FAQ](#).

	Employee Categories	Options for Employees if on Paid or Unpaid Leave Status
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.



		<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. <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 and feasibility of telework). 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 and feasibility of telework). 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.

3. Who is considered at “increased risk” of severe illness from COVID-19? (UPDATED)

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) Down Syndrome
- Heart conditions, such as heart failure, coronary artery disease, or cardiomyopathies
- Immunocompromised state (weakened immune system) from solid organ transplant
- Obesity (body mass index [BMI] of 30 kg/m^2 or higher but < 40 kg/m^2)
- Severe Obesity (BMI \geq 40 kg/m^2)
- Pregnancy
- Sickle cell disease
- Smoking
- Type 2 diabetes mellitus

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

4. Who is considered “might be at increased risk” for severe illness from COVID-19? (UPDATED)

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
- Overweight (BMI > 25 kg/m^2 , but < 30 kg/m^2)Pulmonary fibrosis (having damaged or scarred lung tissues)

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

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

5. Are employees categorized in groups 1-4 from question 2 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 to their higher risk status.

6. 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. Have a condition listed by the CDC under "[might be at increased risk](#)", and
2. Seek to use applicable accrued or unpaid leave due to your high risk condition.

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, ideally 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.

7. 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 reduce your risk of exposure to COVID-19 at the workplace.

8. 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.

9. 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.

10. 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.

11. Now that the Families First Coronavirus Response Act (FFCRA) has expired, what COVID-19 resources are available to employees? (UPDATED)

The federal Families First Coronavirus Response Act (FFCRA) federal leave program expired on December 31, 2020. Below is a summary of City resources that continue to remain available to employees.

- Employees who have been utilizing Emergency Paid Sick Leave (EPSL) under FFCRA will be able to continue using their accrued paid leave after December 31, 2020. Depending on the circumstances, some employees may also be eligible for other City leave programs, such as Donated Sick Leave, Paid Family Care Leave, or City Family Medical Leave. Employees must contact and consult with the HR department to discuss their leave options as each circumstance and reason for leave is unique.
- Employees who have been utilizing Emergency Paid Sick Leave (EPSL) and/or Expanded Family Medical Leave (EFML) under FFCRA for childcare purposes will continue to be able to use their accrued paid leave, including paid sick leave, after December 31, 2020. Employees may also discuss with their managers whether it is feasible to work a reduced or flexible schedule.
- Employees who continue to need leave for a COVID-19 event, but have exhausted their accrued paid leave, should contact their HR department to discuss any other available City leave options.

12. If I am eligible to take unpaid leave 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.

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

Not all City facilities and worksites have re-opened. We are currently in Phase 2 of the [Healthy Washington phased recovery plan](#). 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, a number of new protocols and policies were 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](#).

14. What supporting resources are available to employees? (UPDATED)

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>.

For employees balancing work, parenting, and assisting their children with schooling (e-learning) from home, the ReThink family support benefits will continue. To access the Rethink portal, visit familysupport.rethinkbenefits.com and use the password: cityofseattle

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