

# **FORSYTH COUNTY EMPLOYEE HANDBOOK**

## **POLICY 9: Attendance and Leave**

Revised: March 2, 2020

### **Section 15: Conditions Involving Pandemic or Influenza**

Sick employees who report to work with Contagious Symptoms and/or a Contagious Condition, as those terms are defined in this Section, may significantly impact County operations due to the potential for spreading sickness, diminished productivity, and lack of quality or attention to safety.

Employees should consider options and practices that will reduce the risk of contracting a contagious condition or passing on a contagious condition by observing healthy practices such as: receiving flu vaccinations, covering their noses or mouths when coughing or sneezing, washing or sanitizing their hands, using sanitizers on common work areas, and other health practices that are designed to reduce infection and the spread of disease. Employees should also refrain from reporting to work with Contagious Symptoms and/or a Contagious Condition, so as not to spread a condition or disease.

In the interest of maintaining a safe and healthy workplace, the County may require persons with Contagious Symptoms and/or a Contagious Condition not to report to work and/or may send employees with Contagious Symptoms and/or a Contagious Condition home.

#### **(a) Contagious Symptoms and/or Condition**

For purposes of this Section, Contagious Symptoms and/or a Contagious Condition exist when:

- (1) An employee exhibits influenza-related symptoms (e.g., fever, vomiting, diarrhea, headache, cough, sore throat, runny or stuffy nose, muscle aches) or other symptoms, described by a public health organization as indicative of other contagion, such as Coronavirus; and/or
- (2) An employee is diagnosed with an infectious/contagious condition (e.g., influenza, strep throat, tuberculosis, bacterial meningitis, mononucleosis, mumps, measles, rubella, chicken pox, etc.); or
- (3) An employee and/or family member/household member has recently traveled or plans to travel to a geographic area or has been subjected to a confined area, such as cruise ship or airplane, actively identified by a recognized health organization to present a high degree of contagion health risk or an area for which the CDC has issued a Level 2 or 3 travel advisory.

(b) Workplace Requirements

The County and its employees bear responsibility for a safe and productive workplace environment. Accordingly, an employee with Contagious Symptoms and/or a Contagious Condition:

(1) Will not report to the workplace so as not to infect other employees or members of the public.

(2) Will not report to the workplace until his/her symptoms have subsided and the employee has been cleared with a health care provider's statement that the employee may return to work. (Such statement must be submitted to Personnel Services for approval as provided in subsection (d), below, in advance of returning to the workplace.)

(3) Will not report to the workplace after returning from, or after a family/household member has returned from, a geographic area or confined area recently identified by a recognized health organization to present a high degree of contagion health risk or an area for which the CDC has issued a Level 2 or 3 travel advisory. In such case, the employee cannot return to the workplace until completion of the incubation period as identified by a public health organization and until the employee has been cleared with a health care provider's statement that the employee may return to work. (Such statement must be submitted to Personnel Services for approval as provided in subsection (d), below, in advance of returning to the workplace.)

(4) May be sent home, with or without the opportunity to work from home, based on observations of symptoms of a Contagious Condition.

(c) Absence Due to Contagious Symptoms or Conditions

An employee who has been sent home by the County and/or has not reported to work due to Contagious Symptoms and/or a Contagious Condition, or who has been quarantined, will be required to use accrued Paid Time Off ("PTO") and/or accrued compensatory time. If PTO or compensatory time is unavailable or exhausted, the employee will be recorded as absent with approved unpaid leave. In the event that an employee's absence pursuant to an approved unpaid leave extends beyond five (5) days and/or an employee's absence pursuant to an approved unpaid leave becomes a recurring issue, and such absences are deemed to constitute an undue burden upon the County Department or Elected Office, the Department Head/Elected Official may request that the employee provide a doctor's certification as to the employee's current condition. Ultimately, any prolonged absences will be addressed in compliance with all federal and state laws and regulations, including the ADA and the FMLA (where a serious health condition is involved).

The Department Head/Elected Official may approve an employee to work from home or another private location while recuperating. Such approval is dependent upon consideration of factors, including the employee's position, the severity of the illness, and other safety and logistical considerations. Notification that an employee will be allowed to work from home must be provided to Personnel Services.

Any employee subject to absence due to Contagious Symptoms or a Contagious Condition must contact Personnel Services to determine if the employee and medical condition qualifies for Family Medical Leave. In such case, the policy covering Family Medical Leave Act shall apply.

(d) Return to Work from Contagious Symptoms or Contagious Condition

As a condition for return to work, the employee will be required to provide certification from a professional health care provider stating the Contagious Symptom or Contagious Condition that the employee experienced has been cleared and the employee may return to work without risk to other employees. The written statement must be submitted *electronically* to Personnel Services, which shall review and must approve the release *before* the employee may return to work. An employee failing to provide a written return to work authorization prior to reporting to work will be immediately sent home and may be subject to disciplinary action for failure to comply with this requirement.

(e) Compliance

Due to the seriousness of the ramifications of non-compliance, any violation of the policy as set forth will subject the employee to disciplinary action, up to and including, termination.

This Section will be administered in accordance with all federal and state laws and regulations, including the ADA and the FMLA (where a serious health condition is involved).

*The following sections of Policy 9 Attendance and Leave are hereby renumbered as follows:*

**Section 16: Voting Leave**

**Section 17: Request for Leave to Observe Religious Holidays**

**Section 18: Administrative Leave**

**Section 19: Leave Due to County Office Closure**