

To: Agency Directors, HR Contacts
From: Emily Rajakovich, ADOA HR Director
CC: Daniel Ruiz, Sarah Pirzada, Andy Tobin
Original Posting Date: July 30, 2020
Revised Date: August 6, 2021

Re: HR GUIDANCE AND FAQs

This HR COVID-19 guidance document has been revised to reflect the most current guidance from the CDC and other public health authorities in a format that is **organized by topic area** for easier reference by users. **Updated guidance is highlighted for easier identification.** If you need earlier information that doesn't appear here, please contact covid19questions@azdoa.gov.

Nothing in this guidance should be interpreted to conflict with Centers for Disease Control and Prevention (CDC) or the Arizona Department of Health Services (ADHS) guidance and/or recommendations. If a conflict is discovered, the CDC or ADHS governs.

KEY TOPICS ADDRESSED IN THIS GUIDANCE

[ADMINISTRATIVE LEAVE](#)

[AMERICANS WITH DISABILITIES ACT \(ADA\)](#)

[CENTERS FOR DISEASE CONTROL AND PREVENTION \(CDC\)](#)

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ADMINISTRATIVE LEAVE

Agency heads have the ability to approve administrative leave for employees for certain COVID-related purposes as the public health emergency resulting from the pandemic continues.

Administrative leave may be approved for:

- employees who are unable to telework and have been placed on leave due to lack of work or the workplace being closed
- employees who are unable to telework and have exhausted their paid sick leave and annual leave balances, but who are ill with or quarantined for COVID-19 symptoms or a diagnosis of COVID-19
- Employees who need to provide care for a family member who is ill with COVID-19 symptoms or a diagnosis of COVID-19

Added for clarification only: If paid administrative leave is authorized by the agency head for COVID-related purposes as outlined above, the leave should be coded under pay code 376, Admin Leave-Emergency and Attendance Code UN.

Agency heads may approve emergency paid administrative leave for employees who have exhausted their paid sick leave and annual leave balances. Employees are not required to exhaust any other paid leave balances (e.g., holiday leave, compensatory leave, etc.) before being considered for administrative leave. Emergency paid administrative leave does not need to be approved on a case-by-case basis by the Agency Director or CHRO, although the Agency Director or CHRO can set an agency-specific process for approval to ensure consistency across the agency. To allow flexibility, no statewide approval form will be required at this time.

Please provide the following guidance to employees on paid administrative leave:

FOR EMPLOYEES: Employees approved for emergency paid administrative leave should be available by phone and/or email during business hours. Employees should be checking their email or phone regularly (an agency might require twice a day, for example) for updates from their agency leadership, manager/supervisor or Human Resources. Employees should make every attempt to reply to requests or communications from their agency or manager promptly. Employees should watch for communications from the State of Arizona, their agency or manager on when employees are called back to work and emergency paid administrative leave is ended. Employees are required to report back to work at their direction of their agency once emergency paid administrative leave is ended or when otherwise directed by their manager or agency head.

AMERICANS WITH DISABILITIES ACT (ADA)

Employees with disabilities may request a reasonable accommodation, such as the ability to work full-time from home, due to the pandemic. These situations should be referred to Human Resources, who will engage in the interactive process and ensure that each request is addressed

on a case-by-case basis. General questions regarding the ADA and COVID-19 can be sent to covid19questions@azdoa.gov.

CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC)

The CDC is the federal public health protection agency guiding the nation's response to the pandemic. Many of the references herein are directly from the CDC's COVID-19 website, which is updated frequently, at [\(CDC\) Coronavirus Disease 2019 \(COVID-19\)](#).

CHILD CARE (Updated July 12, 2021)

Those seeking assistance with child care during this time may find these resources to be helpful:

[Child Care Resources & Referral](#) (CCR&R)

[Arizona Department of Economic Security Child Care](#) website

During the COVID-19 emergency, Arizona remains focused on keeping children safe and supporting their families and providers. To ensure Arizona's first responders, critical healthcare workers, essential government operations, grocery store and food bank workers, and licensed/certified child care workers have access to the resources they need to continue providing essential frontline services while combating COVID-19, the Department of Economic Security (DES) is partnering with contracted child care providers, to offer child care through the Essential Workers Child Care Relief Emergency Child Care Scholarship Program.

Eligible employees may register [here](#) for the Essential Workers Child Care Relief Scholarship.

This program has been extended until August 31, 2021.

In addition to qualifying as serving an essential function, parent eligibility requires that:

- Critical job functions cannot be completed remotely (telework);
- Household income is \$65,000 or less annually; and
- The parent does not have access to child care and/or in person school services, or there is a health or safety concern with the child attending in person school services.

All eligible families that register will be assisted in finding care.

CONTACT TRACING

Contact tracing is a process public health officials use to prevent the spread of an infectious disease outbreak. When a patient is confirmed to have an infectious illness, it is critical that they isolate themselves to prevent further spread of that illness. The Arizona Department of Health Services (DHS) receives COVID-19 test results on a daily basis. **Public health investigators will do the contact tracing for State employees who have tested positive for COVID-19.**

When a public health investigator learns of a positive test result for a state employee, they will contact the employee, as well as those persons with whom the employee identifies they were in close contact, generally considered to be 15 minutes of cumulative contact within a distance of six feet over a 24 hour period.

This process helps those who have been infected recall where they have been and with whom they had close contact while they were infectious. Those “contacts” are contacted by public health staff and asked to quarantine themselves to stop further spread of the illness.

Reporting to DHS: Agency HR staff should notify DHS when the agency is informed that an employee has tested positive and should also make agency employees aware of the self-reporting form at:

https://docs.google.com/forms/d/e/1FAIpQLSfwrJMUioagsWR_M5OnYlzFIKqrR6Y-K5TzNUgeydPXyfRBpw/viewform

CRITICAL INFRASTRUCTURE WORKERS, EMERGENCY RESPONDERS AND HEALTH CARE PROVIDERS

In State government, we have an important responsibility to continue to offer public services even during a pandemic. Some State responsibilities are 24/7 and require employees to be present to protect the public or serve vulnerable populations. There is less flexibility for these employees to telecommute or alter their work responsibilities or schedules.

Agency heads have the ability to determine the essential positions that are required to complete the agency’s mission each day. At the discretion of the agency head, these employees may have leave time denied or curtailed in order for the employees to carry on the critical work of the agency. Agencies should make every effort to ensure a safe working environment and attempt to offer flexibility where feasible.

The CDC has identified ***critical infrastructure workers*** to include personnel in 16 different sectors of work including but not limited to:

- Federal, state, & local law enforcement
- 911 call center employees
- Fusion Center employees
- Hazardous material responders from government and the private sector
- Janitorial staff and other custodial staff
- Workers – including contracted vendors – in food and agriculture, critical manufacturing, informational technology, transportation, energy and government facilities

State employees may also fall into the categories of ***emergency responders or health care providers*** as defined by the [U.S. Department of Labor](#) (see questions 56 and 57, updated with September 16, 2020 DOL clarification of health care provider) or through other ADOA

exemptions, including employees working at DCS, DES, and DHS. These employees may also have leave time denied or curtailed to meet the special missions of their agency.

Special protocol for these essential workers: If a state employee is a critical infrastructure worker, emergency responder or health care provider who has had a contact with or exposure to an individual with COVID-19 AND the employee **does not have any symptoms** associated with COVID-19, **he/she should go to the worksite only as a last resort and only in limited circumstances** during the 14 days after the last contact with the person with COVID-19, the employee should closely monitor for symptoms, and wear a face covering full-time at work. (Source: [COVID-19 Critical Infrastructure Sector Response Planning](#))

EMPLOYEE NOTIFICATIONS OF POSSIBLE EXPOSURE

When a State employee tests positive for COVID-19, the State will take all necessary steps to ensure employees or other persons potentially affected are aware that an employee (or other individual) who has been physically present in the workplace has tested positive for COVID-19. The State will follow the guidelines and recommendations of all relevant health authorities in this process. The State may not disclose information that would reveal an employee's identity or confidential medical information, so agencies should work with ADOA HR on these notifications to protect employee privacy.

Agencies should ensure they notify the Department of Health Services.

FACE COVERINGS (Updated August 6, 2021)

The CDC has changed its guidance on face coverings as knowledge of the COVID-19 virus and its variants has evolved. Current guidance from the CDC can be found at: [When You've Been Fully Vaccinated - Covid-19](#).

Face coverings continue to be recommended for those who are NOT fully vaccinated whenever physical/social distancing cannot be maintained.

CDC guidance for healthcare facilities requires that staff and visitors wear a mask while onsite. See [Updated Healthcare Infection Prevention and Control Recommendations in Response to COVID-19 Vaccination](#). Those who are NOT fully vaccinated are expected to continue to wear a mask and physically distance themselves while in the building or around others when engaging in work-related activities.

Some agencies may have stricter standards and may specify certain types of face coverings/ masks and other personal protective equipment (PPE) as appropriate to the mission and functions of the agency. **Employees must follow the policies and procedures of their agencies.**

Children less than 2 years of age should never wear non-medical cloth face coverings due to safety concerns. At this time, we do not recommend children in a congregate child care setting wear cloth-based face coverings due to the risks to themselves or other children in the facility.

Governor Ducey issued a press release on July 27, 2021 stating: "Public health officials in Arizona and across the country have made it clear that the best protection against COVID-19 is the vaccine. Arizonans should get this vaccine. Arizona does not allow mask mandates, vaccine mandates, vaccine passports or discrimination in schools based on who is or isn't vaccinated. We've passed all of this into law, and it will not change."

FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA) - Expired 12/31/20

Effective from April 1 through December 31, 2020, the FFCRA provided up to 80 hours of Emergency Paid Sick Leave to all employees who were unable to work and who needed to be on leave due to being ill, being quarantined, caring for others who were ill or quarantined, or caring for young children who were unable to attend school or their child care provider due to COVID-19. Additionally, this law provided up to 12 weeks of Emergency Family Medical Leave to employees who have been employed for at least 30 days who had to care for children due to their school or child care provider being closed or unavailable due to COVID-19.

This law expired on December 31, 2020.

HIGHER RISK INDIVIDUALS

The CDC continually updates their guidance and materials for individuals who may be at higher risk. An example can be found at: [What You Can Do if You are at Higher Risk of Severe Illness from COVID-19](#)

Individuals should consult with their own health care provider for more information about conditions that may impact them.

What arrangements should an agency make for employees who may be at higher risk?

Employees who may be at higher risk for COVID-19 illness may request working arrangements through their agency that lower their risk of exposure. An agency should work to grant arrangements, including expanded telework or alternative duties, if feasible.

Since many of the underlying health conditions could constitute a disability under the Americans with Disabilities Act (ADA), the agency should engage in the interactive process the state uses as part of our standard work for ADA situations. These are handled on a case-by-case basis, so for those employees who can perform the essential functions of the job, the agency may be able to provide reasonable accommodation. For those who cannot return to work or perform the essential functions, the agency should work with ADOA HRD.

LEAVE

For COVID-related reasons resulting in the need for leave, employees may use sick leave and annual leave as needed. Regarding the use of sick leave to care for a family member who is ill with COVID-19 symptoms or illness, the rule limiting family sick leave to 40 hours has been temporarily waived. Employees can use more than 40 hours of sick leave to care for a family member with COVID-19 symptoms.

If employees have exhausted their own paid sick and annual leave balances, their agency head may approve the use of emergency administrative leave for COVID-related situations. Refer to the section on **Administrative Leave** in this document for more information on that type of leave.

PENDING TEST RESULTS

A state employee should be tested for COVID-19 if they have symptoms of the virus or are concerned about **close contact** with an individual who has either tested positive for the virus, or has been told by their healthcare provider that they are presumed to be COVID-19 positive. In their guidance, the CDC identifies close contact as:

- You were within 6 feet of someone who has COVID-19 for a total of 15 minutes or more
- You provided care at home to someone who is sick with COVID-19
- You had direct physical contact with the person (hugged or kissed them)
- You shared eating or drinking utensils
- They sneezed, coughed, or somehow got respiratory droplets on you

More information can be found at: [COVID-19: When to Quarantine](#) and [Appendices](#).

The Arizona Department of Health Services provides guidance on close contact at: [COVID-19: Close Contacts](#)

Detailed guidance for how to treat employees pending test results can be found at: [ADHS 'Release from Isolation and Quarantine' Guidance](#).

Eligible employees may telework pending their results if they are able to do so.

Guidance for Emergency Responders and Health Care Providers:

State employees designated as an emergency responder or health care provider AND who **do not have any COVID-19 symptoms should go to the worksite only as a last resort and only in limited circumstances** during the 14 days after the last contact with a person with COVID-19. These employees should follow ADHS protocols, including closely monitoring for symptoms, and wearing a face covering full-time at work. (Source: [COVID-19 Critical Infrastructure Sector Response Planning](#))

Public Health Recommendations for Vaccinated Persons:

The CDC has provided guidance for vaccinated persons. Fully vaccinated persons who meet criteria are no longer required to quarantine following an exposure to someone with COVID-19.

More information is available at: [Updated: When You've Been Fully Vaccinated](#)

RETURNING TO THE WORKPLACE TOOLKIT

We have updated the Returning to the Workplace Toolkit for agencies as they reopen workplaces and return employees to the workplace. This tool can be located on the HR COVID webpage at: <https://hr.az.gov/content/covid-19>.

SCHOOL REOPENING AND SCHOOL AGED CHILDREN

School districts in Arizona have taken a variety of approaches to offer continued education to the children in their charge during the pandemic. Employees with school aged children may have a number of options for their children's education, including in-person classes, virtual learning, and more flexible school schedules. Some school districts are offering parents a mix of those and perhaps other options.

Agency heads are encouraged to allow employees with families maximum flexibility and understanding as they identify the best arrangements for their families during this time. Whatever option(s) parents may select with respect to their school aged children, State employees are still expected to meet the mission of their agency and complete their work as required to maintain the vital services we provide to the citizens of Arizona.

TELEWORK/REMOTE WORK

All agencies are encouraged to allow employees to telework whenever possible to reduce potential exposure to others who may have COVID-19. Telework hours should be reported under pay code 110, Telecommuting Hours, or pay code 110C, COVID Work-Telecommuting, as appropriate.

In late April/early May 2021, the State issued new guidance, requirements, and enhancements for the State's remote work program. Updated information about the State's remote work program can be viewed on [Capitol Rideshare's Remote Work website](#). Agencies have been encouraged to develop internal policies and procedures and we anticipate agencies may be in the process of communicating these updates to their employees.

Agencies seeking guidance on how to effectively implement teleworking/remote work should contact ADOA HRD for assistance.

TESTING

For State employees, regardless of whether you are on the State's medical plan, weekly COVID-19 rapid saliva testing is available at no cost. This testing is also available at no cost for dependents who are covered on the State's medical plan. New dates are added weekly and no referral is needed. More information on COVID-19 testing for State employees is at: [COVID-19 TESTING | Benefits Services Division](#).

For nasal swab COVID-19 testing, you may consult with your healthcare provider. If you do not have a healthcare provider, you may contact your medical benefits provider for assistance in locating a test location, or refer to the Arizona Department of Health Services COVID-19 page at azhealth.gov/covid19testing.

VACCINES

The Arizona Department of Health Services (ADHS), along with county and local health departments, is coordinating vaccine distribution throughout Arizona.

Anyone age 12 and above is eligible to receive a vaccine in Arizona.

There are multiple vaccine distribution locations in Arizona. Information regarding the State's vaccine program, as well as other general information, can be found on the State employee benefits site at: benefitoptions.az.gov/covidvaccine

Vaccinations are voluntary. For additional information related to the COVID-19 vaccines, individuals can visit the [Centers for Disease Control and Prevention](#) and the [ADHS](#) websites.

Agencies may allow employees to use a reasonable amount of paid administrative leave to obtain a vaccine, including a reasonable commute time, subject to pre-approval within the agency. The agency head can set an agency-specific process for approval to ensure consistency across the agency. If paid administrative leave is authorized and used for the purposes of obtaining a vaccine, it should be coded under pay code 376, Admin Leave-Emergency, and Attendance Code UN. This applies to employees whether they are exempt (salaried) or non-exempt (paid hourly).

Employees requesting time away from work to take their dependents to obtain a vaccine may, with prior supervisory approval, use family sick leave for this purpose, or may request to adjust their schedules to reduce the amount of time off work to take a dependent to a vaccination location.

Employees seeking guidance on public health practices once they have obtained the vaccine may refer to the “Public Health Recommendations for Vaccinated Persons” information on page 13.

COVID-19 questions may be directed to Human Resources at covid19questions@azdoa.gov