

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: September 30, 2020

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 in future versions of this document will be highlighted for easier identification.** (Earlier versions of this document have been archived, so if you need earlier information that doesn't appear here, please contact the covid19questions@azdoa.gov email box.)

KEY TOPICS ADDRESSED IN THIS GUIDANCE

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TELEWORK

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ADMINISTRATIVE LEAVE

Agency heads have the ability to approve administrative leave for employees for COVID-related purposes during the public health emergency resulting from the pandemic. Administrative leave may be approved for employees who are unable to telework and have been placed on leave due to lack of work, or for employees who are unable to telework and have exhausted their paid sick leave and annual leave balances but who need to be out for COVID-19 reasons as identified in the Families First Coronavirus Response Act.

At this time, agency managers/supervisors may directly approve emergency paid administrative leave for employees. 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 <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>.

CHILD CARE (Updated 09/29/20)

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

CONTACT TRACING (Updated and Link to Form 07/22/20)

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. ***DHS will do the contact tracing for State employees who have tested positive for COVID-19.*** When DHS 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 continuous contact within a distance of six feet.**

The DHS team 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_M5OnYIzFIKqrR6Y-K5TzNUgeydPXyfRBpw/viewform

CRITICAL INFRASTRUCTURE WORKERS, EMERGENCY RESPONDERS AND HEALTH CARE PROVIDERS (Updated with reference to clarified definition of Health Care Provider issued by DOL on 09/16/20)

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 must go to work 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: <https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html>)

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, which will do the necessary contact tracing.

FACE COVERINGS (Updated CDC Guidance August 27, 2020)

The Governor has authorized local jurisdictions to implement regulations regarding the wearing of fabric face coverings in public settings such as office buildings. Agency heads should ensure their employees are in compliance with these guidelines. Some agencies may have stricter requirements and may specify other 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.

On August 27, 2020, the CDC published very helpful guidance on the selection, wearing and cleaning of masks at:

https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/about-face-coverings.html?ACSTrackingID=USCDC_2067-DM39240&ACSTrackingLabel=How%20to%20Select%2C%20Wear%2C%20and%20Clean%20Your%20Mask%20%7C%20COVID-19&deliveryName=USCDC_2067-DM39240

FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)

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

Forms and procedures for these leaves can be found on the State of Arizona HR COVID website at <https://hr.az.gov/content/covid-19>. General information on the law can be found at the U.S. Department of Labor website at <https://www.dol.gov/agencies/whd/pandemic>. Questions on the FFCRA can be directed to covid19questions@azdoa.gov.

ADOA HRD has also developed an online training course for state employees who would like more information on the Families First Coronavirus Response Act (FFCRA), the law that provides for the new Emergency Paid Sick Leave (EPSL) and Emergency family Medical Leave (EFML). Employees can access this course in TraCorp by using **course ID: ADCOVID101**.

FEARFUL EMPLOYEES

For employees who are not ill, but are afraid or concerned to come to work:

- Managers should determine if their position is eligible for telework. If so, have them telework, if they are not already. If not:
 - Employees may request to use annual leave or leave without pay. However, approval is not required or guaranteed and will depend on the staffing situation at the employee's work site.
- It is natural to feel anxiety or stress about COVID-19, so please remind employees of the services available through our Employee Assistance Program (EAP) called ComPsych. Services can be accessed by calling 1-877-327-2362 or visiting guidanceresources.com. Enter company code HN8876C to register.

HIGHER RISK INDIVIDUALS (Updated CDC Guidance July 17, 2020)

The following is taken from information provided by the CDC. The CDC continually updates their guidance and materials for individuals who may be at higher risk. An example can be found at: <https://www.cdc.gov/coronavirus/2019-ncov/downloads/COVID19-What-You-Can-Do-High-Risk.pdf>

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

Based on what we know now, those at high-risk for severe illness from COVID-19 are:

- [People 65 years and older](#)
- People who live in a nursing home or long-term care facility

People of any age with certain underlying medical conditions are at increased risk for severe illness from COVID-19. More information can be found at:

<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>

People with the following 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

COVID-19 is a new disease. Currently there is 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 we know at this time, people with the following conditions 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

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 above 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 for approved Emergency Paid Sick Leave and Emergency Family Medical Leave. Regarding the use of sick leave for COVID-related reasons, the rule limiting family sick leave to 40 hours has been temporarily waived during the State's response to COVID-19. 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 leave balances, their agency head may have approved the use of emergency administrative leave. Refer to the section on **Administrative Leave** in this document for more information on that type of leave.

PENDING TEST RESULTS

Guidance for state employees awaiting COVID-19 testing results (for non-emergency responders and non-health care providers):

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. **Close contact** is defined as being within 6 feet for longer than 15 minutes with someone with COVID-19.

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

- Employees **with symptoms who test positive** for COVID-19 should stay home until:
 - They are fever free for at least 24 hours without the use of fever-reducing medication; AND
 - Other symptoms have improved; AND
 - At least 10 calendar days have passed since symptoms first appeared; OR
 - At least 20 calendar days have passed for individuals who had severe illness, including hospitalization or a stay in the ICU due to COVID symptoms; OR
 - At least 20 calendar days have passed for individuals who are considered severely immunocompromised

More specific information is available from the Arizona Department of Health Services at: <https://azdhs.gov/documents/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/novel-coronavirus/public-resources/release-from-isolation.pdf>

- Employees **with symptoms who test negative for COVID-19** should stay home until:
 - They are fever free for at least 24 hours (updated July 17, 2020) without the use of fever-reducing medication; AND
 - Other symptoms have improved
- Employees **with symptoms who are awaiting test results** should stay home until:
 - Test results are available. If results are delayed, follow guidance for those **with symptoms who test positive** for COVID-19 (above).
 - Once results are available, follow the recommendations based on results.
- Employees **with symptoms who have not been tested for COVID-19** should stay home until:

- They are fever free for at least 24 hours (updated July 17, 2020) without the use of fever-reducing medication; AND
 - Other symptoms have improved; AND
 - At least 10 days have passed since symptoms first appeared.
 - Updated guidance from the CDC in July 2020 notes that those who had close contact with an individual with COVID-19 should stay home for at least 14 days and those with severe symptoms may warrant isolation of up to 20 days. In these situations, consultation with infection control experts is suggested.
- Employees ***without symptoms who test positive for COVID-19*** should follow the guidance of the Arizona Department of Health Services. **They may or may not need to isolate, depending on the type of COVID-19 test administered to them.**

More specific information is available from the Arizona Department of Health Services at: <https://azdhs.gov/documents/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/novel-coronavirus/public-resources/release-from-isolation.pdf>

- Employees ***without symptoms who test negative for COVID-19*** do not need to isolate, but should follow standard precautions.
- Employees ***without symptoms who are awaiting test results*** do not need to isolate, but should follow standard precautions.

The Arizona Department of Health Services has developed a flowchart to guide one through various Release From Isolation alternatives at:

<https://azdhs.gov/documents/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/novel-coronavirus/local-health-resources/release-from-isolation-flow-chart.pdf>

Agencies may need to address staffing plans to allow for employee absences due to pending COVID-19 testing results. Eligible employees may apply for and utilize Emergency Paid Sick Leave, if approved.

Guidance for Emergency Responders and Health Care Providers:

For State employees designated as an emergency responder or health care provider AND they ***do not have any symptoms*** associated with COVID-19, they may ***go to work*** and, during the 14 days after the last contact with the person with COVID-19, ***monitor closely*** for any symptoms during this time and ***wear a cloth face covering*** at all times in the workplace.

Additional recommendations on testing protocols are available in this “Release from Isolation” guidance from ADHS:

<https://www.azdhs.gov/documents/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/novel-coronavirus/public-resources/release-from-isolation.pdf>

Please also see *Quarantine Guidance of Household and Close Contacts from the Maricopa County Department of Public Health:*

<https://www.maricopa.gov/DocumentCenter/View/58864/Quarantine-Guidance-for-Household-and-Close-Contacts?bidId=>

RETURNING TO WORK (AND BEING BACK AMONG OTHERS)

For employees who are NOT critical/essential/emergency/healthcare workers:

- Sick employees or those with COVID-19 symptoms should stay home. (Employees who are authorized to telework and feel up to this may do so.)
- Sick employees should follow the guidance under the **Pending Test Results** section of this document.
 - In general, employees with COVID-19 symptoms may need to isolate for at least 10 days from the onset of symptoms or a positive test. They should have at least 24 hours (updated July 17, 2020) free from symptoms and the need for mitigating medication before they return to work.
- Employees who have had confirmed close contact with anyone with COVID-19 may need to stay home, stay away from others and monitor for symptoms for at least 14 days after your last close contact with the individual who is ill.

What counts as close contact? (Source: [“Quarantine if you might be sick,” CDC, July 16](#))

- You were within 6 feet of someone who has COVID-19 for at least **15 minutes**
- You provided care at home to someone who is sick with COVID-19
- You had direct physical contact with the person (touched, hugged, or kissed them)
- You shared eating or drinking utensils
- They sneezed, coughed, or somehow got respiratory droplets on you
- Employees who are ***asymptomatic, and have not had a close contact as described above, who are awaiting test results, do not need to isolate.***
 - Take everyday precautions to prevent the spread of COVID-19. Once results are available, follow recommendations based on results.
- ***Second COVID-19 test:***
 - **Neither the CDC or ADHS recommend requiring employees to have a second COVID-19 test before returning to work.**
- ***Detailed information on types of testing and results can be found at:***
<https://directorsblog.health.azdhs.gov/testing-for-covid-19-pcr-and-serology-antibody-testing/>
- More information on waiting periods and getting back with others can be found at:
https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/end-home-isolation.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fprevent-getting-sick%2Fwhen-its-safe.html

- Another source of information from ADHS can be found at:
<https://azdhs.gov/documents/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/novel-coronavirus/public-resources/release-from-isolation.pdf>

For employees who ARE critical/essential/emergency/healthcare workers who cannot telework:

Employees who have COVID-19 symptoms should follow the guidelines above.

Agencies should follow the process below for state employees considered an **emergency responder or health care provider** as defined by the [U.S. Department of Labor](#) or through other ADOA exemptions, including DCS and select DES employees.

In addition, to ensure continuity of operations of essential functions, CDC advises that [“critical infrastructure workers”](#) may be permitted to continue work following potential exposure to COVID-19, **provided they remain asymptomatic and additional precautions are implemented to protect them and the community**. Critical infrastructure workers include law enforcement, 911 call center employees, fusion center employees, hazardous material responders from government and the private sector, janitorial staff and other custodial staff, other workers – including contracted vendors – in food and agriculture, critical manufacturing, informational technology, transportation, energy and government facilities. (Source: [“Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19.”](#) CDC, April 2020)

- Critical infrastructure workers, emergency responders and health care providers who are **asymptomatic** after a confirmed contact or exposure and are **awaiting testing results or who have not yet been tested may return to the workplace with the following precautions:**
 - **Pre-Screen Before Reporting for Duty:** Assess for symptoms, including temperature, prior to starting work. The employer may perform the temperature check or the employee may check his/her own temperature. If an agency is implementing on-site temperature checks, the agency should work with ADOA HR.
 - **Monitor for Symptoms:** As long as the employee doesn't have a temperature or symptoms, the employee may work and monitor for signs of any symptoms. The employee should leave work immediately if symptoms are present.
 - **Always Wear a Mask:** The employee must wear a fabric face covering/mask at all times while in the workplace. Agencies can issue face coverings/masks or can approve employees' supplied cloth face coverings in the event of shortages.
 - **Physically Distance:** The employee should maintain 6 feet and practice physical/social distancing as work duties permit in the workplace.
 - **Disinfect and Clean Work Spaces:** The employee or employer should clean and disinfect all areas such as offices, bathrooms, common areas, shared electronic equipment routinely.

RETURNING TO THE WORKPLACE TOOLKIT

We have developed a Returning to the Workplace Toolkit, **which may be used for planning purposes right now**, as agencies think about reopening their workplaces. When the Governor declares the state to be in Phase II of the pandemic response, this toolkit will be fully implemented. This planning tool can be located at:

https://docs.google.com/document/d/1vlvuw8th_7vQ9T6KJCEY22AmR8zm3qaxzf6V9lpsINM/edit?usp=sharing

SCHOOL REOPENING AND SCHOOL AGED CHILDREN **(Updated: 09/30/20)**

School districts in Arizona have taken a variety of approaches in order to open schools and resume education in the fall of 2020. 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.

The U.S. Department of Labor has provided guidance regarding the use of Employee Paid Sick Leave (EPSL) and Emergency Family Medical Leave (EFML) as schools are reopening. Schools are still considered closed when they are not offering in-person classes, so EPSL and EFML benefits are still available to eligible employees to care for their children at home. For schools that are closed some days of the week for in-person classes, eligible employees may use intermittent EFML to care for their children on the days when only virtual classes are provided. Some schools are offering both in-person and virtual classes and allowing parents to elect an option. In these situations, parents who elect virtual classes would NOT be eligible for EPSL or EFML because the school is not considered closed. More information can be found at:

<https://www.dol.gov/agencies/whd/pandemic/ffcrqa-questions> (See Questions 19 and 70).

ADOA has developed a resource page for parents with this information at:

<https://hr.az.gov/sites/default/files/Guidance%20for%20Parents%20of%20Students%20on%20EPSL%20%26%20EFML%208.21.20.pdf>

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

All agencies are encouraged to allow employees to telework whenever possible to reduce potential exposure to others who may have COVID-19. Agencies seeking guidance on how to effectively implement teleworking should contact ADOA HRD for assistance.

Telework: If an employee's position is eligible for telework, please use the following procedures:

- If not yet completed, have employees take the telework training (TRP1000) in the state's CBT portal. The training can be done after telework has been approved.
<https://adoa.server.tracorp.com/novusii/application/login/>
- If not yet completed, employees must complete and sign the State's telework agreement. This can be done after telework has been approved.
https://capitolrideshare.az.gov/sites/default/files/media/Telework_Planning_Guide.pdf
- Employees should code telework time as 110 in YES.

TRAINING

ADOA HRD has developed an online training course for state employees who would like more information on the Families First Coronavirus Response Act (FFCRA), the law that provides for the new Emergency Paid Sick Leave (EPSL) and Emergency family Medical Leave (EFML). Employees can access this course in TraCorp by using **course ID: ADCOVID101**.

ADOA HRD has also developed a PowerPoint presentation to inform employees about changes they might see as they return to their workplaces. This can be found at:

<https://drive.google.com/drive/folders/1LrMsUTkPYsHoF9JZa1eb6tzP32UJpT0>

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