



## COVID-19 Response Frequently Asked Questions – HR and Payroll

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As we continue to respond to the unprecedented situation the COVID-19 pandemic presents, we continue to adapt our people practices to address the challenges we face. The city will remain committed to revising its policies to account for evolving public health guidelines, recently-passed laws and statutes, and the City's changing operational needs.

The City of Philadelphia will continue to limit onsite operations until at least April 30th. Non-public safety offices, excluding DHS walk-in service at One Parkway (ex: MSB, One Parkway, City Hall, Mini City Halls) will continue to be closed to the public.

Starting March 30, 2020 and continuing through at least April 30th, City operations may not be limited to essential services only and may be expanded to include work in support of other core City services and programs. Appointing Authorities may determine which core City services and programs must continue during this time and which personnel will be required to support those functions.

Please understand this situation continues to evolve and information contained here is subject to change.

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### **Q. When should employees receive COVID Excused Time?**

A. Employees should only receive COVID Excused Time when there are no assignments, onsite or offsite, that they are able to complete, including details and/or reassignments to accommodate operational needs, or if employees are self-quarantining at the direction of a departmental safety officer or human resources professional due to close contact with an individual potentially infected with COVID-19 while at work. Individuals who are self-quarantining due to close contact with an individual potentially infected with COVID-19 while outside of work must use accrued leave, including EPSL if applicable.

### **Q. Am I considered an essential employee just because I am asked to complete work assignments during the COVID-19 pandemic?**

A. No, we are moving towards an "all hands-on deck" approach, which means that the City will be shifting away from designating employees "essential" or "non-essential." Appointing Authorities are identifying services and functions that can be performed remotely or through limited onsite work. You may be assigned to work based on your job duties, responsibilities and/or the Appointing Authority's operational needs.

### **Q. What is the status of the 1.5x incentive pay?**

A. Incentive pay stopped as of March 29, 2020.

### **Q. Can employees combine working hours with COVID Excused Time?**

A. Yes. If employees have less work than usual due to workflow or technology issues, they may need to combine COVID Onsite/Offsite with COVID Excused Time.

### **Q. Can employees who are working from home adjust their schedules to address child-care needs?**



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A. In most cases, yes, but employees must discuss any schedule change request with their supervisors; supervisors should allow employees schedule flexibility when appropriate given the type and timing of the employees' work.

**Q. If an employee is approved to be "on call" at home and only works part of the workday, are they carried COVID-Excused for the time not worked?**

A. Yes.

**Q. How should departments handle employees who are separated and no longer working, but the department has not yet processed their separation?**

A. Separations should be processed timely whenever possible. Carry the employee Unpaid W on their timecard (with a comment) so that the employee will not get paid and COVID Excused time will not be posted.

**Q. What time should we carry employees who refuse to report to work because they have an underlying condition that places them at a greater risk of harm from the virus?**

A. Please refer to Policy Statement #4 and the Memo on EPSL.

**Q. Can employees be required to work from home if some or all of their work can be completed from home?**

A. Yes.

**Q. Can employees who are assigned duties, whether on-site or work from home, use accrued leave time?**

A. Yes, however, supervisors should consider the critical nature of any assignments as well as the needs of their employees when deciding to grant discretionary leave.

**Q. How should departments carry employees who refuse an assignment, or fails to report to work whether on-site or work from home?**

A. As is the case in any operational situation, any employee who refuses an assignment or fails to report to work without authorized leave should be carried AWOL and appropriate discipline should be imposed.

**Q. Should an employee who is on extended sick leave be carried on COVID Excused Time?**

A. No, especially if the department is aware that the employee:

- is exhausting leave time in advance of retirement.
- is on leave or in unpaid status and has requested a leave of absence.
- is on leave or in unpaid status and it can be reasonably inferred that they would have continued in such status.

**Q. Should an employee be carried on COVID Excused Time if he or she requests funeral leave?**

A. No. The current policy for funeral leave applies.

**Q. Should employee on injured on duty status be carried on COVID Excused Time?**

A. No.



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**Q. Should an employee who was scheduled to be on suspension be carried on COVID Excused Time?**

A. No.

**Q. Should an employee running out leave prior to retirement receive COVID Excused Time?**

A. No.

**Q. Can EPSL used intermittently?**

A. EPSL may be used intermittently only when the qualifying reason is the care of dependent out of school/daycare due to a declared COVID-19 emergency. Moreover, intermittent leave is permissible only where the department reaches an agreement (written if possible) with the employee on the leave usage schedule.

**Q. Will there be specific codes for EPSL and FMLA+?**

A. Yes. We will provide those codes when they are live and update this FAQ accordingly.

**Q. How to determine who falls within Category #6 - is this At Risk categories?**

A. Category Six is a placeholder, designed to allow the Secretary of the U.S. Dept. of Health and Human Services to expand EPSL to cover similar qualifying reasons. HHS has not expanded EPSL in this manner at this time.

**Q. FFCRA states that there are situations where only 2/3 pay will be allocated (e.g. Childcare); however, up to \$200 daily - what happens for those employees with a Daily Rate much higher than this amount who fall within this category e.g. Physicians?**

A. They are paid at the capped rate. This is true for both full rate EPSL (capped at \$511 per day) and partial rate EPSL/FMLA+ (capped at \$200 per day).

**Q. FFCRA states employee needs only has be employed for 30 days to be eligible for EPSL or FFCRA FMLA but they are not eligible for time usually?**

A. The FFCRA changed eligibility rules for FMLA+ from the standard rules. Employees are eligible for FMLA+ if they have been employed for thirty consecutive days from the day any leave would begin. All non-exempted employees are immediately eligible for EPSL.

**Q. Is EPSL Additional Paid Sick Leave outside of the advanced Sick Leave originally offered?**

A. EPSL is in addition to any employer-provided leave time. However, as of the effective date of the 4th COVID Policy statement we are no longer advancing sick leave to employees.

**Q. Essential staff who cannot report to work because of childcare issues, how are they being carried?**

A. Those employees assigned duties wither onsite or off will need to use accrued leave time. This may be vacation (if permitted), dependent care sick leave, EPSL (if they are able to provide the necessary documentation), or FMLA+ (for non-exempted departments; Streets is exempt from FMLA+)

**Q. Since excused time ended for essential staff on Sunday, if they did not report to work, they should be carried on their own time, correct?**



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A. Employees who do not have approved leave should be carried AWOL. However, individuals who self-quarantine at the direction of a departmental safety officer or human resources professional due to close contact with an individual potentially infected with COVID-19 while at work should be granted COVID Excused Time while self-quarantining.

**Q. Is the city closed on Good Friday for all Staff or is it business as usual with those essential staff (prior to COVID-19 crisis) required to work receiving double pay or the option to elect a holiday comp day, if applicable?**

A. Good Friday will be treated as it is treated under normal circumstances. It is up to each operating department to determine what, if any, City services must be provided on Good Friday, and compensate any staff who are required to work in accordance with applicable Civil Service Regulations and collective bargaining agreements.

**Q. Is it acceptable to deliver a performance report to an employee over the phone or through Zoom or Webex software?**

A. Yes. You may also mail them a copy of the performance report but it is highly recommended that you set a time to discuss the performance either by phone or virtually.

**Q. Can we continue to use Worknet in place of MEU right now?**

A. Yes.

**Q. For indebtedness, is there a central contact person for status updates because some of the units are not responding to inquiry nor is the sheet being updated?**

A. We will be expanding a pilot process where the applicant self-certifies their debt status through use of the *Debt Compliance Certification for City Employment*. We will forward a short policy statement and a copy of the document to departmental HR Managers.