From SEBAC Leadership:

Latest on State Government Response to COVID-19 -- 3.15.2019

Union leaders have been combining efforts to make sure that the perspectives of frontline workers are being heard as the State’s response to COVID-19 evolves. During the crisis we have asked for a daily point of contact between a designated union leader for each bargaining unit, and a designated management representative so there will be continuous sharing of information.

We are urging the State to move further and faster in its COVID-19 response, both for state employees, and the public, and to be a true model workplace for other employers in the state, and for the public we serve. In this regard, we have several things to report. We have also attached a shorter outline of our core principles just before the most recent documents from the Administration.

These are the latest two documents from OPM/OFA concerning COVID-19’s impact on state employees. They are directly applicable to employees in the executive branch, but we understand that other state employers (Judicial, Higher Ed, and Criminal Justice) are largely following. We are providing Administration documents not because we agree with everything in them – indeed you will see below that we have some significant concerns especially with the latest document. We are attaching them simply to make it easier for members to access them along with this report.

(1) Before we get to our most significant concerns about the response so far, we want to acknowledge what the Administration has done right. That is, the Lamont Administration’s decision to allow workers affected by home quarantine of themselves or their family, or school or transportation closures to remain at home or on paid leave without reducing their accruals. In that regard:

- a. We are seeking and hope to shortly receive clarification that if the CDC 14-day guidance is lengthened, or the schools’ closures extended, we will continue that practice.
- b. We are seeking and hope to shortly receive clarification that while these workers may be asked to perform work at home if their work lends itself to this possibility, this will be on the honor system in recognition that during the crisis, the home working environment may contain many distractions and obstacles to working.
- c. We are seeking clarification that workers who may have symptoms but are physically able to work will not need to use their sick time but will be treated...
like others who are quarantined. Otherwise those workers may have a disincentive to self-report their symptoms.

(2) However, there are currently **three major flaws in the Administration’s identification of workers who should be informed they do not need to report to work** at state locations:

a. We are pressing for **immediate accommodation** of those at particular risk due to age or medical condition. Currently it appears that those workers are being told to report to work as usual. We think that is very wrong, and they should be told they may remain home and telework.

b. Employees who have had **contact with individuals who are being quarantined** due to exposure are being told they must report to work. They too should be told they may remain home and telework.

c. There is no clear statement that workers who have been exposed to COVID-19 – whether by travel or any other way – should call their provider and self-quarantine. It is important to everyone’s health that workers understand that fact and understand they will therefore be paid while they self-quarantine, subject to the same work at home provisions as the others in this category.

(3) With respect to **workers not needing to be at home because of quarantine, or transportation or school closures**, we are seeking immediate implementation of the governor’s statements that “workers who can work from home should.”

a. We are pressing for the **greatest possible flexibility** for workers to work at home. We want a clear understanding on a bargaining unit by bargaining unit basis on how this will be implemented quickly and fairly.

b. For those workers who do or must work at the workplace we are pressing for **clear safe workplace standards and practices**, some of which have already been implemented and some which we hope are implemented shortly. These standards will vary to take into account the particular needs of bargaining units and workplaces, but include:

i. Investigate closure of large buildings where possible through the maximum use of telework and/or relocation to smaller facilities

ii. No large meetings (already implemented).

iii. Proper visitation restrictions (meaning public spaces are open only for those with a business purpose).

iv. Emphasize virtual communication (being implemented).

v. Disinfecting standards assuring the most constant possible clearing of work or common areas – including proper staffing to perform the work.

vi. Appropriate workplace protections for all workers making work areas “COVID safe” to the greatest possible extent.
vii. Provide additional protections for those who have jobs made hazardous by COVID-19 risk.

viii. Clear and effective communications about which employees will be deemed “level one” meaning need to be a work because of the nature of their duties during the crisis.

c. The daily contact between designated union and management representatives per bargaining unit should be used to assure rapid resolution of issues with respect to any of the above.

(4) We share a joint interest in **protecting the critical public services** our members provide. Within this context, and consistent with the Best Practices Principles above, we have urged the following:

a. Maintain services to the most reasonable and safest extent possible
b. Greatest possible online access
c. Prioritize:
   i. Protecting the public from spread
   ii. Meeting essential needs
   iii. Preventing harm that could be caused by service disruptions

d. Postpone:
   i. Non time-sensitive initiatives
   ii. Any changes increasing exposure

(5) We are also pressing for **legislative and administrative action** to help make Connecticut a leader in protecting working families during this crisis:

a. Expand sick pay and leave requirements for all of Connecticut’s workers at least during the crisis and perhaps beyond.

b. Expand the amount and length of unemployment insurance during the crisis.

c. Adopt Airborne Pathogen workplace standards under Connecticut Occupational Health and Safety Laws which would be binding on all public employers and provide guidance for private employers (only Federal OSHA can create a standard that binds private employers, and the Trump Administration continues to resist that).

We face a public health challenge unlike any we have encountered in recent memory. The solidarity and dedication of our membership gives us the confidence that we will face it well, and come out stronger than we went in, although we know it will not be without disruption and suffering. We hope that the immediate and focused application of the above principles will aid all of us in protecting our dedicated membership and the public they serve. **We will keep members informed as things evolve and change and urge all members to reach out to union representatives and leads with their views, ideas and concerns as we move through this crisis and forward to better days.**
Principles of a Just State in Crisis

• **General**
  - Best Practices Model for Private Sector
  - Best Practices Model for the Rest of Public Sector
  - Constant Interaction between Unions and Management

• **Best Practices**
  - Provide Safe Workspaces
    - No large meetings
    - Proper visitation restrictions
    - Emphasize virtual communication
    - Disinfecting standards – including staffing
    - Appropriate workplace protections for all workers
    - Provide additional protections for those who have jobs made hazardous by COVID-19 risk.
    - Voluntary Staggered Work Schedules where applicable
    - Greatest Flexibility for work at home
    - Accommodate for those at risk due to age or physical condition
  - Paid leave not counted against accruals for quarantine
    - If recommendation goes beyond 2 weeks, extend
  - Paid leave not counted against accruals for being “ill” but able to work
  - Telework an expectation to the extent feasible, but with honor system recognizing many potential issues at home
  - Leave for school closings
  - Appropriate and mutually discussed Level 1, adds and subtracts

• **Public Service Principles**
  - Maintain services to the extent possible
  - Greatest possible online access
  - Prioritize
    - Protecting the public from spread
    - Meeting Essential Needs
    - Preventing Harm
  - Postpone
    - Non time-sensitive initiatives
    - Any changes increasing exposure

• **Legislate & Administrative**
  - Leave protections no consequences
  - Sick Pay – no consequences
  - Unemployment Insurance
  - State OHSA Standard & Guidance
  - State Support for Other Public Employers
To: Connecticut State Agencies  
From: The Office of Policy & Management and the Department of Administrative Services  
Re: Guidance regarding absences, requests for telework and/or changes in work schedules due to COVID-19  
Date: March 13, 2020

As the State of Connecticut continues to respond to the rapidly changing circumstances presented by the COVID-19 pandemic, state agencies must make every effort to continue their operations and provide the services and programs that are relied upon by the citizens and businesses of Connecticut. The following information is provided to assist agencies plan for coverage and continuity of operations.

1. Employees are impacted by COVID-19 in different ways. How should the agency respond?

   The agency’s response depends upon the specific circumstances as set forth below:

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<tr>
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<th>Level A</th>
<th>Level B</th>
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<td>EMPLOYEE SHALL</td>
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<td>Actually sick with</td>
<td>Employee is returning from a country</td>
<td>Employee needs to stay at home to care for</td>
<td>Employee is returning from a Level 2 country or</td>
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<td>COVID-19 symptoms</td>
<td>designated by the CDC as a Level 3 country</td>
<td>children or other dependents because school,</td>
<td>has engaged in interstate travel within the</td>
<td>has engaged in interstate travel within the</td>
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<td>daycare or eldercare has closed</td>
<td>United States</td>
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<td>Caring for sick</td>
<td>Employee has been directed by a medical</td>
<td>Employee cannot get to work because of</td>
<td>Employee who is domiciled with or had</td>
<td>Employee who is domiciled with or had</td>
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<td>family with COVID-</td>
<td>provider or government official to self-monitor at home</td>
<td>transportation disruptions</td>
<td>contact with a person who has been directed by</td>
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<td>19 symptoms</td>
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<td>a medical provider or government official</td>
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<td>Employee had contact with someone who had contact with a person who has been directed by a medical provider or government official to self-monitor at home</td>
<td>Employee who has concerns about exposure through contact with persons in public settings, including the workplace.</td>
<td>Employee is medically fragile (per medical documentation on file at the agency) but has had no apparent exposure</td>
<td>Telework, if approved by agency AND medically appropriate (People who are too sick to work or are caring for seriously ill family members should not be expected to work)</td>
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If telework is not possible, employee will be paid for the scheduled, nonworked hours within a 14 day calendar period under 5-248(a). (If employee teleworks part-time, the 5-248(a) leave will provide wages for the balance of hours scheduled to work.)  

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Employee may request to use accruals to take time away from work consistent with standard policies.

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<tr>
<th>If the employee’s illness or need to care for sick family</th>
<th>If employee’s inability to come to work because of</th>
<th>Consistent with the Governor’s directives regarding social distancing, the agency may consider whether granting an employee’s request to telework or have a flex schedule is possible in light of the agency’s overall operational needs, existing resources (including IT resources) and the individual’s job.</th>
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<td>members continues beyond the 14 calendar days, employee may use earned accruals or choose to go unpaid, <strong>provided that sick employees must use their sick leave accruals first.</strong> Once the employee has exhausted sick leave accruals they can use other accruals, take unpaid leave, or apply for additional benefits as provided by state policy or collective bargaining agreement</td>
<td>COVID-19-related disruptions continues beyond the 14 calendar days, the employee has choice of using any of earned accruals, including sick leave, or take unpaid leave</td>
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2. **Does an agency need to submit each individual request to DAS and OLR before approving telework or a change to the employee’s work schedule?**
No. In deciding whether to grant a temporary, situational approval of telework or a change in the work schedule, the agency has the discretion to make decisions on the basis of its operational needs and existing resources (including IT resources) without getting preapproval from DAS and OLR provided the agency follows the guidelines set forth in this document.

3. **What documentation does the agency require in order to consider a temporary change to an employee’s work schedule or telework in order to address a COVID-19 related situation?**

In this temporary emergency situation formal telework applications are not necessary; however, the request must include the employee name(s), title, bargaining unit, employee’s IT resources, proposed schedule, a brief statement of duties to be performed and factors by which the agency can verify that the employee is performing the required duties.

A declaration page from their homeowners insurance does not need to be immediately provided and can be submitted at a later date.

In this temporary emergency situation, pre-approval IT Security review by BEST is not required if the employee is using one of the following options:

- State provided laptop and VPN,
- Microsoft Teams, Other previously BEST-Approved protocol for offsite work.

Agencies shall retain all documentation provided by the employees.

Agencies shall create an Excel spreadsheet of all employees who have been approved for temporary, situational telework or changes in the work schedule. The agency spreadsheet must include the department code, employee(s) name, employee id, job code, title, bargaining unit and for employees whose schedules are modified, the current schedule and revised schedule. This spreadsheet must be submitted to DAS on a weekly basis.

4. **What factors should be considered in order to approve a change to an employee’s work schedule or telework?**
Agencies need to consider their overall operational needs, including the level of on-site staffing needed to provide their services and programs, as well as their existing resources, including IT resources, when considering such requests. Agencies should continue to consider the factors set forth in the Interim Telework Guidelines/General Letter 32 when assessing agency operational needs.

In this temporary emergency situation, the following exceptions to the Interim Telework Guidelines/General Letter 32 are allowed:

• Authorize employees to telecommute even if they do not have a previously approved telecommuting plan. (NOTE: Telework is not appropriate for level 1 employees except in extraordinary circumstances.)

• Authorize employees to telecommute even if they are not in a job classification listed in Appendix A of the Interim Telework Guidelines, however, under no circumstances can an employee in a hazardous duty job be allowed to telework. Non-hazardous duty managers, supervisors, confidential employees and appointed officials are permitted to telework pursuant to Item No. 2719-E.

• Allow employees to telecommute for 50% or more of their scheduled workweek.

• Allow employees to telecommute because they need to be home for childcare or eldercare reasons.

• Authorize modifications to employees’ work schedules in order to reduce the total number of employees in the workplace at any given time. (NOTE: Flexible scheduling is not appropriate for level 1 employees except in extraordinary circumstances).

• Consider allowing employees in a working test period to telecommute as long as performance can be assessed with measurable outcomes. Agencies may need to consider an extension of a working test period if an employee in their working test period is approved to telework.

5. Do we require an employee to self-monitor at home if they live in or travel from a state or country that has not been designated as a Level 3 by the CDC?

No. According to the CDC guidance issued on March 12, 2020, individuals returning from a Level 3 country should self-monitor at home for 14 days from the date they left the
country. Individuals who are returning from Level 2 countries are no longer directed to self-monitor at home for 14 days.

6. Can an employee be approved for VSRP in lieu of taking COVID-19 leave (paid or unpaid)?

No

7. If an employee cannot provide a medical certification, what alternative documentation should the employee provide?

If an employee cannot provide medical certification, the employee shall provide a written explanation to their agency Human Resources professional describing their symptoms, the directions they have received from medical providers or government officials (if any), and any other supporting documentation they may possess.

8. How should an employee code COVID-19 related leaves or telework in CORE-CT?

Depending on the reason for the leave, the following codes must be used.

**ON THE TIMESHEETS**

**Authorized Paid Leave Pursuant to 5-248(a):** LOPD, used in conjunction with override reason code PDC19

**Telework:** REGTC, used in conjunction with override reason code TCC19

**Personal Illness (when not using leave pursuant to 5-248(a)):** Appropriate sick leave code and other accrual codes as necessary, used in conjunction with override reason code SCV19

**Caregiver of a family member who is sick with COVID-19 (when not teleworking or using leave pursuant to 5-248(a)):** Appropriate sick leave code and other accrual codes as necessary, used in conjunction with override reason code SFC19

**School, Daycare or Transportation closure (when not teleworking or when not using leave pursuant to 5-248(a)):** Appropriate leave code, used in conjunction with override reason code BCC19
IN JOB DATA

For COVID-19 related absences of more than five (5) days.

**Authorized Paid Leave Pursuant to 5-248(a):**
Action: Paid Leave of Absence    Reason: Paid Leave Authorized

All other situations standard leave codes/reasons apply.
To: Connecticut State Agencies  
From: The Office of Policy & Management and the Department of Administrative Services  
Re: REVISED COVID 19-related personnel situations in state agencies  
Date: March 11, 2020  

In the past when the State faced pandemic situations such as SARS, the Avian (bird) flu, swine flu etc., the State planned for coverage and continuity of operations in the event of a catastrophic outbreak leading to staffing shortages. Consideration was given to potential impacts to critical functions and how they could continue to be performed by telecommuting when possible, or temporary personnel if necessary. The State is in the process of revisiting those plans, and additional direction will be provided as circumstances evolve. For more immediate circumstances we offer the following guidance.

**Employees Are Ill or Who May Be Exposed to COVID-19**

*Employees who are ill with COVID 19* or manifesting symptoms of the virus (including fever, coughing and shortness of breath) should follow the instructions of their health care professional. The illness may or may not arise to the level of an FMLA covered event. The Agency Human Resources Office shall provide relevant FMLA paperwork as appropriate. Employees who are ill should utilize accrued sick leave. Once the sick leave is exhausted, said employees may use other accrued leave including vacation, personal leave or accrued compensatory time. There may be additional paid leave benefits such as advance sick leave, leave donation and sick leave bank as prescribed by the specific collective bargaining agreement or policy.

The Centers for Disease Control (CDC) recommends that employees who report to work demonstrating symptoms of COVID-19 or develop such symptoms while at work should be directed to return home. Because individuals may demonstrate such symptoms for reasons other than COVID-19 (or other infectious diseases), agency Human Resources professionals should speak with the affected individual in a confidential setting. If the symptoms appear to be COVID-19 related but the employee does not voluntarily agree to go home, the agency Human Resources professional should consult with DAS and OLR, before requiring the employee to return home.

*Employees caring for a family member or someone domiciled in the same residence who is ill with COVID 19* or manifesting symptoms of the virus may utilize sick family leave, vacation, personal leave, or compensatory time upon request for the portion of the day devoted to caregiving. Such employees should stay at home and...
self-monitor consistent with the CDC guidelines for 14 days from the original date of exposure. Said employees may request to telework for the portion of the day not devoted to caregiving. The illness may or may not arise to the level of an FMLA covered event. The Agency Human Resources Office shall provide relevant FMLA paperwork as appropriate. The Agency Human Resources Officer may request appropriate documentation to support such request.

To the extent that the employee who is providing care to a family member is directed by a medical professional to self-monitor, the employee will be eligible for paid leave pursuant to 5-248(a) for 14 days from the date of exposure.

**Employees who have travelled to one of the Level 2 or Level 3 countries as defined by the CDC*, and return asymptomatic**, should stay at home and self-monitor consistent with the CDC guidelines for 14 days from the date of return. If they are approved to telework by their agency head, then they should be allowed to do so during the self-monitoring period. The telework guidelines shall be suspended, as needed, thus allowing them to telework for the entire period and not for only two days per week. Those employees for whom telework is not approved by their agency head shall stay at home and self-monitor consistent with the CDC guidelines, and they shall be placed on paid leave pursuant to 5-248(a) for 14 days from the date of exposure. In either situation, the employee must provide documentation of travel to a Level 2 or Level 3 country, including a travel itinerary and a photocopy of the passport substantiating proof of said travel and date of return.

**Employees with a family member domiciled with the employee who travelled to one of the Level 2 or Level 3 countries as defined by the CDC**, should stay at home and self-monitor consistent with the CDC guidelines for 14 days from the date of exposure. If they are approved by their agency head to telework, then they should be allowed to do so during the self-monitoring period. The telework guidelines shall be suspended, as needed, thus allowing them to telework for the entire period and not for only two days per week. These employees who are not approved to telework shall stay at home and self-monitor consistent with the CDC guidelines, and shall be placed on paid leave pursuant to 5-248(a) for 14 days from the date of exposure. The employee must provide documentation that the family member domiciled with the employee travelled to a Level 2 or Level 3 country, including a travel itinerary and a photocopy of the passport substantiating proof of said travel and date of return.

**Employees who are asymptomatic but have been directed by a medical provider or public official to stay home and self-monitor due to possible community exposure**, should follow such directives. If they are approved to telework by their agency head, then they should be allowed to do so during the self-monitoring
period. The telework guidelines shall be suspended, as needed, thus allowing them to telework for the entire period and not for only two days per week. Those employees for whom telework is not approved by their agency head shall be placed on paid leave pursuant to 5-248(a) for 14 days from the date of exposure.

**Inter-state Travel Freeze**

In accordance with Governor Lamont’s March 9, 2020 email to all state employees, there is an immediate freeze on state employee travel on state business outside of Connecticut until further notice. Any requested exceptions must be approved by the head of the affected agency in consultation with COO Josh Geballe.

This travel freeze includes state-funded travel by state employees as well as travel by state employees involving *state-funded time away from work* (including training, conference or education leave).

When cancelling previously made travel arrangements, the following protocols developed by DAS and the Office of the State Comptroller should be followed:

- For airfare booked/reserved through Sanditz Travel, the agency (i.e. the employee who planned to travel or the individual who made the arrangements) should contact Sanditz Travel as soon as possible and Sanditz will provide a credit on account for up to one year for the specific state employee. For that state employee, the one-year date of the credit starts with the date the flight was originally ticketed, and the re-scheduled flight must be booked with the same airline. After one year from the original booking of the flight, the state employee’s unused credits on account will be lost. Please note all airlines charge a change fee, with some fees as much as $200 domestically and $400 internationally.

- With respect to conference registration fees, the agency should contact the conference organizer as soon as possible regarding the respective cancelation policy for the conference and request a refund the registration fee.

- For hotel/lodging reservations, the agency shall call the hotel or lodging facility as soon as possible to provide notice of travel cancelation. Typically, the lodging facility holds the room on a credit card and charges are not incurred until the actual check-in and completion of stay. If there is no notice of cancelation, agencies put themselves at risk for having to pay.

- In all instances, agencies shall seek email confirmation from all applicable vendors to provide documentation of their efforts to cancel the travel plans and to provide confirmation that credits have been issued for the travel.

Additionally, any state employees working with out-of-state contractors who travel to Connecticut-based sites, planning to welcome out-of-state colleagues for meetings or
other out-of-state visitors should evaluate whether these activities can proceed remotely though teleconference or online collaboration and, if so, should take that approach.

**Other Social Distancing Measures**

Consistent with agency needs and within the agency’s existing resources, including the any necessary IT equipment, commissioners and agency heads have some discretion to determine whether and when to implement the following social distancing measures:

- Authorize additional employees to telecommute (provided that the employees are in job classes that have been authorized by DAS and OPM for telework);
- Allow employees to telecommute for 50% or more of their scheduled workweek;
- Authorize modifications to employees’ work schedules in order to reduce the total number of employees in the workplace at any given time;
- Evaluate with agency-hosted meetings, conferences and training sessions are necessary to hold and/or could be held via teleconference instead of in-person.

Employees who have a medical condition that may put them at higher-than-average risk for infection who believe that they need other or additional workplace modifications should follow their agency’s standard process for requesting accommodations under the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act and the Connecticut Fair Employment Practices Act. Agencies should assess such requests in accordance with their standard policies.

Because each of these options may implicate collective bargaining agreement terms concerning hours of work in the event of an emergency, they should be implemented only in consultation between agency Human Resources professionals and DAS and OLR staff. With regard to employees who are represented by collective bargaining units, execution of these options should only occur after OLR has provided final sign off as such actions may warrant OLR executing an agreement with the respective union(s) or ensuring appropriate communication has occurred.

These guidelines are our effort to follow the Occupational Safety and Health Administration (OSHA) mandates requiring employers to maintain a safe and healthy work environment free of “recognized hazards” to employees’ health or safety that could result in injury or death. Having done everything to ensure the health and safety of employees in the workplace, there is no cause to accommodate employees who are otherwise unwilling to work with others based upon their own personal comfort levels.
Since the CDC has encouraged individuals to contact a health care provider remotely rather than physically going to a medical facility, requirements for a medical certificate documenting the illness may be waived.

For any situations not covered by these guidelines, you are encouraged to contact DAS or OLR for specific guidance.


**FREQUENTLY ASKED QUESTIONS**

1. If an employee cannot provide a medical certification, what alternative documentation should the employee provide?

   If an employee cannot provide medical certification, the employee shall provide a written explanation to their agency Human Resources professional describing their symptoms, the directions they have received from medical providers or public officials, and any supporting documentation they may possess.

2. Are managers and other non-represented employees eligible for telecommuting either because they are self-monitoring at home or as a social distancing measure?

   Yes, consistent with the agency’s operational needs and existing resources, an agency head may approve managers, confidential employees and appointed officials to telecommute, provided such employees are not in hazardous duty positions. A formal policy / item will be completed to support this temporary policy.

3. How should employees who are approved to take paid leave pursuant to 5-248(a) because they are self-monitoring at home and cannot telecommute code their time?

   Employees who are approved to take paid leave pursuant to 5-248(a) should code the timesheet with Time Reporting Code (TRC) of LOPD in combination with the Override Reason Code (ORC) of PDC19. However, if an employee becomes sick as a result of contracting COVID-19, the employee should code the timesheet with the appropriate SICK leave TRCs.
4. What measures are being taken to ensure that state office buildings are clean?

Property management firms and cleaning contractors have been directed to increase the use of disinfectants when cleaning state office buildings and to increase the frequency of disinfectant cleaning, especially focusing on common touch points.

5. What measures are being taken to clean state fleet vehicles

Consistent with General Letter 115, it is the responsibility of the driver to ensure that the interiors of state-owned vehicles are kept clean.

6. Is the State considering additional technology options to enable agencies to expand telecommuting?

DAS and its partner agencies are developing ways to enable greater numbers of state employees to be productive outside the state office environment. Most of these options will mean extending cloud collaboration and security capabilities. We are enabling agency collaboration by using Microsoft Teams. This software allows people to share documents, ideas, video and audio conference in secure ways with other state employees and outside entities. DAS has started daily meetings with agency IT leadership to investigate all remote work options. Besides Teams and our emergency operations center collaboration solution, WebEOC, we are extending our Virtual Private Network and Virtual Desktop solutions to provide access in a secure manner to those employees whose job function will allow remote working. We are adding both capacity and new capability daily. Agencies should work within their CEPF resources or existing inventory for computer needs.