COVID-19 Paid Sick Leave Policy

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About This Policy

Effective Date: July 9, 2020
Last Updated: July 9, 2020
Responsible University Office: Human Resources
Responsible University Administrator: Chief Inclusion and Human Resources Officer
Policy Contact: Human Resources clarksonhr@clarkson.edu

Applies to

This Policy applies to all Faculty and Staff across all University departments, Institutes, Centers and Schools.

Policy Purpose

This policy provides employees additional paid sick leave in accordance with the New York State and local applicable laws and guidelines during this COVID-19 pandemic.

Definition of Terms

Isolation – Isolation is used to separate people infected with the virus (those who are sick with COVID-19 and/or those with no symptoms) from people who are not infected. People who are in isolation should stay home until it is safe for them to be around others. In the home, anyone sick or infected should separate themselves from others by staying in a specific “sick room” or area and using a separate bathroom (if available).

Quarantine – Quarantine is used to keep someone who might have been exposed to COVID-19 away from others. Quarantine helps prevent spread of disease that can occur before a person knows they are sick or if they are infected with the virus without feeling symptoms. People in quarantine should stay home, separate themselves from others, monitor their health, and follow directions from their state or local health department.

Approved areas for travel: Any area within New York State that is in Phase 2 or greater. As the State Executive orders change, these approved areas may change.

Campus County locations (https://www.ny.gov/counties):

- **North Country** - Includes Clinton County, Essex County, Franklin County, Jefferson County, Lewis County, Hamilton County and St. Lawrence County in NY State
- **Capital Region** - Includes Albany County, Columbia County, Fulton County, Greene County, Montgomery County, Rensselaer County, Saratoga County, Schenectady County, Schoharie County, Warren County, and Washington County in NY State
- **Beacon** - Includes Ulster County, Dutchess County, Sullivan County, Orange County, Putnam County, Rockland County and Westchester County in NY State

Symptoms of COVID-19 include (but are not limited to):

- Cold or flu-like symptoms (fever, cough, difficulty breathing, chills, sore throat, muscle pain, diarrhea and persistent loss of smell or taste).
- Emergency warning signs for COVID-19 include, but are not limited to trouble breathing, persistent pain or pressure in the chest, new confusion, inability to wake or stay awake, bluish lips or face. Seek medical attention immediately if you or a family member are experiencing any of these symptoms.


Anyone with flu-like symptoms should contact their Primary Care Provider. Your Primary Care Provider will help you determine whether to get assessment or treatment. Medical professionals are best equipped to offer advice based on factors such as how direct or indirect an individual’s contact with coronavirus was, recent travel history, an individual’s personal health history, and any symptoms that person may be experiencing.

Policy Summary
This policy covers leave benefits and procedures during COVID-19, issued by the state of New York, the Department of Health, local board of health, or any government entity duly authorized to issue such an order due to COVID-19. This policy describes the mechanism and procedures for eligible employees to access the paid sick leave during this time.

Policy Statement

This policy is in accordance with the NY state and government issued mandate for sick leave.

If an employee is under a mandatory or precautionary order of quarantine or isolation issued by the state of New York, the Department of Health, local board of health, or any government entity duly authorized to issue such order due to COVID-19, Clarkson University (having 100 or more employees as of 1/1/2020) must provide the employee with at least **14 days of paid sick leave**. The number of paid days is calendar days, and the pay required represents the amount of money that the employee would have otherwise received for the 14 day period.

- Per NYS, if the employee is sick but is able to work through remote access or other means during that time; they need to work remotely and are not eligible for this 14 days of paid sick leave.
- For employees who are sick and not able to work through remote access or other means during that time; they are eligible to be paid for these 14 days of paid sick leave.
- 14 days are paid at the current hourly wage applicable to all eligible employees based on the number of hours worked.
- For COVID-19 related illnesses, Faculty is entitled to these NYS mandated 14 days paid sick leave. For other non COVID-19 related leaves, please see Operations Manual 4.2.2.
- Employees will have job protection for the duration of the quarantine or isolation period.
- Employees may also use these 14 days paid sick leave to care for a dependent or family member who is issued a mandate by the department of health or government entity to isolate or quarantine.

Employees can refer to the following link for further information: https://paidfamilyleave.ny.gov/COVID19

This policy runs in conjunction with the current Family and Medical Leave Act (FMLA) and other University applicable policies.

Exclusions to this policy:

- If the employee has been in contact with anyone who was exposed to or has the coronavirus, or if the employee or anyone they live with has traveled for personal reasons outside the approved areas, Clarkson University will require the employee to self-quarantine for 14 days.

Employees will be required to **use their personal time** (sick, vacation and special personal days) as per general Clarkson University policies (Refer to Operations Manual OM 8.3.5., 8.3.10, 8.3.11 using the link https://confluence.clarkson.edu/display/UPR/OM+8.3.0+Fringe+Benefits++Administrative%2C+Supervisory%2C+and+General+Staff) to cover this time off. If the employee is able to work through remote access or other means during isolation or quarantine, they will not need to use their personal time.

- Employees are not eligible for this COVID-19 Leave if they independently decide to quarantine.
- Paid Sick Leave and Disability benefits are **not** available for a child’s school closure due to COVID-19.
- Employees are not eligible for this NYS mandated COVID-19 Leave if they voluntarily traveled to a country with level two or three-health notice, out-of-state to a travel restricted area or any other local unapproved areas.
- If an employee is approved to travel on essential University travel outside of an approved area, they will need to self-quarantine. This will be paid time and if they are able to work through remote access or other means during that time; they will be required to continue to work.

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Procedures

Who to Inform:

Employees must notify their supervisors and Human Resources immediately once issued by a government entity to isolate and/or quarantine or if they come down with symptoms of the coronavirus.

Childcare:

Clarkson understands that childcare during this time is difficult. If the employee is unable to return to work because they are caring for their child(ren) whose school or place of care is closed, or whose child care provider is unavailable due to COVID-19; **not a result of isolation or quarantine**, they need to inform their supervisor to discuss the options. Human Resources is also available to discuss options.

- **If you are unable to work** as a result of actively caring for dependents and it is not related to COVID-19, you can use your available sick, vacation or special personal days to cover that time.
- **If you are able to work remotely** then you will not need to use your available sick, vacation or special personal days to cover that time and should continue to work remotely.
  - Supervisor approval needed.
- **If the University has work available for your position:**
  - You may be approved to continue working remotely full-time, part-time or a flexible schedule. Ex: Work on campus M/W/F and home T/TH or half day on campus half day at home.
  - Some positions may require that you need to return to work on campus.
• If you need to make alternate childcare or other arrangements, the University will try to accommodate a temporary schedule until those plans are made for a reasonable amount of time.
• Supervisor and Human Resources approval needed.

How to Submit a Paid Sick Leave Claim:

Employees are required to follow the below steps to submit a claim for Paid Sick Leave and/or disability benefits when they are under a mandatory or precautionary order of isolation or quarantine.

Step 1 – Collect the Required NYS Forms and Documents

Forms will be provided to you by Human Resources or can be found by visiting https://paidfamilyleave.ny.gov/COVID19

• If You Are Quarantined Yourself –
  a. Request for Paid Family Leave (Form PFL-1)
  b. Request for COVID-19 Quarantine DB/PFL – Self (Form SCovid19)

• If Your Minor Dependent Child is Quarantined –
  a. Request for Paid Family Leave (Form PFL-1)
  b. Request for COVID-19 Quarantine PFL – Child (Form COVID19)

• Family Care and COVID-19 –
  1. Request for Paid Family Leave (Form PFL-1)
  2. Release of Personal Health Information Under the Paid Family Leave Law (Form PFL-3)
  3. Health Care Provider Certification for Care of Family Member with Serious Health Condition (Form PFL-4)

Step 2 - Complete the Required NYS Forms

• Fill out your section of the forms and Clarkson University will complete employer sections.

Step 3 – Submit Completed NYS Forms

• To encourage social distancing, please submit the completed forms to Human Resources either by emailing clarksonhr@clarkson.edu or by campus mail to CU Box 5542.
• Human Resources will forward the forms to Cigna for approval processing.

For questions or assistance please contact Human Resources at clarksonhr@clarkson.edu or call 315-268-6497 option #2 for the Benefits Manager or directly to 315-268-2222.

All employees are required to comply with the following:

• Everyone needs to complete the Self-Health Screening questionnaire daily, before reporting to work. (https://forms.gle/XD9lyTnzaB9swi9q9)
• Employees should be able to recognize the symptoms associated with COVID-19. To see the list of current symptoms, employees can visit https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html.
• If anyone is experiencing symptoms of COVID-19, they should not come to work and need to notify their supervisor and/or Human Resources immediately by email or phone.
• Employees should monitor their symptoms and consult with their personal healthcare provider, as needed.

Filing a complaint:

If the employer does not provide the required paid sick leave, the employee has recourse to file a complaint with the NYS Department of Labor through the following link:


Please note that this policy is subject to change as the public health situation evolves and in accordance with the federal, state and local laws and guidelines.

Related Information

• Novel Coronavirus (COVID-19) Paid Sick Leave Hotline 844-337-6303
• COVID-19 Emotional Support Hotline for Mental Health Counseling 800-863-9314

Revision History