

Pandemic Influenza Planning

FAQ's for Employees from Human Resources

May 12, 2009

Issues Related to Employee Health/Absences

- 1. What happens if an employee gets the flu and doesn't have enough Sick leave accrued?**

Answer: An employee could use accrued annual leave to cover their absence. If an employee has a low leave balance, he/she should begin now to try to manage their leave so that they can build a reserve that is available for use in situations that require an absence.

- 2. Can Sick Leave be used to care for a family member with the flu or flu symptoms?**

Answer: Yes. The University System's sick leave policy allows employees to take leave to care for an immediate family member. Immediate family members for the purposes of sick leave include an employee's spouse, dependent children and step-children, parents, and spouse's parents.

- 3. What if I get the flu or need to care for a family member who gets the flu and I use all of my sick and annual leave? Do I have any other options?**

Answer: The Family and Medical Leave Act (FMLA) covers employees who have a serious illness or who need to care for a family member with a serious illness. FMLA entitles an employee to up to 12 weeks of job protected leave. FMLA is unpaid leave, but an employer may allow leave from a paid time off program to be used concurrently with FMLA. If you start out using accumulated sick and annual leave but then exhaust all of your leave, you will likely be allowed to take leave under FMLA. A physician's certification may be required to confirm coverage under FMLA. Please check with your Human Resources department about the availability of FMLA.

- 4. What about employees who are already immuno-compromised (cancer patients, those with existing illnesses, etc.) and thus need to avoid situations where they could be exposed to flu and other illnesses, can such employees telework during the pandemic emergency to avoid contact with others in an effort to reduce exposure and risk?**

Answer: This will depend upon your institution. The University System recognizes that each institution will have to consider making provisions for those employees who may already be at risk. Therefore, there is a possibility that an employee who is not normally approved for telework may be approved for telework during a pandemic emergency. Also, an employee who is in a position that is not conducive to telework (ground services) may be approved to take leave time so as to avoid exposure from others.

5. Can my manager make me go home and use sick leave if he/she thinks I'm sick?

Answer: During a pandemic emergency, each institution will expect its managers and employees to exercise good judgment. Employees may be instructed to not come to work if sick. This is to help manage and minimize risk to other employees and/or students. Therefore, if you come to work and your manager has a concern that you are actually ill, he or she may ask that you go home for your own protection and to avoid the possibility of you infecting others. In a situation such as this, cooperation with such a reasonable request would be expected. Please contact your manager and/or Human Resources regarding your pay status if you are sent home during this circumstance.

6. What happens if I don't believe I am ill but my manager believes that I am?

Answer: In a pandemic emergency, sensitivities will be heightened, and managers and employees alike will need to exercise appropriate caution, reason and judgment. Erring on the side of caution and asking an employee to return home may be a prudent approach by a manager when the manager has a reasonable belief and objective criteria have been applied. The driving factor will be minimizing risk to you and others, and therefore employees are encouraged not to take offense when faced with such a circumstance. Also, employees who have been sick with flu may be asked to certify that returning to work is now safe and this would not be a punitive request, but done in an effort to protect all those who are part of the workforce.

7. If I would like to donate leave to a co-worker who has exhausted all of his leave due to his own illness or that of a family member, can I do so?

Answer: For institutions with a Shared Leave Program, the Shared Leave policy normally applies only to situations involving a catastrophic or life threatening illness or injury. The USG policy has been revised to allow for exceptions to the Shared Leave policy in rare and exceptional circumstances involving pandemic emergencies. Therefore, during a pandemic emergency, an institution may elect to temporarily expand the opportunities for contributing to the Shared Leave pool and the circumstances under which leave from the shared leave pool may be utilized. You should check with your Human Resources department to determine if your institution has elected to do this.

8. What happens if my child's school closes due to the pandemic and I need to stay home with my child?

Answer: Employees faced with this situation will be expected to utilize accumulated annual leave, unless the employee's institution has also been closed and the president has designated the leave as with pay. Institutions are, however, encouraged to be flexible with employees to accommodate a need to be home. Flexibility might be found in the form of

modified work schedules, staggered work schedules, alternating days off among staff, and/or telecommuting. Institutions are expected to apply flexibility fairly among all employees – faculty and staff.

Issues related to employees working/being paid:

1. Is telecommuting an option?

Answer: Yes, it certainly could be. The USG adopted a Teleworking/Flextime policy last year and while the first consideration for telework is generally whether or not the job can be performed from off site, telework due to a pandemic emergency may be an option that would be helpful to both our employees and many departments. Departments are encouraged to consider telework when possible during a pandemic emergency as a means of continuing essential services, even if telework had not previously been considered for a position. A pandemic emergency may result in a campus extending its telework policy to additional positions during the emergency period.

2. What percentage of the staff being out on Sick Leave would constitute an emergency? What happens then?

Answer: This will most likely depend on the department and the services it provides. At this juncture, the current strain of flu appears to behave like the kinds of flu with which we are most familiar and the duration of the illness is 3-5 days. During the normal flu season, departments may have had experience with employees who are out for as much as a week and they simply adjust and get through it. Thus, while this flu is receiving additional attention, departments should consider how they have accommodated such absences in the past and plan accordingly. Certainly, departments should put in place measures to ensure appropriate cross-training among staff to support overall business continuity.

3. What will happen if institutions actually close due to a pandemic emergency?

Answer: Officials at each institution and at the University System level have been monitoring the current pandemic flu situation. Each institutional president has the authority and discretion to make a decision to close a campus in an emergency situation and to place employees on paid or unpaid leave. Therefore, should the president find a need to close an institution impacted by the pandemic flu, he or she would determine at that time whether the leave by employees will be with or without pay. Leave without pay will be determined by budgetary considerations. Essential personnel may be required to work during the period of an institutional closing to provide essential services. Each campus is expected to identify essential services that would be required during a closing and the essential personnel necessary to provide those services.

- 4. What happens to me if I have been designated as “essential personnel” but then can’t come to work either because I am sick, a family member is sick, or because I must care for my children whose school has been closed?**

Answer: Employees who are “essential personnel” will not be required to come to work in such situations. Institutions are encouraged to set up systems to cross train employees so that even “essential personnel” have backups.

Issues Related to Employee Contact Lists:

- 1. Should I provide my manager with contact information so that he can get in touch with me during the pandemic?**

Answer: Yes, during a situation such as this, managers will naturally be concerned for their employees. If the institution is still open and you are unable to work, your manager may have a need to reach you and therefore contact information may be essential.

- 2. Can I request that my contact information not be shared with others outside the chain of command?**

Answer: Yes, this is certainly reasonable and should be honored by your manager.

General Information:

- 1. What can employees do to protect themselves and their families?**

Answer: Employees are encouraged to follow the guidelines from the Centers for Disease Control and Prevention:

- Avoid touching your eyes, nose or mouth with your hands
- Wash hands frequently and thoroughly with soap and water or an alcohol-based hand cleanser
- Do not attend school or work if you have a respiratory illness with fever
- Infected people should stay home and avoid public places except to see a doctor.

Keep in mind that flu is spread from person to person and like most viruses, the less contact you have with others who are infected or who have been exposed, the less likely you will be exposed. You should also keep these same guidelines in mind for your family and encourage family members to use them.

With regard to planning for home, employees are encouraged to:

- have a reserve of bottled water and/or other can and dry foods to support a need to be at home during a pandemic,

- have savings that can support you should you run out of a accumulated leave and/or if the institution can no longer sustain leave with pay due to budgetary limitations,
- identify a support system for obtaining food and other supplies

2. Where can I get the most current information about the spread of the pandemic influenza?

The best sources of current pandemic influenza information are the websites of the - Centers for Disease Control ([CDC](#)).

Issues Related to BOR BC/BS Employee Health Insurance:

1. What information is available to employees from BC/BS in the event of Pandemic Flu?

BC/BS will provide members with coverage information, within the scope of their specific benefit plan, for medically necessary care, including antiviral medications. They will keep members and providers informed about the pandemic through resources available on the website.

2. What medications and tests are covered?

The Board of Regents Plan covers Relenza and Tamiflu anti-viral medications. Lab testing for the H1N1 virus is a covered procedure.

3. Are there any exceptions?

BC/BS will comply with state and federal regulatory guidelines for care, including those that override plan benefit language.

4. What else can be expected from BC/BS?

BC/BS will expand current 24-hour phone access capabilities to serve as a clearinghouse for members, providers, employers, and others seeking information, support, and/or referral to appropriate resources. They will also extend access to and capacity of customer service operations, including the 24 hour nurse line.