



# Board of Supervisors Memorandum

June 22, 2021

## Pandemic Related Telecommuting

### Background

My Memorandum to the Board of Supervisors dated April. 7, 2021 (Attachment A) recommended that the Board of Supervisors repeal the pandemic-related telecommuting as defined in Board of Supervisors Policy C.2.9, *Temporary Policy – Novel Coronavirus (COVID-19)*, Section I(A)(1) and transition to Standard Telecommuting Program.

The only change is highlighted below:

#### **A. Essential Employees**

Appointing Authorities are required to identify all essential employees that are required to work during a reduction in County-wide services. These employees are those that are necessary to ensure required County services are provided during a reduction in necessary services per Federal, State, or local declaration affecting employees' ability to work. Due to the varied and critical nature of work in Departments, Appointing Authorities have the ability to assign employees who perform nonessential functions to perform essential functions and vice versa, as the need for essential work changes.

1. Telecommuting – **REPEALED JULY 1, 2021 – REVERT TO STANDARD TELECOMMUTING PROGRAM**

Attachment B is Board of Supervisors Policy C.2.9, *Temporary Policy – Novel Coronavirus (COVID-19)*, with the proposed edit noted in Section I(A)(1).

### Recommendation

I recommend the Board of Supervisors amend Board of Supervisors Policy C.2.9, *Temporary Policy – Novel Coronavirus (COVID-19)*, Section I(A)(1), eliminating the pandemic related telecommuting for essential employees, which will transition all employees to the Standard Telecommuting Program (Attachment C) effective July 1, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "C.H. Huckelberry".

C.H. Huckelberry  
County Administrator

CHH/mp – June 7, 2021

- c: Jan Leshar, Chief Deputy County Administrator  
Carmin DeBonis, Jr., Deputy County Administrator for Public Works  
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer,  
Health and Community Services  
Cathy Bohland, Director, Human Resources Department

# ATTACHMENT A




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# MEMORANDUM

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Date: April 7, 2021

To: The Honorable Chair and Members  
Pima County Board of Supervisors

From: C.H. Huckelberry  
County Administrator 

Re: **Transition to Standard Telecommute Program Effective July 1, 2021**

The County implemented a pandemic-related telecommuting option for staff affected by the COVID-19 pandemic. Nationwide, we are now entering the fifth month of vaccine administration with over 2 million vaccinations administered daily. In Pima County, we have administered over half a million vaccinations, with one in every five residents now fully vaccinated. As a result, it is recommended to repeal the pandemic-related telecommuting provided in Board of Supervisors Policy C 2.9, *Temporary Policy – Novel Coronavirus (COVID-19)*, Section I(A)(1), effective July 1, 2021, and transition to the Standard Telecommuting Program.

The Standard Telecommuting Program was established in early 2021, and requires all employees and supervisors to complete a Telecommuting Workbook and Agreement and online training, and permits Appointing Authorities to authorize telecommuting for up to four days per week. Each Appointing Authority will make the final determination as to the frequency of telecommuting, taking into account the department's business needs, work team functionality, and continuation of service levels to the public. For employees who have been working remotely for an extended period of time, Appointing Authorities are encouraged to ease these employees back into the workplace, in a phased-in approach, with employees returning to the workplace no later than July 1, 2021.

It is imperative during this transition period and beyond that the County maintain all safety protocols, including temperature checks for employees, vendors, visitors, and constituents; mandatory mask wearing in any public or shared spaces; social distancing; staggered work hours; lowered occupancy for elevators; and quarantine and isolation requirements for employees (when applicable).

If an unvaccinated employee wishes to be vaccinated, they should contact their Appointing Authority, for the opportunity to be vaccinated through the County. For employees who are unable to return to the workplace, it is recommended they contact Human Resources to see if they qualify for an accommodation under the Americans with Disabilities Act.

## Attachment

c: The Honorable Kyle Bryson, Presiding Judge, Superior Court  
Elected Officials  
Appointing Authorities  
Jan Leshner, Chief Deputy County Administrator  
Carmine DeBonis, Jr., Deputy County Administrator for Public Works  
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer,  
Health and Community Services

Date: April 7, 2021

To: C. H. Huckelberry  
County Administrator

From: Cathy Bohland, Director  
Human Resources

Via: Jan Leshner  
Chief Deputy County Administrator

**Re: Transition to Standard Telecommuting Program**

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In March of 2020, the County introduced a pandemic-related telecommuting option to staff. This telecommuting option ultimately was available to those employees who requested to telecommute due to an employee's own compromising medical condition as identified by the Centers for Disease Control and Prevention (CDC), an employee's family or household member with a compromising medical condition as identified by the CDC, an employee's school-age children affected by a school or day care closure or whose school is not fully open for in-person school instruction, or an employee's age of 65 or older.

The pandemic-related telecommuting option served the County well, providing for:

- County employees whose families had new or changing needs due to the pandemic;
- Increased workplace social distancing with fewer employees on-site, in the office at any one particular time; and,
- Decreased incidental exposure to other members of the public related to telecommuting (e.g., stopping and paying for gas, riding public transportation with others).

In early 2021, all telecommuting employees and supervisors were required to complete a Telecommuting Workbook and Agreement, and an online training, developed by the Human Resources Department. This Telecommuting Workbook and Agreement and on-line training outlined and affirmed everyone's roles and responsibilities related to the privilege of telecommuting for the rest of the pandemic and beyond. It will soon be time to transition all staff out of pandemic-related telecommuting and into the County's standard Telecommuting Program established earlier this year. The standard Telecommuting Program allows for an Appointing Authority to permit an employee to telecommute for up to 4 days per work week.

Currently, there are County employees who are telecommuting 100% of the time due to the pandemic, many of whom submitted a Medical Attestation to stay out of the workplace due to their own or their household member's compromising medical condition. Our nation is entering its fifth month of vaccination administration, recently surpassing 2 million vaccinations each day. Here in Pima County, we have administered more than 500,000 shots to our residents and 1 in 5 residents are completely vaccinated. The County is maintaining all of its safety protocols, including temperature checks for employees, vendors, visitors, and constituents; mandatory mask wearing in any public or shared spaces; social distancing; staggered work hours; lowered occupancy for elevators; and quarantine and isolation requirements for employees (when applicable).

It is therefore recommended that the pandemic-related telecommuting that is provided for in Board of Supervisors Policy C 2.9 *Temporary Policy – Novel Coronavirus (COVID-19)*, Section I(A)(1) be repealed effective July 1, 2021. As of that date, any employee who wishes to continue telecommuting will do so under the County's standard Telecommuting Program. The number of days per week an employee will be allowed to telecommute will be determined by their Appointing Authority. Appointing Authorities may also stagger in-person report days so that workplace social distancing can be maintained.

Reverting to the Standard Telecommuting Program permits employees who are telecommuting 100% of the time and have been out of the workplace for an extended period of time to ease back into the workplace. This action also sets the expectations early so employees can make appropriate preparations that would permit their return. Appointing Authorities should be mindful to maintain all existing safety protocols, encourage vaccinations,<sup>1</sup> and to be flexible with their employees who are returning to the workplace by bringing them back in phases, with return of all employees by July 1, 2021. For employees who feel they are unable to return to the workplace, they make seek an accommodation under the Americans with Disabilities Act and Human Resources will assist the employee and their Department in identifying what, if any, reasonable accommodation exists.

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<sup>1</sup> Any employees desiring to receive a COVID-19 should contact their Appointing Authority for assistance in obtaining a vaccination through the County.

# ATTACHMENT B



## PIMA COUNTY, ARIZONA BOARD OF SUPERVISORS POLICY

### **Subject:**

**TEMPORARY POLICY – NOVEL CORONAVIRUS (COVID-19)**

**Policy  
Number**

C 2.9

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### **Background**

A public health emergency was declared by the State of Arizona and the Federal government to address the 2019 novel Coronavirus (COVID-19) pandemic. During the pandemic outbreak and community spread, the County intends to provide necessary and required services to the community, while ensuring the safety of its employees.

### **Policy**

This temporary policy is to outline and implement the newly enacted Federal provisions, as well as provide additional County guidelines and address workplace expectations for employees. It applies to all appointed Departments and Elected Official Departments. The policy is effective immediately and will remain in effect until the end of the declaration of emergency, with concurrence by the Pima County Chief Medical Officer. This policy should be read in conjunction with Board of Supervisors Policy D 23.20, *Attendance During Influenza or Other Viral Pandemic Outbreak*. To the extent this policy conflicts with existing policy, procedures or rules, this policy shall supersede. As this is a fluid situation, this policy is subject to change and will be revised as events change.

#### **I. Reduced Services**

In the event that the County is required to provide reduced services, the County has identified what services are essential to provide to the community and will require certain employees to continue working. Examples of required services include, law enforcement and detention positions, public works services and administration functions necessary to support County government.

##### **A. Essential Employees**

Appointing Authorities are required to identify all essential employees that are required to work during a reduction in County-wide services. These employees are those that are necessary to ensure required County services are provided during a reduction in necessary services per Federal, State, or local declaration affecting employees' ability to work. Due to the varied and critical nature of work in Departments, Appointing Authorities have the ability to assign employees who perform nonessential functions to perform essential functions and vice versa, as the need for essential work changes.

#### **1. Telecommuting – ~~REPEALED~~ JULY 1, 2021 – REVERT TO STANDARD TELECOMMUTING PROGRAM**

~~During the COVID-19 pandemic outbreak, employees are required to perform their duties; however, with approval of the Appointing Authority and Human Resources, subject to appeal to the County Administrator who would report his or her findings to the Board of Supervisors, employees may be permitted to telecommute. Appointing Authorities may permit employees to telecommute following the priority listed below:~~

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<ol style="list-style-type: none"> <li> <ol style="list-style-type: none"> <li><del>a. Employees who have a compromising medical condition as identified by the CDC;</del></li> <li><del>b. Employees who have a family or some household member with a compromising medical condition as identified by the CDC;</del></li> <li><del>c. Employees with school-age children affected by a school or day care closure or whose school is not fully open for in-person school instruction; or,</del></li> <li><del>d. Employees 65 years of age or older.</del></li> <li><del>e. An employee who is part of a Federal, State, or local shelter-in-place order and can provide the required public services remotely as deemed by the Appointing Authority.</del></li> <li><del>f. As determined by the Appointing Authority and reported to the County Administrator.</del></li> </ol> </li> <li><del>2. It is the responsibility of each Appointing Authority to ensure that all Departmental services continue uninterrupted and make final determinations as to which employees are permitted to telecommute. Each Appointing Authority shall report to the County Administrator:</del> <ol style="list-style-type: none"> <li><del>a. A list of approved telecommuters;</del></li> <li><del>b. The reason the Appointing Authority is recommending the telecommuting; and,</del></li> <li><del>c. How the Department will monitor the employee's work performance while telecommuting.</del></li> </ol> </li> <li><del>3. Appointing Authorities must ensure that an adequate number of supervisors are physically present in the workplace to supervise remaining employees who are not telecommuting.</del></li> <li><del>4. Employees who have had a known exposure to Covid 19 or are experiencing symptoms, are required to notify their supervisor and/or Appointing Authority and a determination shall be made as to whether or not the employee can telecommute during their quarantine or symptomatic period. The employee's expected level of job productivity and work quality must be maintained; therefore, the Appointing Authority will determine whether or not an exposed or symptomatic employee can effectively perform their standard work duties via telecommute with no negative impact on Departmental service levels or employee work performance.</del></li> <li><del>5. Telecommuting employees are required to follow Administrative Procedure 3-33, <i>Telecommuting</i>, as well as complete the Telecommuting Guide and Agreement and on-line telecommuting courses.</del></li> </ol>		

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## **II. Federal Families First Coronavirus Response Act (FFCRA)**

The Federal Families First Coronavirus Response Act (FFCRA) goes into effect April 1, 2020, and sunsets on December 31, 2020. FFCRA provides for paid sick time and paid family medical leave for a public health emergency. Federal Emergency Paid Sick Time, whether for self or caregiving, shall be available for immediate use by the employee, regardless of how long the employee has been employed by the County.

### **A. Federal Emergency Paid Sick Time - Self**

1. Federal Emergency Paid Sick Time – Self (FEPST-Self) is **effective April 1, 2020 through September 30, 2021**, and provides for up to 80 hours of paid sick leave at the employee's regular rate of pay where the employee is unable to work, or telecommute, for the following reasons:
  - a. Due to a Federal, State, or local government order to quarantine or isolate;
  - b. Due to a health care provider's advice to quarantine; or,
  - c. Due to the employee experiencing COVID-19 symptoms and seeking a medical diagnosis.
2. The employee is required to provide documentation from a health care provider that they are seeking a medical diagnosis for COVID-19, whether through a clinic, urgent care, Teladoc, or other healthcare provider. Every effort should be made to not burden the health care system.
3. All documentation must be approved or denied at the Department leave. The Department will submit all documentation to County Human Resources monthly.
4. The rate of pay for an employee taking leave for one of the reasons outlined in section II(A)(1) above will be at their standard rate of pay for a period not to exceed 80 hours.
5. If the employee qualifies for one of the reasons outlined above in Section II(A)(1), they are permitted to use FEPST, pandemic outbreak leave, sick leave, compensatory time, vacation leave, and in some instances, a leave without pay. Employees are not permitted to be on a leave without pay due to quarantine or isolation order (see furlough below).
6. For those employees who qualify for FEPST-Self under Section (A)(1)(c), they should consider filing for the Short Term Disability benefit. Any information regarding the County's Short Term Disability benefit can be found on-line or by contacting Human Resources-Benefits.
7. FEPST can be taken intermittently for up to 80 hours, based on the employee's regularly scheduled work hours; however, it must be taken in full day increments.

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8. An employee may use FEPST for self or caregiving; however, in no event shall either, whether combined or alone, exceed 80 hours total.

#### **B. Federal Emergency Paid Sick Time - Caregiving**

1. Federal Emergency Paid Sick Time – Caregiving (FEPST-Caregiving) is **effective April 1, 2020 through September 30, 2021**, and provides for up to 80 hours of paid sick time at not less than 2/3's of the employee's regular rate of pay where the employee is unable to work, or telecommute, for the following reasons:
  - a. The employee is caring for an individual subject due to a Federal, State, or local government order to quarantine or isolate;
  - b. The employee is caring for an individual due to a health care provider's advice to quarantine;
  - c. The employee needs to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19; or,
  - d. The employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services.
2. The employee is required to provide documentation.
  - a. If providing caregiving to an individual due to a health care provider's advice to quarantine, a statement from a health care provider stating such is sufficient.
  - b. If providing caregiving due to a school closure or where a school only provides on-line instruction, any documentation showing that the child is school age and currently attending school is sufficient. Examples may include a recent report card, a current student identification badge, notices of school closure or on-line instruction as the sole option available sent to the employee/parent, or any other relevant documentation. The employee must also attest that there is no other suitable person available to care for their child.
3. All documentation must be approved or denied at the Department level. The Department will submit all documentation to County Human Resources monthly.
4. The rate of Pay for an employee taking leave for one of the reasons outlined in Section II(B)(1) above is not less than 2/3's of regular rate of pay, capped at \$200 per day or \$2,000 total, for a period not to exceed 80 hours.
5. The employee is permitted to supplement their pay by using their leave banks to include pandemic leave, sick leave, compensatory time, or vacation accruals.
6. If the employee qualifies for one of the reasons outlined above in Section II(B)(1), they are permitted to use FEPST, pandemic outbreak leave, sick leave, compensatory time, vacation leave, and in some instances, a leave without pay.

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7. FEPST can be taken intermittently, for up to 80 hours, based on the employee's regularly scheduled work hours; however, it must be taken in full day increments.
8. An employee may use FEPST for self or caregiving; however, in no event shall either, whether combined or alone, exceed 80 hours total.

### **C. Emergency Family and Medical Leave Expansion Act Leave (E-FMLA)**

1. The Emergency Family and Medical Leave Expansion (E-FMLA) is **effective April 1, 2020 through March 31, 2021**, and expands FMLA leave by adding a new qualifying absence to the FMLA for "public health emergency leave" that is paid and provides for protected leave. E-FMLA does not increase the amount of FMLA hours an employee receives annually, but expands the reasons for qualifying for FMLA to employees with school age children (under 18) who are affected by a school closure or whose school only provides on-line instruction. FMLA hours remain at 480 (12 weeks) of protected leave.
2. E-FMLA for School Closures
  - a. Provides 12 weeks of protected leave.
  - b. The first 10 days are unpaid; however, the employee is entitled to use FEPST-Caregiving, pandemic outbreak leave, compensatory time, vacation leave, sick leave, or leave without pay.
  - c. The employee is required to provide documentation as outlined in section II(B)(2)(b). All documentation must be submitted to County Human Resources – Leave Administration, who will approve or deny the request. Where approved, the employee will be placed on FMLA for those FMLA hours that the employee has available.
  - d. The rate of Pay for a qualified employee taking leave for school closure is not less than 2/3's of regular rate of pay, capped at \$200 per day or \$10,000 total, for a period not to exceed 10 weeks.
  - e. The employee may supplement their pay by using their leave banks to include compensatory time, vacation accruals, pandemic outbreak leave, or sick leave, in that order.
3. E-FMLA can be taken intermittently.
4. Employees who have been employed for at least 30 calendar days are eligible for E-FMLA.
5. An employee may use FEPST and E-FMLA; however, in no event shall the combined total exceed 12 weeks leave.

### **III. Temporary Assignments**

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During the COVID-19 outbreak, when the County is providing full services to the community, an Appointing Authority needing additional employees to assist in providing continuity of services may request temporary assignment of another Department's employees.

#### **A. Process**

Every effort will be made to temporarily assign employees from Departments experiencing closures or a shortage of work to assist Departments in need.

1. Departments needing assistance are to complete the Request for Temporary Assignment form located on line and submit it to [HR.Reception@pima.gov](mailto:HR.Reception@pima.gov).
2. Human Resources will match employees from Departments experiencing closures or a shortage of work to a temporary assignment in another Department. Human Resources will notify Grants Management & Innovation and Finance of the change in assignment in order to determine proper funding of the position.
3. Employees on a temporary assignment maintain their work title, home Department, and rate of pay; however, their time may be charged differently.
4. Employees on a temporary assignment may have a change in their work hours and work location.
5. Employees who are provided a temporary assignment and decline, must use their leave banks to include FEPST-Self or FEPST-Caregiving, *if eligible*, pandemic leave, sick leave, compensatory time, or vacation leave.
6. When an employee chooses to go into a leave without pay status, their benefits will be impacted, e.g. retirement credits, health care benefits, leave accruals, etc. Employees may contact Human Resources-Benefits for more information.

### **IV. ANNUAL LEAVE**

#### **A. Annual Accumulation**

During the period of the COVID-19 outbreak, essential employees may not be permitted to use their annual leave due to the need to maintain continuity of operations. As a result, Appointing Authorities may submit a memo to the County Administrator by January 15, 2021, requesting approval for their essential employees to carry over an amount of annual leave in excess of two hundred forty (240) hours. An essential employee authorized to carry over additional hours is expected to reduce their annual leave balance to two hundred forty (240) hours no later than their anniversary date in 2022. If the employee has annual leave in excess of two hundred forty (240) hours upon their anniversary date in 2022, the excess will automatically be transferred to sick leave pursuant to personnel policy 8-105(G). Employees who terminate during this timeframe with an excess of two hundred forty (240) hours of annual leave accrued will be paid out their full balance.

### **V. COVID-19 FURLOUGH**

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**REPEALED IN PART** – COVID-19 Furlough is only available to employees who do not have sufficient work to perform as determined by their Appointing Authority. For any employees who remain on furlough as of August 17, 2020, they are required to return to work no later than August 24, 2020. Failure to return to work may result in an unauthorized absence per Personnel Policy 8-109, *Absences Without Leave*.

#### **A. Purpose**

Due to the COVID-19 outbreak, there are employees who are unable to attend work for various reasons or insufficient work is available for employees to perform. As a result, several employees have been sent home and placed on various types of leaves. As the length of the COVID-19 crisis is unknown, employees may run out of available leaves to take in which to receive continued pay. Therefore, when an employee exhausts all possible leave banks, and is unable to return to work and/or unwilling to take a temporary assignment when available, the employee shall be placed on COVID-19 furlough. This action is necessary and vital to ensure that employees can file for unemployment and continue to receive money during this period of time.

#### **B. Definition**

COVID-19 furlough is temporarily placing an employee in a non-pay, non-duty status or in essence, placing the employee on a type of leave of absence without pay. During the period of time on the COVID-19 furlough, the employee remains an employee of the County. The COVID-19 furlough will not affect an employee's continuous service, length of service, or anniversary date.

#### **C. Process**

1. Employees are permitted to utilize their Pandemic Outbreak Leave and FEPST-Self/FEPST-Caregiving pay(s) as outlined in policy. After exhaustion of these pay hours, an employee must use compensatory time, vacation leave, and sick leave, in that order. Once an employee has exhausted all available leave accruals, the employee will be placed on COVID-19 furlough.
2. Every pay period, Human Resources will run a report to identify employees with 80 or fewer hours of remaining accruals and who do not have sufficient work to perform as determined by their appointing authority. Of the identified employees, Human Resources will provide the employee a Notice of Placement on COVID-19 Furlough which the employee can use as documentation to file an unemployment claim with the Department of Economic Security (DES). Human Resources will also create a Personnel Action Form (PAF) and provide a copy of the Notice of Placement on COVID-19 Furlough and PAF to the employee's Department.
3. Human Resources will process the PAF and place both the Notice of Placement on COVID-19 Furlough and PAF in the employee's official personnel file.
4. The employee will remain on COVID-19 furlough until such time as they are called back to work. During the time that an employee is on COVID-19 furlough, the employee remains a County employee.

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5. Employees who are on COVID-19 furlough are not permitted to perform any County work tasks, to include responding to work-related emails and phone calls. Employees are required to return all County equipment and devices to the workplace, to include lap tops, SurfacePros, County-issued, cell phones, keys, door access cards, and County identification badges. Please contact your direct supervisor to arrange this.
6. Employees on COVID-19 furlough do not accrue vacation or sick time, do not receive holiday benefit, or County-sponsored leaves (to include, but not limited to, parental leave, bereavement leave, humanitarian leave, Family and Medical Leave Act leave, etc.) short-term disability benefits, workers' compensation, or retirement system contributions.

#### **D. Request for Placement on COVID-19 Furlough - REPEALED**

1. Any employee who is currently not working due to COVID-19 and using accruals can request to be placed on COVID-19 furlough by completing a Request for Placement on COVID-19 Furlough form available on line. Employees should note that if they choose to request COVID-19 furlough, unemployment benefits do not go into effect until exhaustion of all outstanding leave banks. Therefore, for an employee who has a large amount of available accruals, it may be the better practice to wait until available accruals are reduced before requesting COVID-19 furlough in order to allow DES time to process claims for those individuals in need of immediate assistance. It is recommended that only those employees who have fewer than 120 hours of available accruals request COVID-19 furlough.
2. The employee requesting COVID-19 furlough must submit the completed form to Human Resources at [HR.Reception@pima.gov](mailto:HR.Reception@pima.gov).
3. Upon receipt of the form and verification of available accruals, Human Resources will issue the employee a Notice of Placement on COVID-19 Furlough. Human Resources will also create a Personnel Action Form (PAF) and provide a copy of the Notice of Placement on COVID-19 Furlough and PAF to the employee's Department.
4. Human Resources will process the PAF and place both the Notice of Placement on COVID-19 Furlough and PAF in the employee's official personnel file.

#### **E. Benefits**

1. For a period of three (3) months, the County will pay the employer's portion of the insurance premiums. After three months, and in accordance with Administrative Procedure 23-4, when an employee is in an unpaid leave of absence such as COVID-19 furlough, the employee is responsible for payment of both the employee and the employer portion of the insurance premiums in order for coverage to continue and to avoid cancellation or a lapse in coverage. See Administrative Procedure 23-4 for processing of payments.

#### **F. Appeal**

Placement on COVID-19 furlough is neither appealable nor grievable.

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## **VI. MASKS**

- A. Due to community spread of COVID-19 and changing guidance of how the virus is transmitted, employees are required to wear a mask in common areas, lobbies, and elevators of all County buildings. Masks are also required where proper physical distancing is not possible or where there is not a protective barrier. The wearing of masks is required for all employees and members of the public. If an employee is unable to wear a mask due to a medical reason, the employee must provide medical documentation to the HR Nurse Liaison.
- B. Pima County and/or security will provide masks to employees and members of the public if they need a mask. Employees are permitted to purchase simple cloth masks or can create their own homemade masks. Employees should not attempt to obtain facemasks used by health care professionals such as N95 masks, due to the short supply. If wearing a mask, it should:
  - a. Fit snugly but comfortably against the side of the face;
  - b. Be secured with ties or loops;
  - c. Include multiple layers of fabric;
  - d. Cover the nose and mouth
  - e. Allow for breathing without restriction; and,
  - f. Be able to be laundered and machine dried without damage or change to its shape.

## **VII. Temporary COVID-19 Premium Pay (only in effect during a stay-at-home order)**

### **A. Definition**

Employees who have frequent, unavoidable contact with the public and place themselves at greater risk for contact with the COVID-19 virus due to being unable to adequately distance themselves from others in the course of performing “front-line” work, are eligible for COVID-19 premium pay.

### **B. Eligible Employees**

Eligible employees include, but are not limited to, certain law enforcement, corrections, and animal care positions, medical service positions, counter positions interfacing with the public that are responsible for processing payments, etc.

### **C. Process**

1. Appointing Authorities are required to identify positions necessitating COVID-19 premium pay and request County Administrator approval for those positions to receive the extra pay.
2. Upon approval, the Appointing Authority shall submit the approval and a (PAF) for each employee identified/approved to receive the COVID-19 premium pay to Human Resources for processing. The requests can be sent to [HR.Records@pima.gov](mailto:HR.Records@pima.gov).
3. Human Resources is responsible to apply the COVID-19 premium pay in the system.

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#### **D. Amount of COVID-19 Premium Pay**

1. Employees identified and approved for COVID-19 premium pay shall receive \$2.00 on top of their regular hourly rate of pay. For those individuals who are currently receiving Special Assignment Pay, those individuals would receive an increase in their current amount of Special Assignment Pay, representing the COVID-19 premium pay increase, up to the maximum of \$2.00 per hour total.
2. The COVID-19 premium pay is not in addition to an employee's current Special Assignment Pay they receive.

### **VIII. Process for quarantine**

#### **A. Definition**

A quarantine effects employees who have had close contact (6 feet or under for 15 or more minutes) with a confirmed COVID-19 person, but when the employee is not yet known to be symptomatic/ill.

#### **B. Process for exposure to COVID-19 outside the workplace**

1. Employees are required to report close contacts as defined by the CDC (6 feet or under for 15 minutes or longer) with a confirmed positive COVID-19 person to their supervisor who must then report the exposure to Human Resources. Human Resources will contact the employee to verify whether or not the employee has had close contact as defined by the CDC and will notify the employee and the employee's Department when the employee may return to work.
2. Where close contact is confirmed, the employee will be required to quarantine (remain out of work) for 14 consecutive calendar days from the last date of contact with the exposure.
3. The time period of concern with regard to close contact exposure includes any time a person is symptomatic and confirmed positive for COVID-19, as well as the 48 hours prior to the person becoming symptomatic. Close contact during such time period will require an employee to quarantine.
4. If the employee is in a position that **would** permit them to telecommute, the employee will be authorized to telecommute during the 14 day quarantine period. If at any time during the quarantine the employee exhibits symptoms or falls ill, the employee shall immediately notify their supervisor of their illness. The 14 day quarantine period resets at day 1 upon the first signs of symptoms. At this point, the employee is only permitted to telecommute with the approval of the Appointing Authority and an assessment of whether the employee's condition permits them to continue to perform their standard work duties with no negative impact on Departmental service levels or employee work performance. Where the employee is unable to telecommute, the employee may use any available leave accruals to include FEPST, pandemic outbreak leave, compensatory time, sick leave and vacation leave, in that order.

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<p>5. If the employee is in a position that would <b>not</b> permit them to telecommute, the employee is required to quarantine for the 14 day period and use any available leave accruals to include FEPST, pandemic outbreak leave, compensatory time, sick leave or vacation leave, in that order. If at any time during the 14 day quarantine the employee exhibits symptoms or falls ill, the employee shall notify their supervisor of their illness. The 14 day quarantine period resets at day 1 upon the first signs of symptoms and the employee may continue to use any available leave.</p> <p>6. Should an employee exhaust all available leave during the quarantine period, the employee may request to be furloughed. If the employee is not exhibiting symptoms or illness, the employee is required to return to work after the 14 day quarantine period whether it resulted from the date of last contact with the confirmed COVID-19 person or after the 14 day quarantine from the onset of the employee's own symptoms.</p> <p>7. The employee's supervisor is responsible to complete the employee's time card to reflect the accurate hours worked or leave used to include, telecommute, FEPST, pandemic outbreak leave, compensatory time, sick leave or vacation leave, in that order.</p> <p><b>C. Process for exposure to COVID-19 at the workplace</b></p> <p>1. Any employee who has a confirmed COVID-19 test must immediately notify their supervisor who must then report the exposure to human resources. Human resources will guide the department through the notification and reporting process, to include identifying employees in the workplace who may have experienced a close contact with the confirmed COVID-19 case.</p> <p>2. The Human Resources Nurse Liaison will contact the infected employee to verify whether or not the employee has had close contact (as defined by the CDC) with any other County employee.</p> <p>3. The time period of concern with regard to close contact exposure includes any time a person is symptomatic and confirmed positive for COVID-19, as well as the 48 hours prior to the person becoming symptomatic. Close contact during such time period will require an employee to quarantine.</p> <p>4. If the employee is in a position that <b>would</b> permit them to telecommute, the employee will be authorized to telecommute during the 14 day quarantine period. If at any time during the quarantine the employee exhibits symptoms or falls ill, the employee shall immediately notify their supervisor of their illness. The 14 day quarantine period resets at day 1 upon the first signs of symptoms. At this point, the employee is only permitted to telecommute with the approval of the Appointing Authority and an assessment of whether the employee's condition permits them to continue to perform their standard work duties with no negative impact on Departmental service levels or employee work performance. Where the employee is unable to telecommute, the employee may use any available leave accruals to</p>		

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include FEPST, pandemic outbreak leave, compensatory time, sick leave and vacation leave, in that order.

5. If the employee is in a position that would **not** permit them to telecommute, the employee is required to quarantine for the 14 period and use either pandemic outbreak leave or federal emergency paid sick time (FEPST). If at any time during the 14 day quarantine the employee exhibits symptoms or falls ill, the employee shall notify their supervisor immediately of their illness. The 14 day quarantine period resets to day 1 upon the first signs of symptoms.
6. Where the employee is on quarantine due to a close contact in the workplace, and has exhausted all FEPST and pandemic outbreak leave, the County shall provide up to 80 hours total of paid quarantine leave to use during the quarantine period. The employee is required to return to work after the 14 day quarantine period, unless the employee is exhibiting symptoms or is otherwise ill, at which time, the 14 day quarantine period resets at day 1 upon the first signs of symptoms. Upon onset of symptoms the employee and/or employee's Department must contact the Human Resources Occupational Medical Manager.
7. The employee's supervisor is responsible to complete the employee's time card to reflect the accurate hours worked or leave used to include, telecommute, FEPST, pandemic outbreak leave, or paid quarantine leave, in that order. Employees who have experienced a close contact to a confirmed COVID-19 case in the workplace, are not required to use compensatory time, sick leave or vacation leave, during the 14 day quarantine period.

#### **D. Discussions in the workplace**

Human Resources will work with a COVID-19 infected employee and the employee's Department to conduct contact tracing to identify any co-workers who may have had a close contact (6 feet or under for 15 or more minutes) in the workplace. The identity of an employee who tests positive for COVID-19 will not be released to employees, unless express permission from the infected employee has been granted. Absent express permission, only employees who have a direct need to know will be advised of the employee's identity such as an immediate supervisor, Appointing Authority, or specified Human Resources staff. An employee may provide permission to the immediate supervisor or Human Resources staff to release their name but only for the purpose of helping to identify close contact(s) in the workplace.

Once identified, a Department is required to inform an exposed employee of a known close contact that takes place in the workplace, complete and submit required paperwork to the Human Resources Occupational Health Unit. Any employee concerned about a possible workplace exposure should contact their immediate supervisor or human resources. All efforts should be made to refrain from spreading unfounded workplace exposure rumors or personal medical information of others in the workplace.

#### **IX. In-Person School Closures**

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It is necessary to provide departments and employees with school-aged children options, where possible, to manage school closures ensuring the public service needs of the community are met. These options are available in instances where only on-line school is available or where there is a choice between in-person instruction and on-line instruction. These options are available through October 16, 2020, and will be re-evaluated as that date approaches. Documentation is required to support requests.

**Approval of options are at the Appointing Authority's discretion** who must ensure maintenance of County operations. As such, some employees may be required to work in a County facility one or more days per week to meet these operational demands. Requests will be evaluated based on the totality of the circumstances including the Department's operational needs, the employee's individual circumstances, and what other options may be available to the employee. Where leave is requested, every effort should be made to take the leave intermittently.

#### **A. Options**

1. Telecommuting is permitted for employees who perform duties that are conducive to working off site. The employee's expected level of job productivity and work quality must be maintained, and if productivity and work quality cannot be sustained, the employee may request intermittent leave for time the employee is unable to work while assisting their child with schooling.
2. E-FMLA and FEPST (if available and employee is otherwise eligible) are permitted for those employees whose child only has access to on-line instruction due to the COVID-19 pandemic. Where in-person instruction is available, E-FMLA and FEPST cannot be utilized.
3. Available leave banks can be used to include compensatory leave, vacation leave, and sick leave, in that order.
4. Where employees are unable to telecommute and no leave is available, an employee may request up to 240 hours of School Leave which is an unpaid leave. Employees with no in-person school option due to the COVID-19 pandemic or with a child with documented medical needs will be prioritized for leave approval. Employees who choose to keep their child(ren) at home when an in-person option is available may still make a leave request; however, it may not be granted due to operational needs.

References: Pima County Merit System Rules and Personnel Policies  
Americans with Disabilities Act (ADA)  
Fair Labor Standards Act (FLSA)  
Family and Medical Leave Act (FMLA)  
Health Insurance Portability and Accountability Act (HIPAA)  
General Duty Clause of the Occupational Safety and Health Act (OSHA)  
Section 5(a)(1)

Adopted Date: April 9, 2020  
Revised Date: April 21, 2020  
May 21, 2020

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# ATTACHMENT C



## ADMINISTRATIVE PROCEDURES

Procedure Number: 3-33

Effective Date: 03/05/2014

Revision Date: 01/08/2021

  
County Administrator

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SUBJECT: **TELECOMMUTING PROGRAM**

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DEPARTMENT RESPONSIBLE: **All County Departments**

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### **I. STATEMENT**

Pima County considers telecommuting to be a viable, flexible work option when the Appointing Authority has determined that both the employee and the position are suited for such an arrangement. Under the Telecommuting Program, employees may telecommute up to four (4) days per week, based on necessity, staffing levels, and business needs as determined by the Appointing Authority, unless approved as a reasonable accommodation under the Americans with Disabilities Act (ADA). All approvals will be made on a case by case basis in accordance with this procedure. Telecommuting does not change the employee's conditions of employment with the County.

### **II. DEFINITIONS**

**Confidential Information:** The hard copy or electronic document or information which may contain sensitive information about an individual, group, process, or content belonging to the County. This information includes, but is not limited to, Federal Tax Information (FTI), Protected Health Information (PHI), Personal Identifiable Information (PII), and other information that is statutorily confidential under Federal and State law.

**Post of Duty:** The officially approved worksite provided by the County. This is the usual and customary physical work address.

**Telecommuting Address:** The officially approved worksite within Pima County specifically designated as the physical location where the employee will work during telecommuting. The physical location will be deemed to be the employee's home address, unless otherwise waived by the Appointing Authority.

**Telecommuter:** The County employee approved to work from their telecommuting address for a specific amount of time during a work week or pay period.

**Telecommuting:** A voluntary work arrangement provided to a County employee allowing the employee to work from the telecommuting address during one or more days during the work week to enhance productivity and services of the County. Telecommuting cannot be used to assist any employee in meeting the essential duties and expectations of their position, unless approved with a reasonable accommodation under the ADA.

**Telecommuting Agreement:** The approved written agreement between a County employee and the County regarding the expectations of telecommuting activities and schedule.

**Telecommuting Guide:** The approved Telecommuting Guide and Agreement introducing telecommuting to a County employee and their supervisor to assist in determining if the telecommuting program suits the needs of the employee, the position, and further enhances the service(s) of the County.

**Telecommuting Work Plan:** The detailed outline of the agreed upon goals and objectives a County employee must accomplish within a specific time period.

### **III. ELIGIBILITY**

A. The Appointing Authority (or designee) may authorize telecommuting for County employees who meet the following criteria:

1. Probationary employees must be in the position for a minimum of six (6) months;
2. Employee must have a satisfactory performance record;
3. Employee must perform duties that can be performed at the telecommuting address without additional costs to the County, unless approved through an ADA accommodation;
4. The employee's supervisor and the employee must agree that the employee is self-motivated and requires little supervision while performing their job duties; and,
5. Employee must complete the Telecommuting Guide and Agreement and complete the telecommuting training. The employee may not start telecommuting until the employee and supervisor successfully complete the appropriate telecommuting training and appropriate approvals have been granted.
6. Some of these eligibility criteria may be waived where telecommuting is approved as a reasonable accommodation under the ADA.

### **IV. PROCEDURE**

#### **A. Telecommuting Guide and Agreement**

1. The employee must complete and submit a Telecommuting Guide and Agreement to their supervisor for approval for telecommuting. If approved by the supervisor, the Telecommuting Guide and Agreement must be provided to the Appointing Authority for approval. Any telecommuting requests that are part of an employee's reasonable accommodation under the ADA must go through the ADA Coordinator as part of the ADA interactive process and additionally require approval by the County Administrator.

2. The employee and supervisor must successfully complete the appropriate telecommuting training and provide a copy of the certificate with the Telecommuting Guide and Agreement.
3. The employee must adhere to all the terms and conditions of the Telecommuting Guide and Agreement.
4. The Telecommuting Guide and Agreement must be revisited after the first initial six (6) month period and revisited/renewed annually by calendar year thereafter to determine if telecommuting continues to be in the best interest of the County, the Appointing Authority, and the employee's position.
5. The Appointing Authority may rescind the telecommuting arrangement at their discretion based upon current work conditions.
6. The Appointing Authority (or designee) may require the employee to complete a new Telecommuting Guide and Agreement in the event there is a change in the Agreement.
7. The Appointing Authority's denial of an employee's telecommuting request are neither grievable or appealable.

**B. Work Schedule**

1. The employee may not use telecommuting for caregiving purposes unless approved under to Board of Supervisors Policy D 23.20, *Attendance Policy During Influenza or other Viral Pandemic Outbreak*, and/or the Board of Supervisors Policy C 2.9, *Temporary Policy – Novel Coronavirus (COVID-19)*.
2. The employee may not telecommute while traveling or being transported to and from destinations, e.g. driving, flying, etc. However, driving to work-related meetings and appointments that would normally be considered as part of the employee's work day when not telecommuting, is considered work time.
3. The employee will work their scheduled hours and follow any Department procedures related to notification of need to use any accrued annual leave, sick leave, or compensatory time.
4. In the case of a Fair Labor Standards Act (FLSA) non-exempt (hourly) employee, the employee will only work during their regularly scheduled hours and will not perform any work activities outside of those regularly scheduled hours. FLSA non-exempt employees must get prior approval to work any overtime.
5. The employee must record all time worked, including the use of overtime (pre-approval required).
6. Telecommuting must occur in full-day increments, absent extenuating circumstances and with approval of the Appointing Authority.
7. The employee must be available via computer and/or telephone during their work hours.

8. The employee must obtain supervisor approval before making any changes in their Telecommuting Guide and Agreement.
9. The Appointing Authority may change or terminate an employee's telecommuting status based on business need(s) at any time.

### **C. Workspace and Equipment**

1. The County employee must not use County equipment for personal purposes.
2. The County employee is responsible for providing a safe and ergonomically-sound work area for telecommuting.
3. The County employee is responsible for providing an appropriate workspace free from distraction.
4. The County employee must provide adequate utilities and internet service at their own expense and maintain the required equipment in good working order during telecommuting. Should any connectivity issues arise at the employee's telecommuting address, the Appointing Authority may require the employee to return to work at their post of duty until such issues have been remediated and full connectivity achieved at the telecommuting address.
5. The employee is responsible for providing work/office equipment such as, but not limited to, a computer monitor, printer/scanner, desk, and chair. The equipment is expected to be safe and ergonomically sound.
6. The Appointing Authority or their designee retains the right to make on-site visits (with a 48-hour advance notice) to the telecommuting workspace for safety and other business reason(s).
7. The County employee is responsible for forwarding their work telephone to their personal telephone or other appropriate number when telecommuting.
8. Office supplies will be provided by the County as needed. Out of pocket expenses for supplies purchased by the employee will not be reimbursed unless pre-approved by the supervisor/manager.
9. A Department-issued laptop may be provided by the Department if available. Any other tools/equipment necessary to perform duties such as computer hardware, computer software and remote desktop access require the Appointing Authority and Information Technology Department approval. The use of equipment, software, and data supplies, when provided by the Department, is limited to authorized individuals and for Pima County business purposes only. If County-issued equipment is faulty, the employee is required to bring the County-issued equipment to their Department for repair. If no other County equipment is available for use, the employee will be required to work on-site. The employee is responsible for maintenance and repair of their personally owned equipment.
10. The County employee is required to take appropriate action to protect equipment from damage or theft. Damage, loss, or theft of equipment must immediately be reported to the supervisor/manager.

11. Human Resources shall provide reasonable accommodation as required by the Americans with Disabilities Act (ADA). Contact Human Resources for guidance.

#### **D. Computer and Information Security**

1. The County employee must safeguard all passwords used in connection with County files or programs to ensure sensitive information is protected.
2. Any County information possessed by the employee cannot be shared with or made available to any other individuals.
3. The County employee must ensure that official records and information are secure and maintained in a way that would make them inaccessible to any other individuals.
4. The County employee is responsible for adhering to all State, County, and Departmental policies, procedures and standards concerning use of computer equipment and the security of data/information while telecommuting.
5. Unauthorized access to or disclosure of official information or systems must be immediately reported to the employee's supervisor/manager. Such unauthorized access or disclosure, including the release of confidential information or personally identifiable information, which occurred due to the employee's neglect, will be addressed through administrative channels up to and including disciplinary action.
6. Any suspected data breach containing sensitive data must immediately be reported to the employee's supervisor/manager and the employee must provide their supervisor with any required documentation with regard to the suspected breach prior to the end of the employee's normal work hours on the day the suspected data breach is discovered.
7. The County employee must protect and safeguard files, documents, equipment and other materials transported back and forth between the post of duty (or other County site) and the telecommuting address. Employees shall protect official records and documents from unauthorized disclosure or damage and comply with all established policies and procedures regarding such matters.
8. Employees must also take the following precautions:
  - a. Only take confidential information from their post of duty when authorized by the supervisor/manager.
  - b. Do not transmit confidential information from work email to personal email addresses or text messaging services (e.g., gmail, yahoo).
  - c. Securely store all hard copy documents or office media so that others cannot access or view it.
  - d. Do not communicate confidential information where others can listen.
  - e. Handle records requiring preservation or destruction according to the records management guidelines established by the Records Division of the Clerk of the Board's Office.
9. Under no circumstance shall official data or information be transferred to or stored on any personal devices. Under no circumstances shall the employee allow County-

issued equipment to be used by another individual(s). Employees must log off and secure any computer being utilized to conduct official County business when not in use.

#### **E. Telecommuting Work Plan**

1. The employee is expected to complete a reasonable amount of work activities, similar to or exceeding the work activities they accomplish while working at their regular post of duty, while telecommuting. A Work Plan must be completed prior to telecommuting.
2. The Work Plan will contain measurable work-related activities performed by the employee through the course of their telecommuting. To ensure expectations are met during the telecommuting, the approved telecommuter must submit a completed telecommuting Work Plan to their supervisor by the end of the last day of each pay period.
3. The Work Plan must be signed by the employee and approved by the supervisor/manager.

### **V. RESPONSIBILITY AND ACCOUNTABILITY**

#### **A. Employee Responsibilities Include:**

1. Employees must comply with all Federal, State and local laws and County rules, policies and procedures required at the official work site when telecommuting. All employees must sign an agreement identifying the terms and conditions for participation in the program. Any violation of the terms of the agreement or of the policies/procedures governing telecommuting may result in termination of the Telecommuting Agreement.
2. Employees must initiate an application for participation in the Telecommuting Program by completing the Telecommuting Guide. The employee and the supervisor/manager must successfully complete a training course designed to prepare employees and supervisors for the telecommuting experience.
3. Employees must treat telecommuting days as regular workdays and are expected to maintain a regular work schedule as specified in the Work Plan. Employees will work their entire approved shift (including overtime when applicable and previously authorized). Employees must request time off in advance and submit leave requests as currently required under County policy and Department directives.
4. Employees may be required to report to their post of duty, upon management's request, at any time. When employees are required to report to their post of duty on a scheduled telecommuting day, there is no expectation that the employee will be granted an additional telecommuting day in return. If an employee is required to report to their post of duty, they will not be reimbursed for travel.
5. Employees must be available via all required methods of communication throughout the workday. Should an employee not be available through official channels, management will contact the employee via their personal contact information. Non-responsiveness of the employee during the workday may result in designation of absent without leave (AWOL) and revocation of telecommuting approval.

6. Employees must forward their official post of duty phone number to the phone that will be used while telecommuting.
7. In-person meetings at the employee's telecommuting address are prohibited. This restriction does not preclude an employee from participating in phone or web-based meetings from their telecommuting address.
8. Unless otherwise directed, telecommuters will not be excused from work when a directed departure is issued for employees working at the post of duty. Conversely, if an emergency occurs at the telecommuter's telecommuting address which prevents the telecommuter from conducting business during their regularly scheduled hours, the supervisor/manager may direct the telecommuter to report to the post of duty.

**B. Department Responsibilities Include:**

1. Appointing Authority will determine positions within their Department suitable for the Telecommuting Program.
2. The Department shall notify Human Resources when the Telecommuting Guide and Agreement has been approved by the Department.
3. The Department shall ensure the approved telecommuter and supervisor successfully complete the appropriate Telecommuting Training before the employee begins telecommuting.
4. The Department shall maintain the approved Telecommuting Guide and Agreement and revisit when appropriate.
5. The Department shall notify Human Resources in the event of a change, update, or revocation of the Telecommuting Guide and Agreement for the telecommuter.

References: Board of Supervisor Policy C 3.7  
Board of Supervisor Policy D 27.1  
Personnel Policy 8-104  
Administrative Procedures 22-16  
Administrative Procedures 23-29, 23-37, and 23-40.  
Administrative Procedures 23-37  
Administrative Procedures 23-40

Revision History:

03/02/2020