



# State of Delaware Department of Human Resources

## Revised Coronavirus (COVID-19) Frequently Asked Questions

The content in these Frequently Asked Questions (FAQs) apply to Executive Branch cabinet agency employees. Other employers of state personnel may choose to adopt these provisions as well. Non-cabinet agency personnel should contact their supervisors to determine whether their employer has adopted these provisions. Provisions outlined in these FAQs are valid and in effect for the duration of the public health threat or State of Emergency. Questions or concerns should be directed to your supervisor or your Agency Human Resources Representative.

This guidance is provided given circumstances relating to the coronavirus (COVID-19) and is not applicable to any past events and does not create an expectation that these guidelines will continue beyond the COVID-19 situation. Pursuant to the Governor's declared State of Emergency due to a public health threat, which incorporates his broad general powers under Chapter 31 of Title 20, Cabinet Agencies have been directed to manage operations and direct employees as needed to maintain continuity of operations. In addition, the federal **Families First Coronavirus Response Act (FFCRA or "the Act")** was passed by Congress on March 18, 2020 and became effective on April 1, 2020. There are two new types of temporary provisions offered under this Act. Available state and federal leave provisions relating to COVID-19 are described below.

**The State Paid Emergency Leave (SPEL)** is defined as paid leave of absence for certain purposes for eligible employees who are absent due to COVID-19.

**Under the FFCRA, the Emergency Paid Sick Leave Act (FPSL)** provides paid leave to eligible employees who are unable to work or unable to telecommute and require leave for their own COVID-19 health related issues, individuals who are caring for someone with COVID-19 issues, or who need to care for a minor child due to a COVID-19-related school or child care closure.

**Under the FFCRA, the Emergency Family and Medical Leave (FMLA) Expansion Act (FPEL)** provides paid and unpaid leave to eligible employees who are unable to work or unable telecommute and need to care for a child under 18 years of age due to a COVID-19-related school or child care closure.

### 1. What is coronavirus (COVID-19)?

A novel coronavirus is a new coronavirus that has not been previously identified. The virus causing coronavirus disease 2019 (COVID-19) is not the same as the coronaviruses that commonly circulate among humans and cause mild illness, like the common cold.

### 2. I am worried about being exposed to COVID-19 at work. How can I reduce my risk?

Employees are always encouraged to use general precautions (at work, in public, or at home). Precautions include:

- ✓ Wash your hands with warm soapy water for at least 20 seconds each time.
- ✓ Avoid touching your eyes, nose and mouth with unwashed hands.
- ✓ Avoid close contact with people who are ill.
- ✓ Cover your mouth and nose with a tissue when you cough or sneeze.
- ✓ Refrain from reusing tissues after coughing, sneezing, or blowing your nose.



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- ✓ Clean and disinfect surfaces that are frequently touched (cell phones, desk phones, keyboards, remote controls, countertops, refrigerator and door handles, etc.).
- ✓ Stay home from work if you are sick.
- ✓ Minimize your direct contact with others who may be unwell or who are vulnerable to illness.
- ✓ Get your flu vaccine if you have not already done so.

### 3. What should I do if **I think I am sick, but I don't know if I have been exposed to COVID-19?**

If you have symptoms of fever and cough or shortness of breath and have not had any known exposure to or tested positive for COVID-19, you should contact your health care provider for further guidance. Anyone with a fever should stay home until at least 24 hours after their fever is gone and symptoms have improved.

### 4. What should I do if I **have been exposed** to COVID-19 but **do not have symptoms** associated with the virus?

If you have reason to believe you have been exposed to the virus, you should contact your health care provider or the Delaware Division of Public Health (DPH) at (866) 408-1899. Notify your supervisor that you have taken this step. During a public health emergency, employees may be required to remain under quarantine due to exposure to COVID-19 even if they are not symptomatic. If you are told by a health care provider or public health official you should be under quarantine due to potential exposure, you should not report to work and may be eligible for Paid Emergency Leave. Under these circumstances, you may be required to provide a letter from a health care provider or DPH indicating that you have completed the required monitoring, isolation or quarantine period. You may also be required to provide medical documentation releasing you to full-duty prior to returning to work.

### 5. What should I do if I **have been exposed** to COVID-19 and believe I **am developing symptoms** associated with the virus?

If you think you are developing symptoms associated with COVID-19 and have reason to believe you have been exposed to the virus, you should contact your health care provider or the Delaware Division of Public Health (DPH) at (866) 408-1899. Notify your supervisor that you have taken this step. If you are told by a health care provider or public health official that you should be under isolation due to illness, you should not report to work and will be eligible for Paid Emergency Leave. You may be required to provide a letter from a healthcare provider or DPH indicating that you have completed the required monitoring, isolation or quarantine period. You may also be required to provide medical documentation releasing you to full-duty prior to returning to work.

### 6. Where do I seek care?

Employees, pensioners and their covered spouses and dependent children who are covered under a State of Delaware Health Plan (either Highmark Delaware or Aetna) should first contact their primary health care provider to report symptoms and seek medical guidance.

If you do not have a primary health care provider or cannot reach your provider, you may seek medical guidance through telemedicine services. Telemedicine is a service that allows you to have an online video consultation with a doctor to receive a diagnosis and get recommended treatment or referrals wherever you are, by using your computer, tablet or smartphone. The doctor can even prescribe medications when



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appropriate.

Amwell and/or Doctor on Demand are the telemedicine vendors for Highmark Delaware members, and Teladoc is the telemedicine vendor for Aetna members. There is no cost to members for using these services depending on your health plan.

Highmark Delaware members wanting to learn more about telemedicine should visit:

[dhr.delaware.gov/benefits/medical/highmark/telemedicine.shtml](http://dhr.delaware.gov/benefits/medical/highmark/telemedicine.shtml)

Aetna members wanting to learn more about telemedicine should visit:

[dhr.delaware.gov/benefits/medical/aetna/telemedicine.shtml](http://dhr.delaware.gov/benefits/medical/aetna/telemedicine.shtml)

Employees who are not covered under a State of Delaware Health Plan should contact their primary health care provider or the Delaware Division of Public Health (DPH) at (866) 408-1899.

### **7. Will my insurance cover the cost of COVID-19 testing?**

Employees, pensioners and their covered spouses and dependent children who are covered under a State of Delaware Health Plan through Aetna or Highmark Delaware will receive 100% coverage for COVID-19 testing. Copays, coinsurance and deductibles for COVID-19 testing are waived. Health care provider visits (in and out of network), urgent care visits, and emergency room visits that result in an order for or administration of the test are also covered at 100%. There are also no member costs (copays, deductibles, and coinsurance) for Highmark Delaware and Aetna members who receive in-network inpatient services for COVID-19 treatment.

State of Delaware Group Health Plan benefits and COVID-19 information, resources and Frequently Asked Questions (FAQs) are being updated daily on the Statewide Benefits Office [website](#). Please visit this site regularly for the latest information. If you have benefit-related questions that are not answered on our website, please submit your questions to [benefits@delaware.gov](mailto:benefits@delaware.gov)

### **8. I am concerned about exposure from a coworker who seems sick. Can I insist that they be sent home?**

If you have a concern about an employee who appears sick, speak to your supervisor. If agency management, in consultation with their Human Resources Office, believes that an employee has symptoms associated with COVID-19, the employee may be sent home or required to not report to work.

### **9. Will I be notified if someone I work with is confirmed to have COVID-19?**

Employees known to be exposed to an individual diagnosed with COVID-19 will be notified that a case has been confirmed, but the Americans with Disabilities Act protects the identity and medical information of people with communicable diseases.

### **10. Should I cancel a planned business trip?**

All non-essential out of state business travel is restricted. Essential travel is determined by Agency Directors.

### **11. What additional precautions can a State agency take for employees dealing with the public?**

Agencies may consider the following precautions:

- ✓ Restrict how close the public may come to employees;
- ✓ Educate employees to wash hands often and use alcohol-based hand sanitizer frequently; and



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- ✓ Maintain separate pens and other equipment for the public.

### **12. How will I be paid if the Governor closes my work location due to COVID-19?**

If the Governor closes any State facility while under the State of Emergency for COVID-19, you may be asked to telecommute (work from home) if your job allows, or you may be asked to temporarily work at an alternate location. Depending on the nature of your position, you may be redeployed or temporarily reassigned to perform duties in another State agency.

### **13. How will I be paid if I am working from home or from an alternate location?**

As the State remains open and operational, State employees will be paid in their normal manner. This includes casual/seasonal employees, who will be paid for hours worked.

### **14. Who will be asked to or approved to telecommute?**

At the discretion of agency management, an employee may be asked to or offered the opportunity to telecommute. This will depend on several factors including, but not limited to: job function, essential status, operational requirements of the agency, and ability to access required technology in accordance with the State's [Telecommuting Policy](#). Under the Governor's declared State of Emergency, some provisions of the Telecommuting policy may be waived or altered in order to meet operational needs. If you are requesting approval to telecommute due to a compromised immune system, your supervisor may request a physician's note for verification.

### **15. What if I need to miss work to care for an immediate family member who is ill as a result of COVID-19?**

State employees, including casual/seasonal employees, requiring leave to care for an immediate family member as a result of COVID-19 may be eligible to receive FPSL which provides paid leave of up to 10 working days at the employee's regular rate of pay).

State employees, including casual/seasonal employees, may be eligible for up to 14 calendar days (10 workdays) of SPEL to care for a member of your immediate family who is quarantined or is ill as a result of the COVID-19 event. You may be required to provide a letter from a health care provider and/or a public health official indicating that your immediate family member has completed the required monitoring, isolation or quarantine period. If the results of testing for your immediate family member are confirmed, you should remain at home under the guidance provided in #4 and #5 of this FAQ.

During the monitoring, mitigation or emergency management of the coronavirus, agencies are encouraged, whenever operationally feasible, to allow casual/seasonal employees to rearrange their work hours within the pay period so that their paycheck is minimally impacted.

### **16. What if I need to miss work due to a school, dependent care or eldercare facility closure due to a COVID-19 outbreak?**

State employees, may be eligible for 12 weeks or 60 work days of FPEL at 2/3 of the employee's regular rate of pay (maximum of \$ 200 per day) due to COVID-19 closure of a school, childcare to care for children under the age of 18. Two (2) weeks or 10 work days are provided as unpaid leave however, employees may use the



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FPSL, or available sick or annual leave to cover the two-week unpaid period. State employees, with the exception of casual/seasonal employees, may use sick and/or annual leave, use compensatory time, or may borrow ahead a combination of sick and annual leave up to 112.5 hours (37.5 hour work week) or 120 hours (40 hour work week) to cover the 1/3 salary not paid by FPEL.

State employees may be eligible for up to 21 calendar days (15 work days) of SPEL due to closure of a school, childcare or eldercare facility in connection with the monitoring or management of the coronavirus, or as a result of an order or proclamation of public health threat by the Governor, to care for children under the age of 18. Special circumstances may apply. Please seek guidance from your Agency Human Resource Representative. This time is provided to find alternate care for children and elders. You may be asked to telecommute (work from home) if your job allows during this period.

State employees, with the exception of casual/seasonal employees, who need to be absent for more than 21 calendar days for this purpose, are entitled to utilize leave as provided for in [Merit Rule 5](#) and other leave policies.

Agencies are encouraged, whenever operationally feasible, to allow casual/seasonal employees to rearrange their work hours within the pay period so that their paycheck is minimally impacted.

### **17. What options are available for employees who need to be absent from work for any other reason as it relates COVID-19?**

Given that there is considerable uncertainty around how long this situation will continue, and to ensure that employees are taking care of themselves and their families, we are making attempts to be flexible around leave and telecommuting policies. However, we still need to be in a position to deliver state services. As such, you may be asked to telecommute (work from home) if your job and condition allow during this period.

State employees who have been advised by a medical provider to self-quarantine, experiencing COVID-19 symptoms and seeking a medical diagnosis or subject to federal, state or local quarantine or isolation order related to COVID-19 may be eligible for FPSL up to 10 work days at 100% of their regular pay (maximum of \$ 511 per day).

The State may provide up to 30 calendar days (22 work days) of SPEL for an employee, including a casual/seasonal employee, who is directly impacted by this COVID-19 event. Directly impacted means you have been instructed or have chosen to quarantine, self-quarantine, be monitored, isolate or self-isolate. An employee who “chooses” to self-isolate or self-quarantine must have a justifiable reason which are: exposure to a confirmed COVID-19 case; having the symptoms of the virus; or being a member of the high-risk group. The high-risk group includes: persons with compromised immune system; persons with HIV or asthma severely obese with underlying health condition; persons over 60 years of age with an underlying health condition, serious condition; or pregnant women.

You may be required to provide written documentation from your health care provider and/or a public health official of the requirement to be absent from work. You may also be required to provide a letter from your health care provider and/or a public health official indicating that you have completed the required monitoring, isolation or quarantine period as well as provide medical documentation releasing you to full-duty prior to returning to work.

State employees, with the exception of casual/seasonal employees, who need to be absent from work beyond 30 calendar days, are entitled to utilize leave as provided for in [Merit Rule 5](#) and other leave





policies.

**18. What options are available for casual/seasonal employees who may need to be absent from work due to COVID-19?**

All terms stated in these FAQs apply to casual/seasonal employees in the same manner that they apply to other state employees at their average daily hours over a 2-week period, except that once a casual/seasonal employee has utilized the maximum SPEL to which he/she is entitled, the casual/seasonal employee will thereafter be paid only for hours actually worked.

**19. If I am an essential employee, do these rules apply to me?**

Essential employees are required to report to work for their regularly scheduled shift unless instructed otherwise by their employing agency. Managers will be as flexible as possible based on agency operational needs when considering requests for absence due to closure of schools or other dependent care facilities; however, the employee may not assume that the request will be granted and may face disciplinary action if proper leave approval is not granted. If State offices were to close, essential employees may be eligible to receive equal time off for their regularly scheduled shift.

An essential employee who is required to work but cannot report to work due to exposure to or symptoms of COVID-19 shall immediately notify his or her supervisor and follow the guidance provided in #4 or #5 of this FAQ. Under these circumstances, the agency may excuse an essential employee from reporting to work and grant Paid Emergency Leave; however, the employee may be required to provide written documentation from their health care provider or a public health official of the requirement to be absent from work. If the essential employee is unable to provide documentation upon request, he or she may be subject to disciplinary action. The employee may also be required to provide documentation from their healthcare provider or a public health official indicating that he or she has completed the required monitoring, isolation or quarantine period and is released for full duty prior to returning to work.

**20. Am I entitled to use Family and Medical Leave (FMLA) for COVID-19?**

State employees may be eligible to utilize the two new types of temporary leave offered under the Families First Coronavirus Response Act (FFCRA), the FPSL and the FPEL. Employees may be eligible for one or both leaves for similar COVID-19 related reasons to the SPEL that has been provided by the State in the March 16, 2020 Frequently Asked Questions. Leaves under the FFCRA can be taken through December 31, 2020.

You may be entitled to use FMLA for absence related to COVID-19 if you have a qualifying event as defined by the Family and Medical Leave Act. Your Human Resources Representative can assist you with questions related to FMLA eligibility. Additional information can be found here: [dhr.delaware.gov/policies/documents/fmla-policy.pdf](https://dhr.delaware.gov/policies/documents/fmla-policy.pdf).

**21. What is the maximum Paid Emergency Leave I can receive if I am absent for myself and to care for an ill dependent and/or for school closures?**

No employee is eligible to receive more than 30 calendar days (10 workdays) of State Paid Emergency Leave under any circumstance. For employees on 37.5 hour work week, it is 165 hours; for employees on 40.0 hour work week, it is 176 hours; for C/S employees, it is the average daily hours over a 2-week period multiplied by 22.



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### **22. My spouse and I are both State employees. Can we be absent from work or telecommuting at the same time pursuant to the provisions in these FAQs?**

If both spouses are eligible to be absent or to telecommute under the provisions discussed in these FAQs, they may be asked to take the time separately to assure continuity of operations in one or both workplaces.

### **23. Can I both telecommute and collect Paid Emergency Leave in the same workday?**

Employees may be approved to use the telecommuting and leave options described in these FAQs in the same workday. It is the employee's responsibility to accurately report this time to their supervisor.

### **24. What should I do if I have a delayed return from personal travel?**

If you have a delayed return from personal travel as a result of any state's or country's monitoring or management of the coronavirus or transportation disruptions associated with such monitoring or management, you should contact your supervisor. You may be eligible for Paid Emergency Leave for this circumstance or other leave through the Merit Rules will apply if eligible.

### **25. Should I cancel personal travel plans?**

Individuals must make their own decision regarding their personal travel; however, in order to reduce the potential spread of COVID-19, the State is asking that employees planning travel out of the country within the next 30 days, notify their supervisors to discuss a plan for their return to the State. You may be asked to self-quarantine for 14 days upon your return to the U.S. It is advised that employees travelling domestically follow this samepractice.

### **26. Where will notifications of State announcements for State employees be posted?**

Notifications will be posted on the following websites:

Department of Human Resources: [dhr.delaware.gov/closings](https://dhr.delaware.gov/closings)

State of Delaware News: [news.delaware.gov](https://news.delaware.gov)

Notifications will also be sent to local media including print, radio, and television. While every effort is made to provide this information to the media as quickly as possible and in an accurate format, we cannot guarantee or control when or how the media disseminates this information.

**For any other personnel related questions not covered in the Frequently Asked Questions, please contact your Human Resources Representative.**

### **ADDITIONAL RESOURCES:**

Division of Public Health Website: [de.gov/coronavirus](https://de.gov/coronavirus)

Division of Public Health Call Center: 1-866-408-1899

Division of Public Health Email for inquiries and questions: [dphcall@delaware.gov](mailto:dphcall@delaware.gov)

Centers for Disease Control and Prevention: [cdc.gov/coronavirus/2019-nCoV/](https://cdc.gov/coronavirus/2019-nCoV/)