



Revised Coronavirus (COVID-19) Frequently Asked Questions (Revisions 10/01/20)

The content in these Frequently Asked Questions (FAQs) applies to State of Delaware (State) 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 or June 30, 2021, whichever occurs first. 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 USDOL revised its regulations effective on September 16, 2020. Such Revisions are incorporated into this document consistent with such revision.

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 due to their own COVID-19 health-related issues, who must care for eligible individuals with COVID-19-related issues, or who need to care for their 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 with work available who are unable to work or unable to telecommute and need to care for a child under 18 years of age or other circumstances due to a COVID-19-related school or child care closure.

The State Paid Emergency Leave (SPEL) is defined as paid leave for certain purposes for eligible employees who are absent from work due to COVID-19. SPEL will run concurrently with Federal leaves.

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 illnesses, 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).



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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 cloth face cover when around others.
- Cover your mouth and nose with a tissue when you cough or sneeze.
- Refrain from reusing tissues after coughing, sneezing, or blowing your nose.
- Clean and disinfect surfaces that are frequently touched (cell phones, desk phones, keyboards, remote controls, countertops, refrigerators 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 regarding your absence, who will inform your agency human resources office 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 provider¹ or public health official you should be under quarantine due to potential exposure, you should not report to work and may be eligible for COVID-19-related leaves. COVID documentation of absence must be provided as soon as practicable, and not prior to the absence for both expanded FFCRA family leave and sick 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 regarding your

¹ A health care provider must meet the definition of this term under the Family and Medical Leave Act regulations (https://webapps.dol.gov/elaws/whd/fmla/3.aspx?Glossary_Word=PROVIDER#:~:text=The%20Act%20defines%20%E2%80%9Chealth).



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absence, who will inform your agency human resources office that you have taken this step. If you are told by a health care provider or public health official that you are to be under isolation due to having COVID-19, you should not report to work and will be eligible for FPSL. COVID documentation of absence must be provided as soon as practicable, and not prior to the absence for both expanded FFCRA family leave and sick leave. 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.

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 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 currently no cost to members for using these services.

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

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

7. Will my insurance cover the cost of COVID-19 testing and treatment?

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.



8. I am concerned about exposure from a coworker who seems sick. Can I insist that the coworker 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 nonessential out-of-state business travel is restricted. Essential business 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 closely the public may come to employees;
- Educate employees to wash hands often and use alcohol-based hand sanitizer frequently;
- Maintain social distancing;
- State employees are required to wear face coverings in State buildings whenever they are away from their work station; and
- 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 State offices remain 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



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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. In order to receive leave under the FFCRA while working intermittently, the agency must agree to the employee's intermittent working arrangement.

15. What if I need to miss work to care for an individual who is ill as a result of COVID-19?

With the passing of the FFCRA as of April 1st, State employees, including casual/seasonal employees, requiring leave to care for an eligible individual as a result of COVID-19 may be eligible to receive FPSL which provides paid leave of up to 10 workdays at 2/3 the employee's regular earnings.

Eligible State employees, including casual/seasonal employees, may use up to 14 calendar days (10 workdays) of any remaining SPEL to care for an eligible individual who is quarantined or is ill as a result of COVID-19, however the SPEL time will run concurrently with FPSL. You may be required to provide a letter from a health care provider and/or a public health official indicating that this individual has completed the required monitoring, isolation or quarantine period. If the results of testing for this individual are confirmed, you should remain at home under the guidance provided in FAQs #4 and #5. In this instance, an individual is defined as an immediate family member or someone who regularly resides in your home. Caring for someone if your relationship creates an expectation that you would care for the person in a quarantine or self-quarantine situation, and that individual would depend on you for care during the quarantine or self-quarantine, would also qualify. This paid sick leave does not apply to caring for someone with whom the employee has no relationship.²

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 they may continue to work or telework, and their paycheck is minimally impacted.

For further guidance, please refer to the [DHR COVID-19 Leave Policy](#) which applies to Executive Branch Agencies.

16. What if I need to miss work as a result of a school, dependent care or elder care facility closure due to a COVID-19 outbreak?

State employees may be eligible for 12 weeks or 60 workdays of expanded FMLA due to the COVID-19 closure of a school or child care facility to care for children under the age of 18. This leave may also apply for an adult child who is incapable of self-care and whose facility closed due to COVID-19. The first two (2) weeks or 10 workdays of this FMLA are provided as unpaid leave; however, employees may use the available FPSL, or available sick or annual leave to cover the two-week unpaid period. FPSL provides paid leave of up to 10 workdays at 2/3 the employee's regular earnings. State employees, except for casual/seasonal employees, may supplement the FPSL with sick and/or

² <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions#63>



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annual leave, use compensatory time, or may borrow ahead a combination of sick and annual leave up to 75 hours (37.5-hour workweek) or 80 hours (40-hour workweek) to cover the 1/3 salary not paid by FPSL. Following the first two weeks, the expanded FMLA provides for 2/3 the employee's regular earnings from week three (3) through week twelve (12) as Federal Paid Emergency Leave (FPEL). State employees, except for casual/seasonal employees, may supplement the FPEL with sick and/or annual leave, use compensatory time, or may borrow ahead a combination of sick and annual leave up to 75 hours (37.5-hour workweek) or 80 hours (40-hour workweek) to cover the 1/3 salary not paid by FMLA FPEL.

State employees may be eligible for up to 21 calendar days (15 workdays) of SPEL due to closure of a school, child care or elder care 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, however, special circumstances may apply. **SPEL time will run concurrently with FPSL or FPEL.** The last 5 workdays of SPEL for this reason may only be used to supplement FMLA FPEL. Please seek guidance from your Agency Human Resources Representative. 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 may need to be absent for longer for this reason may be entitled to use leave as provided for in [Merit Rule 5](#) and other State 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.

For further guidance, please refer to the [DHR COVID-19 Leave Policy](#) which applies to Executive Branch Agencies.

17. What options are available for employees who need to be absent from work for any other reason as it relates to 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 able to deliver State services. As such, you may be asked to telecommute (work from home) if your job and conditions allow during this period.

State employees who have been advised by a medical provider to self-quarantine, are experiencing COVID-19 symptoms and seeking a medical diagnosis, or are subject to a Federal, State or local quarantine or isolation order related to COVID-19 may be eligible for FPSL up to 10 workdays at 100% of their regular earnings. Any available or unused SPEL time will run concurrently with FPSL.

The State may provide up to 30 calendar days (22 workdays) of SPEL for qualifying employees, including casual/seasonal employees, who are directly impacted by this COVID-19 event. Directly impacted means you have been instructed to quarantine, self-quarantine, be monitored, isolate or self-isolate. An employee who "chooses" to self-isolate or self-quarantine must have one or more



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of the justifiable reasons, which are: exposure to a confirmed COVID-19 case; having the symptoms of the virus and are seeking a medical diagnosis; or being a member of the high-risk/vulnerable group. The high-risk/vulnerable group includes: Individuals over the age of 65 or with an underlying health condition qualify as vulnerable and are strongly advised to continue to shelter in place at this time. This includes people with a chronic lung disease or moderate to severe asthma, people with a serious heart condition, people who are immunocompromised (many conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications), people with severe obesity (body mass index of 40 or higher), and people with diabetes. Individuals who regularly come into close contact with these vulnerable populations should also take enhanced precautions. Any available or unused SPEL time will run concurrently with FPSL or FPEL.

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 (22 workdays), are entitled to utilize leave as provided for in [Merit Rules, Chapter 5](#) and other State leave policies.

For further guidance, please refer to the [DHR COVID-19 Leave Policy](#) which applies to Executive Branch Agencies.

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, except that once a casual/seasonal employee has used the maximum SPEL and/or Federal leaves to which he/she is entitled, the casual/seasonal employee will thereafter be paid only for hours 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 employees may not assume that their 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 reasons in FAQ #17 related to COVID-19 may be eligible for FPSL and shall immediately notify his/her supervisor(?) and follow the guidance provided in #4 or #5 of these FAQs. Under these



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circumstances, the agency may excuse an essential employee from reporting to work and grant FPSL of up to 10 workdays at 100% of their regular earnings. Any available or unused SPEL time will run concurrently with FPSL. 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, s/he may be subject to disciplinary action. The employee may also be required to provide documentation from his/her health care provider or a public health official indicating that s/he 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?

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.

State employees may be eligible to utilize one or both new types of temporary leave offered under the Families First Coronavirus Response Act (FFCRA): the FPSL and the expanded FMLA FPEL. Employees may be eligible for both types of leave due to the COVID-19 closure of a school, child care for children under the age of 18 or an adult child who is incapable of self-care and whose place of care has closed. Leave under the FFCRA can be taken through December 31, 2020.

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

No employee is eligible to receive more than 30 calendar days (22 workdays) of State Paid Emergency Leave under any circumstance. For employees on 37.5-hour workweek, it is 165 hours; for employees on 40.0-hour workweek, it is 176 hours; for casual/seasonal employees, it is the average daily hours over a 2-week period multiplied by 22. The expanded FMLA may apply for school closures and runs concurrently with SPEL.

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 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. Eligible employees who qualify for telecommuting at the same time may do so as long as it is operationally feasible to the agency(ies) involved.

23. Can I both telecommute and collect COVID-19-related leaves 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 employees' 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. Unless the quarantine meets the criteria in FAQ #17 for COVID-19-related leaves, the employee may need to use his/her own leave per the Merit Rules, if applicable.

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. by a State public health official. It is advised that employees travelling domestically follow this same practice. Unless the quarantine meets the criteria in FAQ #17 for COVID-19-related leaves, the employee may need to use his/her own leave per the Merit Rules, if applicable.

26. Are there any employee exceptions to the Federal leaves?

Employees that fall into the categories of emergency responders and health care providers are eligible for leave if they are ordered to quarantine or become ill due to COVID-19. However, these employees are not eligible to utilize leave for other reasons related to COVID-19, such as leave to care for ill or quarantined individuals or for lack of child care or school purposes.

Emergency responders are considered employees who are necessary for the provision of transport, care, health care, comfort and nutrition of such patients, or others needed for the response to COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 9-1-1 operators, child welfare workers and service providers, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency, as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility.

A health care provider must be capable of providing and employed to provide diagnostic, preventative, or treatment services or services that are integrated with and necessary to diagnostic, preventative, or treatment services and, if not provided, would adversely impact patient care.

27. Where will notifications of State announcements for State employees be posted?

Notifications will be posted on the Department of Human Resources' website:
<https://dhr.delaware.gov/>.

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



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ADDITIONAL RESOURCES:

Division of Public Health Website: 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

Centers for Disease Control and Prevention: cdc.gov/coronavirus/2019-nCoV/