

FAQ: What to Do if I or a Coworker Tests Positive for COVID-19?

1. What should I do if a coworker comes to work and has symptoms that may indicate he/she could have COVID-19?

Immediately contact your supervisor or HR department representative if you believe a coworker has come to work sick. The employee should be wearing a mask, placed in a private room and notify the supervisor. The supervisor will make the decision whether to send the employee home.

2. My coworker tested positive for COVID-19. Now what?

A co-worker who has tested positive is expected to notify his or her supervisor. The supervisor should speak with the employee and develop a list of persons with whom the employee has been in close contact. Close contact is considered exposure for 15 minutes or longer and within 6 feet or less. If a co-worker tests positive, you will be advised of the exposure and advised about steps to take, including isolating at home and monitoring your own symptoms. You WILL NOT be told the name of the person who tested positive as that information is confidential medical information. Supervisors are expected to report the positive cases to the DCHHS at 214 -819-2004. Physicians from the health department can advise supervisors about specific situations.

3. A coworker tested positive but I was not in close contact with them. Is there still a risk that I could get sick?

The CDC indicates that, while reduced, there is still a risk that you could have been exposed to and contracted COVID-19. The CDC recommends that you should wear a face covering, practice physical distancing of at least 6 feet and limiting contact to 15 minutes or less. Other precautions include other personal prevention steps, like washing or sanitizing your hands frequently and avoiding touching your eyes, nose, and mouth with unwashed hands. You should also monitor yourself for symptoms of COVID-19 like fever, cough, or shortness of breath.

4. A coworker tested positive. Do I have a right to be tested?

Dallas County updated the testing criteria at all Dallas County testing sites to include all Cybersecurity and Infrastructure Agency (CISA) essential business employees with or without symptoms. This includes all school employees, construction employees, and other employees of businesses on the CISA list. The full list of CISA employees is located at the link below:

Testing Criteria

- Persons with symptoms of potential COVID-19 infection, including: fever, cough, shortness of breath, chills, muscle pain, new loss of taste or smell, vomiting or diarrhea, and/or sore throat; OR
- Anyone 65-years-old or older; OR
- Anyone with chronic health issues (diabetes, asthma, heart issues, etc.); OR
- Any first responders, DART drivers, healthcare workers, and any employee who is considered an “Essential Critical Infrastructure Worker” by CISA; OR
- Persons without symptoms who have been actively engaged in large group settings, such as public gatherings or congregations of people, within the past 15 days.

Residency requirement

Persons must live within the boundaries of the City of Dallas or Dallas County.

Exceptions to the residency requirement

First responders, DART drivers, healthcare workers, grocery store and essential retail store workers; must have a work ID and must work in Dallas County/City of Dallas.

- City of Dallas and Dallas County employees; must provide a valid work ID.

5. How long do persons who tested positive for COVID-19 and who had symptoms need to stay away from work?

Persons with COVID-19 who have symptoms and were directed to care for themselves at home may discontinue isolation under the following conditions:

- At least 10 days* have passed since symptom onset; and
- At least 24 hours have passed since resolution of fever without the use of fever-reducing medications; and
- Other symptoms have improved.

6. My coworker tested positive and identified me as a close contact. I was sent home and want to be tested. Does a negative test mean that I can go back to work?

No, a person identified as a close contact should stay home for 14 days even if they are tested and the test comes back negative. This is because a test only determines if you are infected with COVID-19 at the time of your test. It is possible that you were tested very early in your infection and you could test positive later during the 14-day incubation period. A person may be asymptomatic

7. What to do if an employee claims to have been exposed but does not want to test?

Before the employee may return;

- At least 10 days since symptoms first appeared and
- At least 24 hours with no fever without fever-reducing medication and
- Symptoms have improved

8. I think or know I had COVID-19, and I experienced symptoms.

You can be with others after,

- At least 10 days since symptoms first appeared and
- At least 24 hours with no fever without fever-reducing medication and
- Symptoms have improved

Depending on your healthcare provider's advice and availability of testing, you may be tested again for COVID-19. If you are re-tested, you may be around others when you are fever free, respiratory symptoms have improved, and you receive two negative test results in a row, at least 24 hours apart.

Note: Supplemental order of County Judge Clay Jenkins on continuing requirements after expiration of stay home, stay safe date order issued: June 16, 2020 under the authority of Texas government code section 418.108, Dallas county Judge Clay Jenkins orders.

c. Employers shall not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work. This provision does not apply to hospitals or healthcare workers following the CDC's test-based strategy for return to work criteria for healthcare personnel with confirmed COVID-19.

9. I tested positive for COVID-19 but had no symptoms.

If you continue to have no symptoms, you may be around others after:

- 10 days have passed since test virus

For Anyone Who Has Been Around a Person with COVID-19, It is important to remember that anyone who has close contact with someone with COVID-19 should stay home for 14 days after exposure based on the time it takes to develop illness (extreme cases were the person is unable to self-isolate from the person who is sick).

<https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/quarantine.html>

10. I live in a household where I cannot avoid close contact with the person who has COVID-19. I am providing direct care to the person who is sick, don't have a separate bedroom to isolate the person who is sick, or live in close quarters where I am unable to keep a physical distance of 6 feet.

You should avoid contact with others outside the home while the person is sick, and quarantine for 14 days after the person who has COVID-19 meets the criteria to end home isolation.

11. Requirements for Emergency Leave and FFCRA:

The Emergency Paid Sick Leave Act states:

- Employers must provide paid sick time to eligible employees who are unable to work due to the impacts of COVID-19.
- Paid sick time may be used before other paid leave.
- A part-time employee is entitled to paid sick time based on the employee's average hours worked.

The Emergency Family and Medical Leave Expansion Act states:

- Employers must allow employees to take leave to provide care for children under the age of 18 due to a daycare or school closing.
- The first ten days of FMLA leave are unpaid. However, employees are eligible to utilize emergency paid sick leave (cited above) or any other accrual for the first ten days.
- After the first ten days, the employee must be paid 2/3 of the employee's salary, up to \$10,000.

12. Under what categories does an employee qualify for emergency paid sick leave under the FFCRA?

- (1) The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
- (2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- (3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- (4) The employee is caring for an individual who is subject to a quarantine or isolation order as described in (1) above or has been advised as described in (2) above.
- (5) The employee is caring for a son or daughter whose school or place of care has been closed or whose childcare provider is unavailable due to COVID-19 precautions.
- (6) The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of the Treasury and the Secretary of Labor.

13. How many hours of COVID-19 SICK LEAVE does each employee receive under the FFCRA?

Any County employee who has been employed by the County for at least one day is entitled to the following:

- For a full-time employee, up to 80 hours;
- For a part-time employee, a number of hours equal to the number of hours that the employee works, on average, over a two-week period.

14. Does an employee have to exhaust other paid leave balances before using COVID-19 SICK LEAVE?

No. Employees are not required to use any other accrued leave prior to using COVID-19 SICK LEAVE. Use of COVID-19 SICK LEAVE does not count against an employee's paid leave accrual balances, such as accrued sick leave, vacation leave, etc.

15. Does COVID-19 SICK LEAVE provide pay at an employee's regular rate of pay?

COVID-19 SICK LEAVE rates of pay are calculated in the following manner:

- Employees who take COVID-19 SICK LEAVE for themselves (categories 1-3 FAQ #2) must be paid at regular rates of pay, subject to a cap of \$511 per day and \$5,110 in the aggregate.
- Employees who take COVID-19 SICK LEAVE to care for individuals (categories 4-6 in FAQ #2) must be paid at 2/3 of the regular rates of pay, or the federal minimum wage, whichever is greater, subject to a cap of \$200 per day and \$2,000 in the aggregate.

16. What is the process for an employee to apply for COVID-19 SICK LEAVE?

An employee seeking approval to take COVID-19 SICK LEAVE must submit a request to the employee's supervisor and follow processes required for all other leave requests.

17. Are health care providers and emergency responders allowed to take the expanded Family and Medical Leave provided for in the FFCRA?

No.

18. Who are emergency responders under this exemption?

Emergency responders are all employees assigned to the following departments:

- Sheriff Department
- Fire Marshal's Office
- Marshal Service/Building Security
- Homeland Security and Emergency Management

- Health and Human Services
- Juvenile
- Facilities
- Road and Bridge

*Specific personnel within the departments may *not* be considered emergency responders at the discretion of the Elected Official/Department Head

The County may designate additional personnel as emergency responders consistent with guidance provided by the Department of Labor or as circumstances dictate during this pandemic.

19. Are unused COVID-19 SICK LEAVE balances carried over to next year or paid upon termination of employment?

No, unused COVID-19 SICK LEAVE does not carry past the current calendar year and unused balances will not be paid upon separation from Dallas County.

20. How is eligibility different under the FFCRA for expanded Family and Medical Leave?

Expanded Family and Medical Leave is available to any Dallas County employee who has been employed by the County for more than 30 days. Leave is available if the employee is unable to work (or telework) because the employee must care for a son or daughter under 18 years of age because the child's school or place of care has been closed or the child's care provider is unavailable due to the COVID-19 pandemic.

21. Is the expanded Family and Medical Leave paid leave or unpaid leave?

The first ten days of leave is unpaid leave. However, an employee may use any accrued leave or up to 80 hours of COVID-19 SICK LEAVE to cover the first ten days of leave.

22. What happens after the first ten days of Family and Medical Leave?

After the first ten days of leave, the expanded Family and Medical Leave is partially paid by the County. After the tenth day of leave, an employee receives an amount that is not less than two-thirds of the employee's regular rate of pay for the number of hours the employee would otherwise be scheduled to work. Paid shall not exceed \$200 per day and \$10,000 in the aggregate.

23. How does an employee apply for this type of Family and Medical Leave?

Dallas County employees will apply for the expanded FMLA leave through the County's third-party administrator, Sedgwick.

24. Will the expanded Family and Medical Leave provisions apply to other types of Family and Medical Leave?

No. Employees taking Family and Medical Leave for reasons other than as provided in the FFCRA follow existing procedures. In addition, the expanded Family and Medical Leave Act provisions do not increase the total amount of Family and Medical Leave an employee may take within a twelve-month period (up to twelve weeks).

25. Are there additional provisions in the FFCRA that apply to Dallas County employees?

Yes, private health plans must provide coverage for COVID-19 diagnostic testing, including the cost of a provider, urgent care center, or emergency room visit in order to receive testing, at no cost to the employee and without prior authorization or other medical management requirements.

For more information regarding the Families First Coronavirus Response Act, see links to the U.S. Department of Labor below:

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

<https://www.dol.gov/agencies/whd/pandemic/ffcra-poster-questions>

<https://www.dol.gov/sites/dolgov/files/WHD/Pandemic/FFCRA-Employee Paid Leave Rights SPANISH.pdf>

<https://www.dol.gov/sites/dolgov/files/WHD/posters/FFCRA Poster WH1422 Non-Federal.pdf>

26. May an employee opt to telework if they test positive and have no symptoms?

Only eligible employee who qualify for telework will be able to do so. Department and employee must comply with Dallas County Sec. 82-33. - Telecommuting program.

27. Requesting negative test results or doctor's note as a condition to return to work.

No, Judge Jenkins Supplemental Order dated June 16, 2020 prohibits employers from requiring a doctor's note or negative test results as a condition to return to work.

28. May a department require an employee to test?

No, only the employee can decide to do so.

Helpful links:

Office of Judge Clay Jenkins

<https://www.dallascounty.org/covid-19/jenkins.php>

Health and Human Services

<https://www.dallascounty.org/departments/dchhs/2019-novel-coronavirus.php>