



FAQs for COVID-19 Return to Work: LEAVES OF ABSENCE

1. If I am unable to return to work due to a medical condition, what are my options?

If employees are instructed to return to their work site and are unable to return due to a medical condition, you will need to obtain an approved leave status to remain in a positive employment status. The following leave option(s) may be available to you (*dependent upon eligibility requirements*):

<u>Leave Type</u>	<u>Description</u>	<u>Contact</u>
Families First Coronavirus Response Act (FFCRA)	<p>This is a temporary leave option through 12/31/20.</p> <p>*Paid Sick Leave up to a maximum of two (2) weeks or until 12/31/20 for specified medical reasons related to COVID-19 and/or</p> <p>*Partially paid expanded leave up to a maximum of 12 weeks or until 12/31/20 for daycare/childcare issues related to COVID-19 school/daycare closure</p>	<p>The Office of Benefits, Leaves and Retirement (443)809-8947 covidleaves@bcps.org</p>
Family Medical Leave Act (FMLA)	<p>Unpaid job and benefit protected Leave up to twelve (12) weeks in a rolling 12-month period due to the birth of a child and/or the serious health condition of an employee, parent, child, or spouse.</p>	
Personal Illness Integrated Disability Management (IDM) program	<p>Usage of ten (10) or more consecutive accrued Personal Illness days and/or Sick Leave Bank.</p>	<p>The Office of Employee Absence and Risk Management (443)809-2014 covidleaves@bcps.org</p>

2. Can employees be granted unpaid leave under the Family and Medical Leave Act(FMLA)?

Unpaid FMLA is granted on a case-by-case basis, depending on eligibility, each employee’s specific needs, and supporting medical documentation.

3. My doctor says that I cannot return to a physical workplace until a vaccine is available. What are my options?

Employees may explore the leave options set forth in the answer to question number 1. However, employees should understand that there are no indefinite leave options available. When a vaccine will be readily available is unknown at this point in time. BCPS cannot hold positions open for employees indefinitely due to the uncertainty it causes to BCPS’s ability to properly staff schools and offices so that students educational needs are met. Therefore, employees are cautioned against exhausting all of their leave options, as there may be negative employment consequences for doing so.

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4. Either a family member who lives with me or I are part of a vulnerable population. I do not feel safe returning to work at this time. What can I do?

Employees may explore the leave options set forth in the answer to question number 1. However, employees should understand that there are no indefinite leave options available. Employees are cautioned against exhausting all of their leave options, as there may be negative employment consequences for doing so. If you care for a family member with a medical condition, you may qualify for leave under the FMLA.

Please understand that BCPS has taken great efforts to work within local, state, and federal guidelines in considering reopening schools. For more information about BCPS's efforts to keep you safe, please go to the BCPS One Page and click on the [COVID-19 Resources](#) tab.

5. I have a doctor's note that says I can return to work but with restrictions, what do I do?

If you have a medical condition that requires accommodations, you may apply for accommodations under the terms of the Americans with Disabilities Act ([ADA](#)). Forms to apply for an accommodation can be found at the [Office of Equal Employment Opportunity](#) (EEO), or by calling (443)809-8937. You may also email [Stacey Swink](#) (In light of remote work schedules, email is the best means of communication for the quickest response.)

6. If I am directed to return to work, can I be granted an accommodation to work solely from home?

Any employee who has a medical condition may seek workplace accommodations, please see the information provided in the answer to question number four. Accommodations for remote work can be considered in light of Baltimore County Public Schools' current status, the nature of the employee's work, the need for in-person work, and whether the employee can be reasonably accommodated. Given the various positions at Baltimore County Public Schools, such requests will be made on a case-by-case basis and will need to balance the employee's health needs along with the needs of the workplace. However, Baltimore County Public Schools cannot guarantee that all requests to work solely from home will be granted. Even if an accommodation request is not granted, Baltimore County Public Schools will work with the employee to discuss alternatives to the requested accommodations.

6. COVID-19 is impacting me personally and professionally. What resources are available to me?

We understand that any time an employee is faced with a medical condition or uncertainty, it may impact many areas of your life, both personally and professionally. The Employee Assistance Program ([EAP](#)) provides short-term counseling and referral assistance for employees and their families experiencing problems that may affect work performance. All EAP services and supports continue to be available during the COVID-19 pandemic. The Baltimore County Public Schools' EAP has both an internal and external EAP. [Janice Zimmerman](#) is the Internal EAP Baltimore County Public Schools' Counselor, phone number is (410)887-5414 or CIGNA IS THE EXTERNAL EAP Provider and the phone number is (888)431-4334.

For additional information, please refer to the following:

[Baltimore County Public Schools Re-Opening Plan](#)

[Family Medical Leave Act](#) (FMLA)

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[Families First Coronavirus Response Act \(FFCRA\)](#)

[Office of Benefits, Leaves and Retirements \(BLR\)](#)

[Integrated Disability Management \(IDM\) program](#)

[Americans with Disabilities Act \(ADA\)](#)

[Office of Equal Employment Opportunity \(EEO\)](#)

[Employee Assistance Program \(EAP\)](#)

9/28/2020

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FAQs for COVID-19 Return to Work: CHILDCARE CONCERNS

1. If I am required to return to a physical workplace, can I bring my children to work?

No. Employees may not bring their children to work with them. There are many issues related to bringing children to work, including safety and security issues. As BCPS is working to promote a safe return to work, additional people in a workspace may compromise efforts related to social distancing, mask wearing, and controlling the number of people in a physical space. We ask for your patience as more clarity and direction is pending regarding who and when employees will be required to return to work.

2. Can I be granted a workplace accommodation to work remotely from home to care for my children?

No. Accommodations under the Americans with Disabilities Act (ADA) are granted based upon a disability or medical condition of an employee. Accommodations are not granted for childcare purposes.

3. I am unable to continue working remotely and/or report to a school building in-person due to daycare/childcare issues. Am I eligible for a leave of absence?

The Department of Labor enacted a temporary partially paid expanded family and medical leave under the Families First Coronavirus Response Act (FFCRA) up to a maximum of 12 weeks through 12/31/2020. If the Department of Labor extends this leave option beyond 12/31/2020, additional information will be provided. Please refer to the [Families First Coronavirus Response Act](#) regarding FFCRA eligibility and requirements. To apply for the leave, contact the [Office of Benefits, Leaves and Retirements](#) (BLR). Beyond FFCRA, there are no leave options available to employees strictly due to daycare/childcare issues. It is recommended that employees make plans for daycare/childcare prior to being instructed to return to buildings in-person.

4. I have been working remotely since March. Why can't I continue to work remotely?

At this point in time, working remotely is only available to those employees whose work is conducive to working remotely. If teachers are required to report to a school building to teach students in person, then working remotely is not an option. Teachers are responsible for classroom management and instruction, which are essential functions of the teacher position. Those tasks may not be delegated to someone who is not a teacher. For many reasons, students may not be in a classroom in a school, while a teacher is on a screen teaching remotely. To do so raises not only performance related concern (student instruction and classroom management), it also raises concerns about students being properly monitored in a school building and whether BCPS has enough resources to bring in additional staff to ensure the appropriate and safe operations of schools.

5. I do not want to take a leave of absence. Are there any other options available to me?

For most employees with concerns about childcare, their only options are to return to work when specifically directed to do so or take a leave of absence. BCPS has a number of benefits to support the needs of employees, but as in any other work situation, BCPS does not have any benefits related to childcare. We encourage employees to utilize the Cigna Employee Assistance Program ([EAP](#)), which is a resource that is free of charge to BCPS employees, to seek assistance in identifying childcare options

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within your community. Cigna, BCPS's external EAP provider can be reached by phone at (888)431-4334. We encourage employees to plan ahead in an effort to address any anticipated childcare needs.

For additional information, please refer to the following:

[Baltimore County Public Schools Re-Opening Plan](#)

[Baltimore County Public Schools COVID-19 Resources](#)

[Americans with Disabilities Act \(ADA\)](#)

[Office of Equal Employment Opportunity \(EEO\)](#)

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FAQs for COVID-19 Return to Work: GENERAL QUESTIONS

1. **What is the Baltimore County Public Schools' re-opening plan for the fall of 2020?**

On Thursday, September 23, 2020, Superintendent, Dr. Williams announced an update to its' initial reopening plan which states the previous timeline, shared on September 17, 2020, has been revised and the return of all school staff will be determined after continued review and collaboration. Although all school staff is not returning at this time, on November 2, 2020, we will commence our phased-in approach beginning with BCPS public day schools. Our public day schools include White Oak School, Ridge Ruxton School, Battle Monument, and Maiden Choice School. The target date for the return of staff of these schools is **November 2, 2020**. The target date for the return of students at this schools is **November 16, 2020**. The return of these small cohorts of students and staff will be closely monitored. Further adjustment to the timeline will be made as necessary. Employees are encouraged to stay abreast of the latest developments by visiting [Baltimore County Public Schools Re-Opening Plan](#) on the BCPS website.

Community feedback on the plans for a gradual return to in-person instruction can be sent to reopening@bcps.org. The feedback received will be reviewed by the Reopening Design Team and the COVID-19 Taskforce.

2. **I have a family member or someone I live with who is at high-risk for COVID-19, what are my options?**

Contact the [Office of Benefits, Leaves and Retirements](#) regarding possible leave options. You may also call (443)809-8947 or email covidleaves@bcps.org for information.

3. **My doctor says that I am high-risk, but my position does not allow for remote work. Do I still have to return to my worksite?**

If employees are instructed to return to their work site and are unable to return due to a medical condition, their supervisor will need to submit a report of extended absence to the Integrated Disability Management (IDM) program at rtw@bcps.org. [IDM](#) is the usage of ten (10) or more consecutive accrued Personal illness days and/or Sick Leave Bank days. The IDM program will monitor the absence and inform the employee of their responsibilities and requirements while on personal illness leave. These employees may qualify for two (2) weeks of FFCRA Leave prior to the use of personal illness and should contact covidleaves@bcps.org for more information.

If the employee does not have personal illness and/or Sick Leave Bank days to use, they will be evaluated for eligibility for an approved unpaid leave status. Contact Nurse Case Manager, Amber Watson with the [Office of Employee Absence and Risk Management](#) for additional information at awaston3@bcps.org or (443)809-2014.

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If you have a medical condition that requires accommodations, you may apply for accommodations under the terms of the Americans with Disabilities Act ([ADA](#)). Forms to apply for an accommodation can be found at the [Office of Equal Employment Opportunity](#) (EEO), or by calling (443)809-8937. You may also

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 - ii. **CIGNA IS THE EXTERNAL EAP Provider** and the phone number is (888)431-4334.
8. **I think I have contracted COVID-19, what do I do?**

Contact your medical provider and follow their guidelines. You should also inform your supervisor that your medical provider has instructed you to remain off site. Your supervisor will contact the Office of Health Services for next steps, per Baltimore County Public Schools' guidelines.

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9. **What is the Families First Coronavirus Response Act (FFCRA)?**

Temporary leave under the Emergency Paid Sick Leave Act and Emergency Family and Medical Leave Expansion Act, both part of the Families First Coronavirus Response Act (FFCRA), effective April 1, 2020 through December 31, 2020. Please refer to the [Families First Coronavirus Response Act](#) regarding FFCRA eligibility and requirements.

For additional information, please refer to the following:

[Baltimore County Public Schools' Re-Opening Plan](#)

[Family Medical Leave Act](#) (FMLA)

[Families First Coronavirus Response Act](#) (FFCRA)

[Office of Benefits, Leaves and Retirements](#) (BLR)

[Integrated Disability Management](#) (IDM) program

[Americans with Disabilities Act](#) (ADA)

[Office of Equal Employment Opportunity](#) (EEO)

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9/28/2020