

COVID-19 Guidelines
*** For Workforce Distribution ***
Updated November 3, 2020

This guide, as well as the definition of a Health Care Worker (“HCW”), applies to all workforce members in the Medical Center, Faculty Practice Group, Ambulatory Practices and DGSOM (“Workforce members”).

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COVID-19 related Leaves and Job Protection

In March, former President Napolitano issued an [executive order](#) whereby eligible workforce members would receive a “one-time allotment of up to 128 hours of paid administrative leave”, subject to specific conditions (See “President Napolitano’s Executive Order Dated March 16, 2020” below).

In April, the Families First Coronavirus Response Act (FFCRA) was signed into law and created two new emergency paid leave requirements – the Emergency Paid Sick Leave Act (EPSLA) and the Emergency Family and Medical Leave Expansion Act (EFML). In September, the Department of Labor (DOL) issued updated FFCRA regulations effective September 16, 2020.

The update in September changed the definition of Healthcare Worker (HCW), which means that some workforce members are now considered non-healthcare workers (non-HCWs) and they are eligible for EFML and EPSL (for all reasons).

Accordingly, UC has revised its definition of “health care worker” (HCW) for purposes of these leaves as follows.

- A “health care worker” (HCW) is any person employed by UC to provide diagnostic services, preventive services, treatment services, or other services that are integrated with and necessary to the provision of patient care and, if not provided, would adversely impact patient care.

Note: Employees who do not fall within the definition above are not considered “health care workers” (non-HCWs) for purposes of this definition even if they provide a service that affects the University’s provision of health care services. For example, IT professionals, building maintenance staff, human resources personnel, cooks, food services workers, records managers, consultants, and billers are not considered “health care workers,” even if they work at a UC medical center or other UC health care facility. Please contact your supervisor or manager for individual questions about your status as a HCW for the purposes of FFCRA. HCWs, as defined above, remain ineligible to take EPSL for Reasons 4 or 5 and ineligible for EFML.

In early April, the former President and Chancellors announced that there will be [no COVID-19 related layoffs](#) for all career employees through the fiscal year ending on June 30, 2020.

What does this mean?

I. There are three COVID-19 related paid leave provisions applicable to policy-covered and represented workforce members:

UC Expanded Paid Administrative Leave	FFCRA Emergency Paid Sick Leave (EPSL)	FFCRA Expanded Family and Medical Leave (EFML)
All HCW/Workforce members are eligible.	<u>HCWs</u> : eligible to take EPSL for reasons 1, 2, 3, 6; not eligible for reasons 4 & 5	<u>HCWs</u> are ineligible for EFML. <u>Non-HCWs</u> are eligible for EFML. Maximum potential entitlement:

<p>Maximum potential entitlement: FTE: Up to 128 hours Part-Time EE: Prorated by appointment percentage</p> <p>Requires approval by supervisor</p> <p>One-time allotment</p>	<p><u>Non-HCWs</u>: eligible to take EPSL for all reasons; eligible for 4 and 5 as of 9/16/20.</p> <p>Maximum potential entitlement: FTE: 80 hours Part-Time EE: Two-week equivalent</p> <p>It may be taken intermittently for non-exempt staff and in one day increments for exempt staff.</p>	<p>Up to 12 workweeks for any eligible EE</p> <ul style="list-style-type: none"> • First 2 weeks unpaid unless EE elects to use other available paid leave <p>Must be taken in blocks of at minimum <i>two weeks</i> (though can be taken in shorter blocks in certain limited circumstances)</p>
<p>Mar 1, 2020 – Dec 31, 2020 <i>All entitlements must be used by December 31, 2020.</i></p>	<p><u>Apr 1, 2020 – Dec 31, 2020</u>: for HCWs and non-HCW for reasons 1, 2, 3, 6 <u>September 16, 2020 – Dec 31, 2020</u>: for non-HCW reasons 4 & 5 <i>All entitlements must be used by December 31, 2020.</i></p>	<p>September 16, 2020 – Dec 31, 2020 <i>All entitlements must be used by December 31, 2020.</i></p>
<p>No prior service requirements</p>	<p>No prior service requirements</p>	<p>On UC payroll for the 30 calendar days immediately prior to the leave</p>
<p>Used for the following purposes:</p> <ol style="list-style-type: none"> 1. EE unable to work due to own or family member’s COVID-19 related illness 2. EE unable to work because directed not to come to worksite for COVID-19 related reasons and/or worksite implemented COVID-19 related remote work or is under shelter in place order and it is not operationally feasible for employee to work remotely 3. EE unable to work due to COVID-19 related school or daycare closure which requires EE to be at home with a child or dependent and not operationally feasible for EE to work in conjunction with childcare commitment. <p>The use of UC Expanded Paid Administrative Leave “shall not adversely affect the delivery of</p>	<p>Used for the following qualifying reasons: EE unable to work or telework because of:</p> <ol style="list-style-type: none"> 1. Quarantine or isolation by federal, state or local order 2. Told by health care provider to self-quarantine 3. Experiencing COVID-19 symptoms and seeking diagnosis 4. Caring for individual subject to quarantine/isolation order or who was told by health care provider to self-quarantine* 5. Caring for child whose school/place of care is closed or child care provider unavailable due to COVID-19* 6. Other substantially similar condition specified by HHS Secretary <p><i>* Health care workers and emergency responders are not eligible to take EPSL for reasons 4 or 5. Non-HCW are eligible to take EPSL for all reasons (see revised definition effective 9/16/20).</i></p>	<p>Used for the following qualifying reason: EE unable to work or telework because of caring for child whose school/place of care is closed or child care provider unavailable due to COVID-19 (same as reason #5 under EPSL)</p> <p>Any prior use of Family & Medical Leave Act (FMLA) entitlement in 2020 reduces EE’s entitlement under EFML. Any use of EFML also reduces FMLA entitlement in 2020 assuming EE is eligible for FMLA. First two weeks of EFML are unpaid unless EE elects to use other available paid leave. An EE’s maximum potential paid entitlement under expanded family and medical leave is 10 workweeks.</p>

essential university services, including in particular, the clinical services delivered by UC Health.”		
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II. Job protection for all career employees through the fiscal year ending on June 30, 2020.

- This applies to all current career workforce members working a fixed or variable percentage of time at 50% or more, and hold positions that are expected to continue for a year or more. This includes trainees (i.e. residents and post-docs) and student employees in career staff positions (i.e. Graduate Student Researchers and Academic Student Employees). This also includes probationary employees.
- This does not apply to the following staff positions: Casual Restricted, Employment Contract, Floater, Limited and Per Diem.
- Eligible workforce members may choose the order in which they use the 3 paid leave provisions in the table above, and any other paid leave accruals.
- UCLA Health workforce members are expected to work to the fullest extent possible, either on site or remotely. This includes reassignment and redeployment.
- In order for a workforce member to be eligible for pay continuation through June 30, they must satisfy the following requirements:
 - i. Must be a current career workforce member
 - ii. Because of facility closures, curtailed operations, or other University-related disruptions (e.g. cancellation of lab operations) due to COVID-19, the workforce member must not be able to work on site or remotely in any capacity.
 - iii. Workforce member has exhausted use of all COVID-19 related paid leave options that may have been available to them (see the options in the table above)
 - iv. After a workforce member satisfies the third requirement (iii), they must use 40 hours of their accrued vacation leave and/or similar leave accruals such as PTO or CTO. After 40 hours of accrued vacation/PTO/CTO has been exhausted, they may be granted extended paid admin leave through June 30th.
- Workforce members will not be eligible for pay continuation if they do not satisfy all of the necessary requirements above with the exception of the next bullet**, which addresses workforce members who have been advised to self-quarantine due to concerns related to COVID-19. Workforce members who choose not to satisfy the third requirement (iii) and/or the fourth (iv) may use accruals as appropriate (in accordance with PPSM and collective bargaining agreements) or be placed on an unpaid leave of absence if they still do not have available work on site or remotely.
- **Workforce members who have been advised by a health care provider to self-quarantine because (a) the employee has COVID-19 or may have COVID-19; or (b) the employee is particularly vulnerable to COVID-19 (i.e. immunocompromised, chronically ill, pregnant), and who are unable to work remotely (either because it is not operationally feasible or because their health care provider has advised against it) may be eligible for pay continuation if requirements (i), (iii), and (iv) above are satisfied, even if requirement (ii) is not met. To request pay continuation in a situation like this, workforce members should inform their supervisor and be prepared to provide documentation from their health care provider confirming that the health care provider has advised the employee to

self-quarantine due to concerns related to COVID-19. If there is remote work available, but the health care provider has advised against it, the documentation should state that.

- The University is tracking and reporting the amount of COVID-19 leave taken and the associated payroll expense. The UCPATH Center is working on mechanisms to track the type of leaves taken, including the Reason. Not all entry and calculations will be automated in UCPATH or PPS. UCLA Health will be addressing appropriate updates in HBS.
- UCLA Health workforce members will continue to have any existing health benefits while on paid leave. Workforce members on paid leave will continue to accrue vacation and sick leave, as well as service credit for the purposes of UCRP, as they normally would while on pay status.

In some situations, pay continuation may end sooner than June 30, 2020 due to non-COVID-19 related reasons. These are generally situations related to the normal course of business. For example:

- Employees with appointments or employment contracts that expire before June 30 will be subject to the current terms and conditions of their appointments or employment contracts.
- Employees on research contracts or grants will be subject to the current terms and conditions of their appointments or employment contracts if the contract or grant funding expires or is depleted before June 30, 2020.
- There may be reductions in hours, and in some cases staff, as a part of the University's typical student and career employee summer staffing and clinical workforce adjustments. For example, if an employee's work hours or pay are typically seasonally adjusted before June 30, 2020, those adjustments will still occur.

III. FFCRA Emergency Paid Sick Leave (EPSL) & Expanded Family and Medical Leave (EFML)

EPSL

- HCWs are eligible for EPSL, regardless of their length of employment at the University, for reasons 1, 2, 3 and 6 listed in the table above. It is unlikely that reason 1 would apply, and reason 6 does not exist yet. Please refer questions to your supervisor.
- HCWs are ineligible to take EPSL for Reasons 4 or 5 listed in the table above.
- Non-HCWs are eligible for EPSL for all reasons in the table above, regardless of their length of employment at the University.
- EPSL may be taken intermittently for non-exempt staff and in one day increments for exempt staff.
- We have EPSL leave codes and a process for requesting EPSL leave. Workforce members requesting EPSL should utilize the Leave of Absence Notification system, which has been updated and can be found [here](#). Workforce members can choose "COVID19 EPSL" under the leave type dropdown menu. The EPSL form is imbedded within LOAN and requires workforce members to specify pertinent information regarding eligibility and to certify that the information provided is correct. .
- All other standard leave options still exist, including FMLA/CFRA.

- An eligible employee is entitled to EPSL regardless of how much leave they have taken under the FMLA.
- The total number of hours for which a workforce members can take EPSL is capped at 80 hours for full-time employees and the two-week equivalent for part-time employees.

EFML

- HCWs are ineligible for EFML (FFRCA definition)
- Non-HCWs are eligible for EFML for the period of September 16 – December 31, 2020.
 - An eligible employee may take EFML if the employee is unable to work or telework because the employee is caring for their child whose school or place of care has closed (or whose child care provider is unavailable) due to COVID-19 precautions.
 - An eligible employee may take EFML if the University has work for the employee and the employee is unable to perform that work, either under normal circumstances at their normal worksite or by means of telework due to the qualifying reason above. Employees should provide notice as soon as practicable when it is foreseeable.
 - The employee will need to confirm that there is no other suitable person to care for the employee's child during the period for which the employee is requesting EFML.
 - If the child is older than 14 and the employee will be caring for the child during daylight hours, the employee will need to explain the special circumstances that make it necessary for the employee to provide care to that child during that period. If the child is 18 years or older, the child must be incapable of self-care due to a mental or physical disability.
- Eligibility for EFML: Non-HCWs are eligible for EFML if they have been on the University's payroll for the 30 calendar days immediately prior to the day that their EFML would begin.
- Amount of Potential EFML Entitlement: Up to 12 workweeks (between 9/16/20 – 12/31/20).
 - The amount of EFML that employee can take will depend on whether the employee has already used any of their leave under FMLA in 2020. If an employee has taken some but not all of their 12 workweeks of FMLA leave in 2020, the employee may take the remaining workweeks of leave as EFML. If an employee has already used 12 workweeks of FMLA leave during 2020, the employee will not be able to take any EFML.
 - An employee who is not eligible for leave under the FMLA will still have a full 12 workweek entitlement to EFML in 2020 if eligible for EFML.
- The first 2 workweeks of EFML are unpaid, but the employee may receive pay during these 2 workweeks by electing to use their EPSL entitlement for Reason 5 during this period. Alternatively, the employee may elect to use any other paid leave option available to the employee (UC Expanded Paid Administrative Leave; accrued paid leave such as vacation, PTO, sick and ESL). The remaining period of EFML is paid, and the employee will receive their regular rate of pay during that period consistent with their normal work schedule.

- EFML may only be taken in blocks of a minimum of 2 weeks. That said, employees may use EFML in blocks shorter than 2 weeks when their child’s school, place of care, or child care provider is closed or unavailable only on certain days due to their implementation of an alternate day or other hybrid-attendance schedule.
- EFML leave codes:
LOAN: Non-HCWs requesting EFML should utilize the Leave of Absence Notification system, which has been updated and can be found [here](#). Non-HCWs can choose “Expanded Family and Medical Leave (COVID-19)” under the leave type dropdown menu. The EFML form is imbedded within LOAN and requires employees to specify pertinent information. Questions should be referred to your supervisor or manager.
HBS: New coding in HBS is being programmed now. While we await new coding, please code EFML as “other paid absences” with a note referencing EFML.

Reassignment and Redeployment

- UCLA Health workforce members may be reassigned or redeployed, and your cooperation and willingness to help out is greatly appreciated.
- Asymptomatic workforce members needed at work for the continuity of operations may be appropriately reassigned or redeployed. Workforce members may use the COVID-19 paid administrative leave and/or leave accruals upon approval by their supervisor while waiting for a work assignment.
- Workforce members will be given opportunities to volunteer for redeployment to the extent possible. Volunteering for an assignment is equivalent to accepting an assignment, and workforce members will be expected to perform the work after appropriate training. Depending upon critical staffing needs, workforce members may be assigned work even absent volunteering. Again, workforce members will be expected to perform that job after appropriate training.
- Workforce members may not refuse reassignment or redeployment. Refusals will be addressed by the appropriate supervisor or manager, and workforce member who refuse will not be paid.
- COVID-19 positive asymptomatic workers can return to work after 7 days. With change in CDC guidance, it is now safe for individuals with asymptomatic low-level exposures to return to work to facilitate continuity of operations.
- Pregnant workforce members should limit, whenever possible, direct care of patients with confirmed or suspected COVID-19. Pregnant workforce member may request reassignment, and if reassignment is not possible, may use paid administrative leave and/or leave accruals.

Screening and Testing

Workforce Health Screening:

The safety of our workforce is among our highest priorities. For this reason UCLA Health conducts brief screenings of all workforce members, patients and visitors for COVID-19 related symptoms before entering certain UCLA Health facilities. If workforce members report symptoms of fever (defined as a temperature of > to 100.0°F or 37.8°C), cough, muscle aches,

diarrhea and/or difficulty breathing within the prior 7 days, workforce members will be immediately referred to the COVID 19 Hotline for further assessment and instruction.

A workforce member denied access will be treated as calling out sick for a COVID-19 related reason.

Screening may delay the arrival for the start of your shift. Please plan accordingly.

If a workforce member does not pass screening, they will not be granted access to the facility. They will be directed to (1) contact their supervisor / manager (and if applicable, the Nursing Staffing Office) about being denied access due to a health concern and (2) instructed to call the COVID-19 hotline for enrollment in self-monitoring.

Symptom tracker:

For the remainder of the COVID-19 pandemic, Leadership is urging all health care workers to enroll in the Symptom Tracking Survey. Once enrolled, workforce members will be sent a daily survey to fill out via email. If they develop any symptoms concerning for COVID-19, they will be instructed to call our 24-hour Infection Prevention hotline at 310-267-3300 for further instructions and possible testing. UCLA Health is actively monitoring their symptoms for early detection of possible COVID-19.

[Click here](#) to enroll.

Note that while the primary focus is workforce members working on site, all workforce members will eventually be returning to the work site and/or may be reassigned / redeployed. As such, the request is that all workforce members enroll, even those who are currently telecommuting. This allows for early detection and ensures workforce members are symptom free upon returning to work.

Self-reporting positive COVID-19 test results

Per guidance from UC Health and to better protect employees and patients, health care personnel who test positive for COVID-19 at an outside facility (e.g., Kaiser) are required to immediately self-report the positive COVID-19 test result to UCLA Occupational Health Services.

COVID-19 positive test results (process, reporting & leave options)

Regardless of the way in which workforce members test positive for COVID-19, once they test positive, workforce members follow the same process through UCLA Health Occupational Health Services, and they are eligible for the appropriate COVID-19 leave options.

- For example, if a workforce member participates in a research study and tests positive, they will be instructed to follow the process through UCLA Occupational Health Services, and they are eligible for the appropriate COVID-19 leave options.
- As another example, if a workforce member tests positive at an outside facility (e.g. Kaiser), they are required to immediately self-report the positive COVID-19 test result to UCLA Occupational Health Services, and they are eligible for the appropriate COVID-19 leave options.

The information kept by UCLA Occupational Health Services is separate from employees' personnel files. The information may be used exclusively to perform contact tracing or other

activities, as directed by the Occupational Health or Infection Prevention teams, to address employee and patient safety, and to perform other permissible health care.

Medical clearance:

For potential COVID related illnesses, please refer to the UCLA Health COVID19 website, under “Workforce Guidance Resources”, “Return to work (RTW) guidance HCW – March 28, 2020”. Otherwise, workforce members are expected to follow our usual policies and procedures.

[Local/State/Federal and UC Executive Orders](#)

Safer at Home:

Based on the “Safer at Home” by Los Angeles County and the City of Los Angeles, among other nearby jurisdictions, all residents are ordered to stay home starting 11:59 p.m. March 19 through May 15, 2020. The following core services at UCLA Health are essential and employees should continue to work.

- Health care services and corresponding support. All UCLA hospitals and clinics will remain open and fully operational. This includes, but not limited to:
 - Direct patient care in the hospitals, clinics, labs, and pharmacies
 - Operations to maintain business continuity
 - Ancillary outpatient areas (PT, OT, speech, audiology, cardiac & pulmonary rehab, PFT, radiology)
 - General and ancillary services, such as environmental services, nutrition/food services, valet, security, visitor desk, facilities, and receiving
 - Case management
 - Social workers
 - Chaplaincy
 - Patient call center (PCC)
 - Occupational Health
 - Support groups such as patient experience, quality, performance improvement, emergency management, and environmental health and safety
- Classroom and laboratory instruction for remote learning will continue through the end of spring quarter. Deans and chairs will determine what on-campus essential support may be needed
- Animal care or animal research
- Research laboratory safety
- Research approved by the vice chancellor for research
- All Shared Services, including human resources, IT, finance, marketing, communications, compliance, and legal will continue, but primarily remotely. The respective executive leader may identify some functions that are not operationally needed.
- Please note: As volumes fluctuate, employees may be redeployed or have reduced shifts.

Workforce members who work in the areas not included in the above list ***and are approved by their supervisor*** should comply with Safer at Home order by isolating themselves in their residences. These workforce members will receive up to 128 hours of paid administrative leave and can also access their accrued leave banks. Those workforce members that continue

to work should have their identification badge with them at all times when leaving their residences.

March 16th Executive Order: The University has modified emergency temporary leave in accordance with the Executive Order issued by President Napolitano on March 16th. The purpose of the Executive Order is to expand the paid administrative leave policy and better support our employees.

- Employees are now eligible to receive up to 128 hours paid administrative leave in order to cope with the impact of the COVID-19 pandemic. The 128 hours *replaces* the prior referenced 14 day paid administrative leave. These are working days, not calendar days.
- This particular leave *may only be used* for the following reasons all of which relate to COVID-19 (“covered category”):
 - When the employee is unable to work because the employee or a family member has a COVID-19 related illness
 - When an employee is unable to work because the employee has been directed not to come to work for COVID-19 related reasons and it is not operationally feasible for the employee to work remotely. This includes workforce members currently unable to return to work due to travel bans in place.
 - When an employee is unable to work because of a COVID-19 related school or daycare closure that requires the employee to be at home with a child or *dependent
 - When an employee has been ordered to “shelter in place”/ “safer at home” and is not able to work remotely

(*A dependent could include, for example, an ailing elderly dependent and/or individual with a mental disability usually in daycare.)

- The allocation for employees with less than full time appointments shall be prorated based on appointment percentage.
- The 128 hour allotment may be used consecutively in one block or incrementally.
- Employees may still use accrued sick, vacation or paid time off in order to address their own illness or the serious medical condition of a family member.
- The paid administrative leave may be used prior to usage of accrued leave.
- Subject to the University’s ongoing operational needs, the paid administrative leave provided pursuant to the Executive Order must be used no later than December 31, 2020 for reasons stated in the Covered Categories only.
- **Employees who want to use this paid administrative leave shall request it from their immediate supervisor who shall be responsible for determining whether to grant the administrative leave.** Supervisors will take into account the operational needs of the University with special consideration given to the critical importance of maintaining the continuity of UCLA Health operations.
- The use of paid administrative leave must be approved by your supervisor. The leave will not be paid without approval from your supervisor.
- A “shelter in place” or “safer at home” order is one that is issued by an official government agency

Additional Considerations

Personal leave requests

Requests for personal leave in order to volunteer time in another state facing COVID-19 challenges are evaluated on a case by case basis by managers. If a personal leave is granted, workforce members are expected to use appropriate leave accruals. This leave would not be eligible for any of the extended COVID-19 leave options.

Refusal to treat patients:

Workforce members may not refuse assignment to patients. HS 7305 states that staff requests for reassignment could be considered when treatment of patient conflicts with cultural values, ethics or religious beliefs. Our current emergency does not fall into one of these categories.

Illness:

- Workforce members who call out sick and/or provide a medical note and request paid administrative leave may be asked the reason for their leave in order to determine what paid leave options are available.
- Workforce members at work exhibiting sick symptoms such as flu-like symptoms and/or coughing should not be at work. Workforce members exhibiting these types of sick symptoms who are reluctant to leave work due to exhausted accruals may be granted appropriate paid administrative leave pending supervisory approval.

Pregnant, immunocompromised and/or those with chronic illnesses:

- Workforce members who are immunocompromised, have chronic illnesses or pregnant may be concerned about coming into work. If so, they are encouraged to consult with their healthcare provider, and if recommended, stay in their residence. They may be eligible to use accruals and be granted paid administrative leave ***with approval by their supervisor***. These workforce members may also consider requesting reassignment.

Asymptomatic workforce members including those over the age of 65:

Asymptomatic workforce members – *regardless of their age (including 65+)* - who are not approved to work remotely and who have been advised of an operational need to come into work are expected to come into work. The use of paid administrative leave and/or accruals is not applicable.

Masks

Universal Masking guidelines can be found [here](#).

UCLA campus community cloth face covering guidelines can be found [here](#).

Gloves:

Workforce members who are wearing gloves when unnecessary may be advised that this may not be sanitary and may pose infection risk to patients and others.