

LDH Return to Worksite Matrix (6/2/2021)

As a reminder, all LDH employees are expected to return full-time to the worksite no later than August 9, 2021. LDH has created this *Return to Worksite Matrix* in an effort to answer some of the most common scenarios and questions employees may have in anticipation of returning to the worksite. Any questions remaining after thoroughly reviewing this matrix may be directed to the employee’s Program Office Human Resources Manager.

Program Office Human Resources Managers:

Office of Behavioral Health – Ashley Young

Office of Public Health – Melicia Levron

BHSF/Medicaid – Katina Bridgewater

Office of the Secretary, LERN, DD Council – Melba Roa

Office for Citizens with Developmental Disabilities – Sherry Nevels

Office of Aging and Adult Services – Sherry Nevels

LDH Facilities – Contact facility HR Director

	Scenario	Guidance	Contact Information	Related Policy
GENERAL RETURN TO WORK				
1.	Employees working remotely due to the COVID-19 pandemic will return to their assigned worksite (including employees who entered into a <i>Telework Agreement</i> in connection with the COVID-19 pandemic)	All LDH employees working remotely due to the COVID-19 pandemic are expected to return full-time to the worksite no later than August 9, 2021. Employees are expected to report to the same work site they previously reported to prior to March 11, 2020, unless their supervisor directs them to report to a different worksite.		
2.	Employee refuses to return to the worksite as directed	<p>Employees must return to the worksite as directed.</p> <p>If an employee refuses to return to the worksite, the supervisor must contact the Program Office HR Manager.</p> <p>Employees who fail to comply with the directive to return to the worksite will be placed on leave without pay and will be disciplined, up to and including dismissal.</p>	Program Office HR Managers	<p>LDH Policy #86 - Employee Conduct</p> <p>LDH Policy #30 - Employee Discipline</p>

	Scenario	Guidance	Contact Information	Related Policy
3.	Employee is not vaccinated against COVID-19	<p>LDH is not currently requiring its employees to be vaccinated against COVID-19 in order to return to the worksite.</p> <p>At this time, all employees will be treated the same unless and until additional guidance is issued from the CDC and/or OPH or upon order of the governor.</p>		
4.	Employee has concerns about safety protocols	LDH will follow the COVID-19 safety protocols recommended by the CDC and/or OPH, as well as local government regulations.		
5.	Employee refuses to wear a face covering in required settings at the worksite	<p>If an employee does not comply with a governmental mandate or workplace directive for wearing an appropriate face covering at their worksite, the supervisor must direct the employee to comply.</p> <p>If the employee still refuses to comply, the supervisor shall immediately direct the employee to leave the worksite and shall place the employee on leave without pay. The supervisor must also immediately contact the appropriate HR Manager. If the employee refuses to leave the worksite, the supervisor shall contact security to escort the employee from the worksite.</p> <p>Employees who fail to comply with face covering requirements will be disciplined, up to and including dismissal.</p>	Program Office HR Manager	Proclamation No. 85 JBE 2021 LDH COVID-19 Employee Guidance LDH Policy #86 - Employee Conduct LDH Policy #30 - Employee Discipline
6.	Employee has a medical condition that prohibits them from wearing a mask at the worksite	If an employee cannot wear a mask at the worksite due to a medical condition, the employee should engage in LDH's normal ADA accommodation process by contacting the appropriate HR Manager.	Program Office HR Manager	
HIGH RISK CONCERNS				
7.	Employee is 65 years or older and has concerns due to COVID-19	Employees who have concerns about returning to the worksite due to age will need to engage in LDH's normal ADA accommodation process by contacting the Program Office HR Manager.	Program Office HR Managers	LDH Policy # 81 – Americans with Disabilities Act

	Scenario	Guidance	Contact Information	Related Policy
8.	Employee resides with person(s) 65 years and older and has concerns due to COVID-19	Employees in this group will be expected to return to the worksite as directed.		

	Scenario	Guidance	Contact Information	Related Policy
9.	Employee has an underlying health condition and has concerns due to COVID-19	<p>An employee who currently has a COVID-19 high-risk exemption is expected to return to the worksite by August 9, 2021, as directed by the LDH Secretary.</p> <p>Employees who have concerns about returning to the worksite due to an underlying health condition, which may cause them to be at an increased risk for severe illness from COVID-19, will need to engage in LDH’s normal ADA accommodation process by contacting their Program Office HR Manager.</p> <p>Employees are encouraged to submit their ADA request as early as possible to avoid any delay in the determination process.</p> <p>To begin the interactive ADA accommodation process, the employee should have their healthcare provider answer the following five questions in writing, and submit the responses to Human Resources:</p> <ol style="list-style-type: none"> 1. The specific medical diagnosis; 2. The nature, severity, and duration of the impairment; 3. The activity or activities that the impairment limits; 4. The extent to which the impairment limits your ability to perform the activity or activities; and 5. Substantiate why the requested reasonable accommodation is needed. <p>Once all necessary information is submitted to HR, the information will be reviewed and a determination will be made in accordance with LDH’s Policy #81 - Americans with Disabilities Act. The employee will be notified once a determination is made or if additional information is needed.</p>	Program Office HR Managers	LDH Policy # 81 – Americans with Disabilities Act

	Scenario	Guidance	Contact Information	Related Policy
10.	Employee resides with person(s) with underlying health conditions	<p>The employee is expected to return to the worksite as directed.</p> <p>Employees who have concerns about returning to the worksite due to persons residing with them who have an underlying health condition should contact their Program Office HR Manager to discuss potential options.</p>	Program Office HR Managers	
SCHOOL/CHILD CARE CONCERNS				
11.	Employee has a child as defined by the FMLA and their school /place of care is closed or child care provider is unavailable due to COVID-19	<p>A full-time employee may be eligible for up to 80 hours of paid leave through September 30, 2021. Under Civil Service Rule 11.35(d), an employee may receive two-thirds of his regular rate of pay up to \$200/day.</p> <p>To request this leave, the employee should submit a request to their supervisor.</p> <p>If this leave has been exhausted or is not available for whatever reason, the employee is expected to return to the worksite as directed.</p>		Civil Service Rule 11.35
12.	Employee has a child in school and elects to have the child attend virtually	The employee is expected to return to the worksite as directed. The supervisor can consider telework options for the employee per the LDH Telework Policy. Otherwise, normal Civil Service Leave Rules will apply.		
13.	Employee has child in school and the school does not have aftercare or bus service	The employee is expected to return to the worksite as directed. Otherwise, normal Civil Service Leave Rules will apply.		

TELEWORK QUESTIONS				
14.	Pre-COVID-19 Telework Agreements	<p>All employees who wish to telework are required to complete a new <i>Telework Agreement Form</i> (HR-70) and submit the form to their immediate supervisor. This includes those employees who were working under a telework agreement prior to COVID-19.</p> <p>If the supervisor determines that the employee and their job duties are suitable for a teleworking arrangement, the supervisor should complete their portion of the HR-70 and forward it to the Appointing Authority for approval or denial.</p> <p>Employees are not automatically entitled to telework or to any specific telework schedule. LDH has the right to refuse any telework request and/or to terminate any telework arrangement at any time.</p>	Employee's Supervisor	<p>LDH Policy #82 – Teleworking</p> <p>HR 70 – Teleworking Agreement Form</p>
15.	Implementing or Modifying Telework Assignments	<p>If an Appointing Authority or designee wants to implement or modify telework assignments for employees, the Appointing Authority can consider and approve or modify employee assignments pursuant to the LDH Teleworking Policy.</p>		<p>LDH Policy #82 – Teleworking</p>

16.	Employee requests to work remotely instead of returning to the worksite (full-time or part-time)	<p>LDH supervisors may consider telework for employees who meet the eligibility criteria established by LDH Policy #82 – Teleworking.</p> <p>Employees are not automatically entitled to telework. Additionally, not all positions lend themselves to telework. Telework may be an available option if the employee’s assigned job duties are capable of being performed from home. LDH has the right to refuse any telework request and/or to terminate any telework arrangement at any time.</p> <p>To request telework, the employee should submit a completed <i>Telework Agreement Form</i> (HR-70) to their immediate supervisor. If the supervisor determines that the employee and their job duties are suitable for a teleworking arrangement, the supervisor should complete their portion of the HR-70 and forward it to the Appointing Authority for approval or denial.</p>	If approved by the Appointing Authority, a final, signed copy of the HR-70 must be submitted to the Program Office HR Manager	<p>LDH Policy #82 – Teleworking</p> <p>HR 70 – Teleworking Agreement Form</p>
-----	--	--	---	---