



City of Memphis Temporary Coronavirus Leave and Travel Policy

PM-46-04

Section: 46-00, LEAVE WITH PAY

PURPOSE AND SCOPE

The City of Memphis is responding to the coronavirus (COVID-19) pandemic with rules and regulations that include providing temporary leave and travel provisions for all employees, and reporting requirements. This policy is necessary to promote employee and public health and safety, while also mitigating the City's operational impact because of the health emergency that has been declared.

This policy is effective immediately by proclamation of the Mayor, pursuant to his powers under City of Memphis Ordinances 9-8-4 and 2-58-7, and will remain in effect until further notice. This policy shall supersede any other policy, rule or regulation that may be inconsistent with it.

This policy, as amended, is effective April 12, 2020 – January 31, 2022.

POLICY STATEMENT

The City of Memphis will be following Centers for Disease Control and Prevention (CDC) and medical expert guidelines in determining its COVID-19 related policies. The City reserves the right to adapt its policies, at any time, based on new information or to support operational needs.

POLICY DEFINITIONS

- a) **Close Contact** – You were within 6 feet of an infected person for a total of 15 minutes or more over a 24-hour period (for example, three individual 5-minute exposures for a total of 15 minutes). For example:
- You provided care at home to someone who is sick with COVID-19.
 - You had direct physical contact with someone who is sick with COVID-19 (i.e. hugged or kissed them, shared eating or drinking utensils; the person sneezed, coughed, or somehow got respiratory droplets on you).
- b) **FULLY - VACCINATED** - In general, people are considered fully-vaccinated:
- 2 weeks after their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines, or



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- 2 weeks after a single-dose vaccine, such as Johnson & Johnson's Janssen vaccine

1. REPORTING REQUIREMENT¹

As a public health precaution, if a City employee receives a diagnosis of COVID-19, or they are in close contact with someone who was diagnosed with COVID-19, that employee is **REQUIRED TO REPORT** this information to Human Resources, by calling Benefits at 901-636-6800.

This includes any employee who

- is positively diagnosed with COVID-19.
- has been in close contact with a person diagnosed with COVID-19.
- is living in the same household as a person diagnosed with COVID-19.
- is an intimate partner of a person diagnosed with COVID-19.
- is caring for a person who is diagnosed with COVID-19.

2. KEY CONSIDERATIONS

- a) Each City of Memphis employee plays a vital role in making our government run smoothly, efficiently and provide essential services. To ensure our government operates effectively every day, employees must report to work according to normal schedules if they are symptom-free, unless on approved leave.
- b) Employees who are exposed to COVID-19 in the workplace should use On-the-Job Injury procedures. (Page 12).
- c) The employee's confidentiality will be protected, and the specifics of the employee's health status will not be disclosed. Federally protected medical information will be safeguarded accordingly.
- d) Full-time and part-time City of Memphis employees who are diagnosed with COVID-19 may use this policy for themselves or for the following family members:
 - Parent/Stepparent/ Legal guardian
 - Child/Stepchild
 - Spouse/Partner
- e) Any City of Memphis employee who makes a false statement of material fact in connection



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with his or her job, including a misrepresentation or falsification of COVID-19 diagnosis or other illness will be in violation of policy PM 38-02 and may be subject to discipline, up to and including termination.

3. VACCINATIONS

COVID-19 vaccines are free and available to anyone who wants one. Please visit <https://covid19.memphistn.gov/> to for more information about vaccinations.

Based on CDC guidance, city employees, regardless of vaccination status, have the option to wear a mask while indoor city buildings/worksites. . Employees must follow social distancing and other CDC and City policy guidelines. Also, all employees should consider wearing a mask in outdoor settings involving crowds and/or activities with close contact with others who are not fully-vaccinated.

A) FULLY-VACCINATED CITY EMPLOYEES

In general, people are considered fully-vaccinated:

- 2 weeks after their second dose in a 2-dose series, such as the Pfizer or Moderna vaccines, or
- 2 weeks after a single-dose vaccine, such as Johnson & Johnson's Janssen vaccine

Work protocols for fully-vaccinated city employees who have provided HR with a copy or photo of their vaccination card:

A. Fully-vaccinated employees

(who have provided HR with a copy or photo of their vaccination card):

- have the option to mask when indoors and in close contact with others
- are not required to quarantine or isolate after an exposure to someone with suspected or confirmed COVID-19 if they do not have any COVID-19 symptoms;
 - Must get tested 3-5 days following a known close contact to someone with suspected or confirmed COVID-19



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- should not report to work and must get tested immediately if experiencing any COVID-19 related symptoms.
- isolate while awaiting COVID-19 test results if testing due to employee being in close contact with a known COVID-19 positive or employee is displaying COVID-19 related symptoms.
- employees who participate in voluntary COVID-19 testing and are symptom-free will not need to isolate while awaiting test results.
- isolate if they have tested positive for COVID-19 in the prior 10 days or are experiencing COVID-19 symptoms.
- do not need to get tested before or after travel or self-quarantine after domestic and international travel.

B) NON-VACCINATED CITY EMPLOYEES

Non-vaccinated City Employees and vaccinated City Employees who do not desire to share their vaccination status must continue to follow current guidance listed in this policy to protect themselves and others, including staying at least 6 feet away from others, following CDC and OSHA guidance, and including guidance related to personal protective equipment use or Covid-19 testing.

C) PAID VACCINATION TIME

- Employees who have not been vaccinated will receive two (2) hours of paid time off to receive the vaccine with management's approval. Proof of vaccination must be provided upon request to receive paid time.
- Full-time Employees who experience side-effects after receiving the vaccine will be allowed to use accrued and donated leaves for vaccination recuperation based leave on eligibility. This benefit will be available after each does of a vaccine requiring two (2) doses. Proof of vaccination must be provided upon request to receive paid time.
- Part-time employees who experience side-effects after receiving the vaccine will receive up to two (2) days of paid time off for vaccination recuperation. This benefit will be available after each does of a vaccine requiring two (2) doses, but combined leave shall not to exceed four (4) days. Proof of vaccination must be provided upon request to receive paid time.



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- Fully-vaccinated City employees will be eligible to receive the City of Memphis one-time vaccine incentive. Visit <https://totalrewards.memphistn.gov/> for more information.

4. COVID-19 TESTING

A. HEALTH DEPARTMENT OR PHYSICIAN REQUEST EMPLOYEE TO TAKE A COVID-19 TEST

Any employee who is requested by the Shelby County Health Department or a medical professional to take a Covid-19 test will be required to self-quarantine and leave work while awaiting test results. Employees may use accrued and donated leave to cover time away from work (see below). Employees should follow OJI procedure if it is a workplace exposure.

PROCEDURE

Employees must use regular city and departmental sick leave notification procedures to access leave benefits while awaiting test results.

- If **COVID-19 test is negative**, contact your supervisor to arrange returning to work. Employee must provide negative test results or medical clearance before they can return to work.
- If **COVID-19 test is positive**, please review **Section 9: General City of Memphis Employee Return to Work Strategy on Page 9** for return to work procedures.

B. VOLUNTARY COVID-19 TEST

Any employee who is symptom-free and volunteers to take a COVID-19 test will not be required to self-quarantine and **must come to work as scheduled** while awaiting test results.

Note: This does not apply to employees who have COVID-19 symptoms or who were in close contact with a person who tested positive for COVID-19. (Refer to page 9 for more information.)

PROCEDURE

- If **COVID-19 test is negative**, continue to report to work as normal.
- If **COVID-19 test is positive**, please review **“General Employee City of Memphis Return to Work Strategy” on page 9** for return to work procedures.

5. PAID TIME OFF FOR COVID-19 RELATED CIRCUMSTANCES



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Employees must use regular City and departmental sick leave notification procedures to access leave benefits. For more information, visit: <https://totalrewards.memphistn.gov/>.

VACCINATED EMPLOYEES

- A. FULL-TIME CITY OF MEMPHIS EMPLOYEES** may use accrued and donated leaves to cover COVID-19 related time off (e.g. isolating while awaiting COVID-19 test results if testing due to employee being in close contact with a known COVID-19 positive or employee is displaying COVID-19 related symptoms or quarantining due to testing positive for COVID-19) in the instances of awaiting test results due to COVID-19 close contact or symptoms or COVID-19 related isolation/quarantine.

Leave time may be used in the following order based on eligibility:

- Sick Leave
- Donated Leave (for current sick leave bank participants)
- Vacation and Bonus Leave

- B. PART-TIME EMPLOYEES** will be paid up to two (2) days to cover COVID-19 related time off in the following instance: awaiting test results due to COVID-19 close contact or displaying COVID-19 related symptoms. Also, up to seven (7) working days from the estimated last day of COVID-19 close contact exposure if diagnosed positive for COVID-19. Payments will be based on the part-time employees' monthly average of hours worked at their full rate of pay.

PROCEDURE

Employees must use regular City and departmental sick leave notification procedures to access leave benefits. For more information, visit: <https://totalrewards.memphistn.gov/>.

NOT-VACCINATED EMPLOYEES

- C. FULL-TIME CITY OF MEMPHIS EMPLOYEES** who are not vaccinated or are awaiting COVID-19 test results may use accrued and donated leaves to cover COVID-19 related time off based on eligibility in the following order:

- Sick Leave
- Donated Leave (for current sick leave bank participants)
- Vacation and Bonus Leave



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D. PART-TIME EMPLOYEES NOT VACCINATED

Part-time employees will be paid

- Up to two (2) days to cover COVID-19 related time off in the following instance:
 - awaiting test results due to COVID-19 close contact or displaying COVID-19 related symptoms
- Up to seven (7) **working days** from the estimated last day of COVID-19 close contact exposure if diagnosed positive for COVID-19.

Payment will be based on the part-time employees' monthly average of hours worked at their full rate of pay.

PROCEDURE

Employees will need to use regular departmental leave notification procedures to access this benefit. For more information, visit: <https://totalrewards.memphistn.gov/>

E. WHEN IS AN EMPLOYEE REQUIRED TO REPORT TO WORK?

A City of Memphis employee **must report to work** as scheduled in the following scenarios:

- The employee has not come into close contact with a person who tested positive for COVID-19.
- The employee has not tested positive for COVID-19.
- The employee participates in voluntary COVID-19 testing and is symptom-free.
- The employee is/was in the same indoor environment for a period of time with a person diagnosed with COVID-19, but the interaction does not meet the definition of close contact.
- The employee is/was in close contact with someone who is being tested for COVID-19, but has not been confirmed positive.

PROCEDURE

It is important and mandatory for employees who are not sick to report to work. Reporting to work may include your assigned work location, telecommuting, reassignment and other duties assigned by management. Any employee who is absent without authorization and/or notice to their



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designated supervisor will be in violation of policy PM 38-02 and subject to disciplinary action up to and including termination.

F. SCHOOL CLOSURE

Employees are encouraged to talk with their immediate supervisor about work options if their son or daughter's school/childcare has been closed due to a health emergency.

G. VACATION LEAVE

Vacation leave is subject to scheduling and approval by management in accordance with division work schedules, employee seniority, the employee preference, and applicable Memorandum of Understanding per PM 46-02.

H. TRAVEL²

BUSINESS TRAVEL

There are no US domestic business travel restrictions. Travel within the United States is permitted without quarantine.

PERSONAL INTERNATIONAL TRAVEL FOR NON-FULLY-VACCINATED EMPLOYEES

The City of Memphis strongly discourages non-fully-vaccinated employees from international personal travel since it increases your chances of getting and spreading COVID-19. If you choose to travel internationally, you are required as a City of Memphis employee to notify your Division Director prior to travel.

Any employee who travels internationally and, who has not shown proof of being fully-vaccinated, will be **required to remain out of the workplace for 10 days** from the day the individual returned to Memphis from travel regardless of displayed symptoms. ***Employees will not be able to use paid time away from work for travel related quarantine and will not be eligible for telecommuting if the employee travels internationally and is not fully-vaccinated.***

² Nothing in this section is intended to interfere with travel necessitated by military service or otherwise covered by the Uniformed Services Employment and Reemployment Rights Act. Police and fire employees should use their department protocols.



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PROCEDURE

- If you are not fully-vaccinated, once you return home to Memphis from international travel, do not return to work. Contact your Division Director or their designee. You will be requested to self-quarantine for 10 days from your day of return.
- If you have symptoms (e.g. fever, cough, shortness of breath), contact your primary care physician immediately to get guidance on your next steps. Do not return to work. The employee must remain out of the workplace until they receive medical clearance to return to work.
- If you traveled and have no symptoms, please monitor your health.

I. GENERAL CITY OF MEMPHIS EMPLOYEE RETURN TO WORK STRATEGY

The City of Memphis is using a ***symptom-based strategy*** for employees with COVID-19 symptoms and a ***time-based strategy*** for employees without symptoms based on CDC guidelines. ****Note: Police and fire employees should use their department protocols.**

A. Fully-vaccinated employees who have provided HR with a copy or photo of their vaccination card:

- are not required to quarantine or isolate after an exposure to someone with suspected or confirmed COVID-19 if they do not have any COVID-19 symptoms;
- do not need to get tested before or after travel or self-quarantine after domestic and international travel.
 - Fully-vaccinated employees should still get tested 3-5 days **after** international travel.
- Fully-vaccinated employees will still need to follow the below protocol is confirmed Covid-19 positive:



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Fully-Vaccinated Employee Confirmed Covid-19 positive	No symptoms	Employee will be required to remain out of the workplace until 10 calendar days have passed since his or her positive test <u>OR remain out of the workplace for 7 calendar days if the person has not developed any symptoms and tests negative for the virus.</u>	The employee can return after 10 calendar days are completed <u>OR remain out of the workplace for 7 calendar days if the person has not developed any symptoms and tests negative for the virus.</u> Medical clearance required. Preferably dated 2 days or less prior to return to work and symptoms have improved.
	Symptomatic (Flu-like symptoms)	- The employee will be required to remain out of the workplace until all the following criteria have been met: -10 calendar days have passed since symptoms first appeared -24 hours have passed with no fever without the use of fever-reducing medications -Symptoms have improved	

B. Non-vaccinated employees or employees who have not shown vaccination card

Situation	Exposure Level	Employee Symptoms	Workplace Plan	What is needed to return to work?
#1	No close contact with a person who has been tested positive for COVID-19	No symptoms	No quarantine needed; COVID-19 test is not required.	Employee can return to work. If employee takes COVID-19 test they can return to work while awaiting test results.
#2	Non-vaccinated Employee travels internationally or took a cruise	No symptoms	Employee will be required to remain out of the workplace for 10 calendar days once they return to Memphis. This time will be unpaid (e.g. LWOP),	The employee can return after 10 calendar days. No medical clearance is required if employee has been symptom-free during the 10 days.
#3	No Close-contact with Covid-19 confirmed positive or Employee travelled internationally/cruise or domestically	Symptomatic (Flu-like symptoms)	The employee will be required to remain out of the workplace until all the following criteria have been met: -10 calendar days have passed since symptoms first appeared -24 hours have passed with no fever without the use of fever-reducing medications -Other symptoms have improved	The employee can return after 10 calendar days are completed. Medical clearance required. Preferably dated 2 days or less prior to return to work. and symptoms have improved.



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<p>#4</p>	<p>Close-contact (less than 6ft for more than 15 mins) with confirmed Covid-19 positive</p>	<p>No symptoms</p>	<p>Employee will be required to remain out of the workplace for 10 calendar days since estimated last date of contact OR remain out of the workplace for 7 calendar days if the person has not developed any symptoms and tests negative for the virus. (Household contact: If an employee is a close contact to a positive case inside the home and the contact cannot separate from the case within the home, the contact must quarantine. for the case's (minimum) 10-day isolation period plus an additional 10-14 days.) An employee who has had COVID-19 within the past 3 months is not required to remain out of the workplace as long as he or she has recovered and remains without COVID-19 symptoms.</p>	<p>The employee can return after 10 calendar days are completed OR 7 calendar days if the person has not developed any symptoms and tests negative for the virus. (Household contact: Employee can return after 20-24 calendar days). Medical clearance required. Preferably dated 2 days or less prior to return to work and symptoms have improved.</p>
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Continued: Non-vaccinated employees or employees who have not shown vaccination card

	Exposure Level	Employee Symptoms	Workplace Plan	What is needed to return to work?
<p>Situation #5</p>	<p>Confirmed Covid-19 positive</p>	<p>No symptoms</p>	<p>Employee will be required to remain out of the workplace until 10 calendar days have passed since his or her positive test OR remain out of the workplace for 7 calendar days if the person has not developed any symptoms and tests negative for the virus.</p>	<p>The employee can return after 10 calendar days are completed OR remain out of the workplace for 7 calendar days if the person has not developed any symptoms and tests negative for the virus. Medical clearance required. Preferably dated 2 days or less prior to return to work and symptoms have improved.</p>
		<p>Symptomatic (Flu-like symptoms)</p>	<p>- The employee will be required to remain out of the workplace until all the following criteria have been met: -10 calendar days have passed since symptoms first appeared -24 hours have passed with no fever without the use of fever-reducing medications -Symptoms have improved</p>	



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J. GENERAL EMPLOYEE RETURN TO WORK— MEDICAL CLEARANCE

- Under the Americans with Disabilities Act, employers are permitted to require a healthcare provider's note to verify that employees are healthy and able to return to work.
- Upon returning to work, employees will be required to provide proof of medical clearance to their supervisor or division designee based on division protocols.

One of the following will qualify as medical clearance:

- Negative COVID-19 test result
- Release from Shelby County Health Department
- Return to work note from healthcare provider
- City Employee Wellness Clinic COVID-19 Form

K. GENERAL NOT FULLY-VACCINATED EMPLOYEE RETURN TO WORK – NO SYMPTOMS/TRAVEL RELATED QUARANTINE

- **If an employee has traveled** internationally and they are not fully-vaccinated, they will be required to remain out of the workplace for 10 days. The employee may return to work after 10 days if no symptoms were displayed during the 10 days. Medical documentation is not required if the employee remained symptom-free the entire 10 days.
- **If the employee begins to develop symptoms of COVID-19** (fever, cough, shortness of breath, etc.) during travel-related quarantine, the employee must immediately contact their healthcare provider to get guidance on next steps. As a public health precaution, the employee is required to notify City of Memphis HR by calling benefits at 901-636-6800. The employee must remain out of the workplace until their symptoms resolve for at least 24 hours without the use of fever-reducing medications and has improvement in respiratory symptoms (e.g., cough, shortness of breath) and will need to provide medical clearance preferably dated three days or less prior to return to work date.

L. GENERAL NOT FULLY-VACCINATED EMPLOYEES RETURN TO WORK – COVID CONFIRMATION

If an employee who is not fully-vaccinated has been diagnosed with COVID-19 or is under investigation for COVID-19, or has been exposed to a person diagnosed with



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COVID-19, the employee is required to notify City of Memphis HR of the diagnosis as a public health precaution by calling Benefits at 901-636-6800. The employee must immediately contact his/her healthcare provider to get guidance on next steps.

- The employee should immediately begin at-home isolation and the employee should follow guidance from the Public Health Department and their healthcare provider.
- The employee should also start identifying their close contacts (those they were less than 6 feet away from and with them for more than 15 minutes) in case contact tracing needs to be conducted.
- If the employee was exposed to a person with COVID-19, the employee must remain out of the workplace for 10 days starting on the last day of exposure OR 7 days if the person has not developed any symptoms and tests negative for the virus.
- If the employee has been diagnosed with COVID-19, the employee must remain out of the workplace for 10 days after symptoms first appeared (or after the employee's positive test if the employee is asymptomatic). The employee will need to be symptom-free for at least 24 hours without the use of fever-reducing medications and should show improvement in respiratory symptoms (e.g., cough, shortness of breath). The employee will also need to provide medical clearance from a doctor, preferably dated three days or closer to the day they return to work.

M. ON -THE-JOB INJURY (OJI) – COVID EXPOSURE OR CONFIRMATION

- If a City of Memphis employee has been diagnosed with COVID-19 because of exposure while performing their job duties for the City, the employee will be eligible to submit an OJI claim.

PROCEDURE

The employee should contact his or her supervisor immediately. The employee's supervisor will report the OJI immediately to the City's insurance carrier.

- If a City of Memphis employee has been isolated because he/she worked in the proximity of a coworker who was subsequently diagnosed with COVID-19, and the employee is waiting on COVID-19 test results, the employee will be eligible to submit an OJI claim.



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NON-ELIGIBLE OJI CLAIMS

A City of Memphis employee who contracted COVID-19 while on personal travel or not at work for the City will not be eligible for OJI. If you have questions, please email memphishr@memphistn.gov

Links referenced in this document:

1. CDC Risk Assessment: <https://www.cdc.gov/coronavirus/2019-ncov/php/risk-assessment.html>
2. CDC International Travel Level-3 Travel Notice: <https://www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notice.html>
3. CDC Domestic Travel Advisory: <https://www.cdc.gov/coronavirus/2019-ncov/travelers/travel-in-the-us.html>
4. City of Memphis FFCRA Information: <https://totalrewards.memphistn.gov/>
5. US COVID-19: <https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html>