



Contract Administration

TO: Executive Board
Council Leaders
Field Staff

FROM: William LeBeau
Director of Contract Administration

DATE: June 26, 2020

RE: Updated FAQs on COVID-19

PEF Members should contact their Division's local leaders with any concerns to ensure that workplace issues are being presented to management at local labor/management meetings. These meetings can and should be ongoing and may be conducted via tele-conferencing.

This is an update to the advisory and FAQs originally distributed on March 18, 2020, which have been updated regularly since that date. It is intended to help guide you through the ongoing and evolving public health emergency caused by the COVID-19 Virus.

Since our last update to the FAQ, PEF and the State have agreed to extend the Emergency Statewide Telecommuting Pilot Program Agreement thru October 2, 2020.

****In accordance with Executive Order 202.13, all non-essential State employees for New York State agencies and public authorities in every county, are directed not to report to work thru May 31, 2020. *Non-essential employees my be expected to return to work, in designated regions, starting June 1, 2020.*****

PEF and the State have also agreed to extend the timeframe for filing a grievance under Article 34 of the PEF/State grievance, as well as any related response, decision or appeal up to and including a demand for arbitration, where applicable by 30 days for each filing, response, decision or appeal. This applies to any grievance related to any act or omission occurring on or after March 9, 2020, and any grievance pending as of that date. The agreement lasts until August 31, 2020. As of June 1, 2020, the normal Article 34 timeframes shall apply to all grievances, including filing, responses, decisions and appeals.

Please note this agreement only applies to grievances filed under Article 34. Other grievance procedures, including, but not limited to, out-of-title grievances pursuant to Article 17 and disciplinary grievances pursuant to Article 33 continue to be subject to the normal contractual timeframes. The emergency agreement also does not apply to any external complaint procedures, including Improper Practice Charges before PERB, Article 78 Proceedings. All external proceedings continue to be subject to their normal timeframes and statutes of limitations.

This FAQ will continue to be updated as needed.

Q. Will I have to forfeit personal days if I cannot take personal leave due to the COVID-19 response?

A. No. Employees unable to take personal leave due to the COVID-19 response will be able to carry such days over until their next personal leave anniversary date if the leave would have been forfeited between March 9, 2020 and **August 31, 2020** due to the COVID-19 response. *Please note, documentation of personal leave denials during this time period is very helpful if a question arises later about an employee being unable to use their personal leave.*

<https://www.pef.org/wp-content/uploads/2020/06/PersonalLeaveMOU-Extension.pdf>

Q. What is the most recent update to the Families First Coronavirus Response Act and the State's implementation of the Law?

A. Guidance and Regulations have recently been issued by the U.S. Department of Labor <https://www.federalregister.gov/documents/2020/04/06/2020-07237/paid-leave-under-the-families-first-coronavirus-response-act> regarding the Families First Coronavirus Response Act (FFCRA) and the New York State Department of Civil Service has issued Policy Bulletin 2020-01 http://www.cs.ny.gov/attendance_leave/PolBull20-01.cfm, which updates the Attendance and Leave Manual, Section 21.12, and an employee notice dated April 4, 2020. https://www.cs.ny.gov/attendance_leave/COVID19_FEPSLA-EFMLA_Notice_040420.pdf

More detailed information about the FFCRA can be found here <https://www.pef.org/wp-content/uploads/2020/04/FFCRA-Advisory.pdf>.

Since the FFCRA was passed in March, and despite the regulations issued by the U.S. Department of Labor and, and the guidance issued by the State Department of Civil Service, we have received numerous inquiries regarding how the benefits under the FFCRA may be accessed by our members, including which titles are and are not deemed exempt under the Law. Unfortunately, despite our continued attempts to seek clarity from GOER, many questions as to how this law is being implemented by the State still exist. Thus, as we have previously advised, any questions about the FFCRA should initially be directed to your agency's human resources department. If the agency's response is unsatisfactory, or if no responsive answer is provided, please contact your PEF Field Representative.

Q. Will Performance Awards (Lump Sum Longevities) and Performance Advances (Increments or Steps) be delayed because of the COVID-19 crisis?

A. The Office of the State Comptroller (OSC) has released Payroll Bulletin 1822.1 providing for payment of the April 2020 Performance Awards (Lump Sum Longevities) to those who meet the eligibility criteria. As a reminder, employees who were eligible for the five or ten year performance award as of April 1, 2019 will continue to receive the award this April. Awards will be issued in separate checks. Due to the issues surrounding COVID-19 the Office of the State Comptroller will process this payment via direct deposit; distribution will be the same as the employees regular paycheck. For employees who do not have direct deposit, payment will be processed in a separate check.

Checks will be dated as follows:

Institution Payroll (checks dated 4/23/20)

Administrative Payroll (checks dated 4/15/20)

Additionally, OSC has released Payroll Bulletin 1827 providing for payment of the April 2020 Performance Advances (Increments or Steps). The effective dates for these base salary changes are as follows:

Institution Payroll (effective 3/26/20 — in paycheck dated 4/23/20)

Administrative Payroll (effective 4/2/20 — in paycheck dated 4/29/20)

Please direct any questions about the payment schedule or eligibility to your PEF Field Representative.

Q. Can I be mandated to work at a different location?

A. The employer is generally not prohibited from reassigning an employee from one work location to another within the same department or agency if the assignment is based on legitimate operational needs. However, Civil Service Regulations do prohibit the employer from transferring which is the movement of a permanent, competitive employee from a position in one title to a position in a different title, or from a position in one agency or department to a position in another. If you believe you have been inappropriately reassigned or transferred, please contact your PEF Field Representative.

Q. If I am mandated to work at a different location, am I entitled to travel expenses?

A. You are entitled to receive travel reimbursement in accordance with the rules and regulations of the State Comptroller. <https://www.osc.state.ny.us/agencies/travel/travel>

For travel that is more than 35 miles away from your home and official workstation, you are entitled to receive full mileage in accordance with the federal reimbursement rate as long as use of your personal car is the approved method of travel.

For travel that is less than 35 miles or less from your home or official workstation, you are entitled to mileage in accordance with the "lesser of" mileage rule. The lesser of mileage rule provides that reimbursement will be the lesser of the mileage between 1) your

home and the alternate work location, or 2) your official workstation and the alternate work location.

You are also entitled to receive full mileage in accordance with the federal reimbursement rate for travel between alternate work locations during the workday when using your personal vehicle with the approval of the agency.

Your agency should **NOT** be changing your "official workstation" for a temporary emergency work reassignment. Your official workstation should remain designated as your usual work location.

We advise that if you are directed to travel to a different work location, you should confirm that your official workstation has not changed and ask your supervisor whether you are entitled to travel reimbursement and, if so, how that reimbursement is calculated. If your supervisor provides an answer that you believe is incorrect, or does not provide a responsive answer, please contact your PEF Field Representative.

Q. I am concerned about in person visits to my health care provider. Will Telemedicine be available to Empire Plan enrollees?

A. Yes, PEF and the State reached an agreement to provide telemedicine to Empire Plan enrollees effective immediately. This will give Empire Plan enrollees access to a live doctor on a 24/7 basis. There is no co-pay or charge for this service. However, if an appointment is cancelled, there will be a \$25 cancellation fee. More information can be found here: The Empire Plan Telehealth [Services](#), [Postcard](#) and [LiveHealth Online Instructions](#)).

Q. Is the EAP program still available to PEF members?

A. Yes. The EAP program is fully functioning and available to all PEF members. Please click on these links for [contact information](#) and [program details](#).

In addition, PEF's International, the American Federation of Teachers (AFT), has provided a new benefit to help with trauma recovery. This innovative form of mental health care and support, is FREE to all PEF members.

- This is a no cost benefit
- Offers immediate therapy, available 24/7
- Connects you with a licensed, certified, master's level (or higher) therapist.
- Uses the latest communication technologies (phone, video, text, and even AI)
- Is confidential and FREE as a benefit to PEF members.

For more information on this program, click here: <https://www.aft.org/benefits/trauma>

If you have your AFT ID already, you can log in here: <https://www.aft.org/benefits/trauma>

If you do not have an AFT ID, request it here:

<https://leadernet.aft.org/webform/aft-members-only-discounts>

Q. Who Has Been Directed Not To Report To Work by the Governor?

A. As of now, all non-essential State employees for New York State agencies and public authorities in every county, are directed not to report to work thru **May 31, 2020**.

Non-essential employees may be expected to return to work, in designated regions, starting June 1, 2020.

Q. If I Was Directed Not To Report To Work During This Period, Do I Have To Work From Home?

A. The directive requires that all non-essential employees shall work from home to the extent practicable. Employees do not have to charge accruals to fulfill the directive.

Q. Will Equipment Be Provided For Me To Work From Home?

A. Your agency may provide equipment, but they are not required to do so. Although it is expected that employees will use their own equipment if not provided equipment by the agency, employees are not expected to purchase new equipment to facilitate working from home.

Thus, even if you do not have the equipment needed to work from home, as long as you are cooperative with the agency and making your best effort to work from home with your available resources, you will be considered in compliance with the work from home directive and will not have to charge accruals.

Q. How Is It Determined Whether I am Essential or Non-Essential?

A. The State has the exclusive authority to designate whether employees are essential or non-essential. Employees must confirm their status with their supervisor. An employee's status may change on a day-to-day or shift-to-shift basis. Employees designated as essential or non-essential for a prior emergency will not necessarily have the same designation for all or part of this emergency. Employees working from home must call an agency contact no later than one hour prior to their regular start time, to ensure any change in status can be communicated.

Q. Can I Choose To Telecommute, Or Can I be Mandated To Do So?

A. Telecommuting can be mandated by the employer or requested by the employee in accordance with emergency Statewide Telecommuting Pilot Program Agreement. Right now, all non-essential employees have been mandated not to report to work for two weeks effective March 17, 2020 and to work from home to the extent practicable. The Pilot Program was designed to provide an alternate work arrangement to allow some employees to conduct some or all of their work at home during the COVID-19 emergency. Under the Agreement, telecommuting arrangements are subject to management approval but are to be approved to the greatest extent possible. Although some employees may be provided with equipment to telecommute, the State is not required to do so. If requested and denied by the agency, the Pilot Program contains provisions for an appeal. Questions or concerns regarding eligibility to telecommute should first be raised with the employee's supervisor. Please contact your local PEF leader or Field Representative for assistance if needed. The Emergency Telecommuting Agreement and the Memo implementing the Agreement can be found here: [Telecommuting Bulletin](#), [Pilot Telecommuting Memo](#), [Pilot Telecommuting Application](#).

Since our last update to the FAQ, PEF and the State have agreed to extend the Emergency Statewide Telecommuting Pilot Program Agreement thru October 2, 2020.

Q. Do Employees Designated As Non-Essential Who Were Directed Not To Report To Work Continue To Accrue Time?

A. Yes. Non-essential employees are still working from home and earning accruals.

Q. What if I am placed on a mandatory or precautionary quarantine by the State or a local Department of Health?

A. Any employee placed on a mandatory or precautionary quarantine by State or local health officials will be placed on leave with pay, without charge to accruals, for all workdays within the 14-calendar day period for the quarantine, regardless of whether they are displaying symptoms or not.

For an employee placed on a precautionary quarantine, arrangements will be made to have the employee work from home if that can be done. If not, the employee will be placed on leave with pay, without charge to accruals, for all workdays, within the 14- calendar day period for the quarantine, whether healthy or displaying symptoms. More information on the difference between Mandatory and Precautionary Quarantine can be found here: Policy Guidance Employee Status COVID-19.

Q. How do these policies work for hourly and per-diem employees?

A. For hourly and per-diem employees directed not to report to work, including those who are subject to a precautionary quarantine, arrangements will be made to work from home if that can be done. Regardless of whether work is assigned, they will continue to be paid as follows. For those with a steady schedule, they will continue to be paid in accordance with that schedule. For those whose schedule fluctuates, pay will be based on the employee's actual hours worked over the last two pay periods, or an average of their hours worked over the last two pay periods, whichever is greater.

Q. What If I Am Deemed Essential But I Cannot Work Because My Medical Provider Has Advised Me To Self-Isolate, Or I am Exhibiting Symptoms Associated With COVID-19 But Have Not Yet Been Tested?

A. Under the State policy, a recommendation from a health care provider to self-isolate is not sufficient to be eligible for full pay without charge to accruals. In order to be covered, an employee needs to have been issued a quarantine order from the State Department of Health or local health department.

However, under the FFCRA , an employee unable to work because they have been advised by a health care provider to self-quarantine related to COVID-19, or is experiencing COVID-19 symptoms and is seeking a medical diagnosis is qualified for two weeks of paid sick time, with a cap of \$511 per day. In other words, the federal law does not require a quarantine order from the Department of Health in order for the employee to be eligible for paid sick leave related to COVID-19.

It should be noted that the FFCRA does allow employers of certain health care providers and first respondents exclude them from paid sick leave and expanded family and medical leave under the Act. The Policy Bulletin Issued by the Department of Civil Service does not specifically exclude any titles. However, it does state that any agencies interested in exercising this option must consult with GOER and receive prior approve from their Deputy Secretary.

In the meantime, as we have previously advised, any questions regarding the FFCRA should be directed to your agency's Human Resources Department. If your agency's response is unsatisfactory (or if it does not provide a responsive answer), please contact your PEF Field Representative.

In any case, we reiterate our previous advice that if your provider advises you to self-isolate, you should have the provider call the State or local Department of Health, or call them yourself, to try to obtain a quarantine order. If you are able to obtain a quarantine order, then you will then be covered by the State's quarantine policy as described above.

The State has also directed that any COVID-19 symptomatic employee, that is, any employee experiencing a fever, cough, shortness of breath, or respiratory infection/distress, should not report to work. This applies to both essential and non-essential employees. Any employee experiencing symptoms associated with COVID-19 should immediately report their symptoms to their supervisor and/or the agency/authority's human resource personnel. An employee experiencing symptoms, or who had exposures, should also contact the State or local Department of Health to determine if they need to be placed on a mandatory or precautionary quarantine. Again, an employee subject to a mandatory or precautionary quarantine order is covered under the State's quarantine policy described above.

Q. If I Report To Duty And Am Sent Home Due To A Fever Or Cough, Do I Have To Charge Accruals?

A. Based on the State policy discussed above and the FFCRA, we do not believe you should have to charge accruals. Therefore, if you are sent home and expect to have to charge accruals, please (1) contact your PEF Field Representative, (2) send an email to your supervisor(s) confirming that you were directed to leave work and go home and that you did not do so on your own accord, (3) contact your physician and obtain a doctor's note stating that you should not report to work due to symptoms that may be associated with COVID-19, and (4) have your physician contact the State or local Department of Health to try to obtain a quarantine order. As mentioned above, if a quarantine order is issued by the State or a local Health Department, then the employee would be placed on leave with pay, without charge to accruals, in accordance with GOER's March 11, 2020 Memorandum.

While the federal law does not require a quarantine order issued by the government, we are still awaiting word from GOER as to how that law will be applied to our members.

Also, as a general matter, it is PEF's position that employees sent home from work should not have to charge accruals in the absence of the State complying with applicable provisions of the Civil Service Law.

Q. What If I Am Over 60 or 70, Have A Compromised Immune System, Am Pregnant, or Have an Underlying Illness That Makes Me Particularly Vulnerable to COVID-19?

A. We are currently talking with GOER about what sort of leave may be available to such employees and will update as soon as we have more information. In the meantime, if employees designated as essential are concerned about exposure in the workplace, we recommend that these employees obtain a doctor's note stating that they should not report to the work due to COVID-19 health concerns, and attempt to obtain a quarantine order from the State or local Department of Health.

We further recommend such employees contact their agency and request a reasonable accommodation of a work from home assignment. In well documented cases, PEF can ask GOER to intervene if the agency's response is unsatisfactory.

Q. What if I am Deemed Essential, But Am Unable To Work Because My Child's School Or Day Care Is Closed?

A. Under the FFCRA, and per the Policy Bulletin, employees are generally entitled to up to 12 weeks of leave, through a combination of paid sick leave (two weeks) and emergency family and medical leave (10 weeks) for workers caring for a minor child whose school or day care is not operating. Such leave is capped at \$200 per day, or \$12,000 in the aggregate. We note that an employee must have been employed for at least 30 days to be eligible for emergency family and medical leave, but emergency paid sick leave related to COVID-19 is available to any employee.

Q. What If I Am Deemed Essential And Cannot Work Because I have A Family Member Who Has COVID-19 Who Needs Me To Care For Them?

A. The FFCRA, discussed above, provides paid leave for this purpose at up to \$200 per day, capped at \$2,000 in the aggregate. Further, employees can generally use accruals for such an absence, including up to 15 days of sick leave accruals for family illness. We will update based on conversations with GOER if the 15-day sick leave cap is increased.

If someone in your home has COVID-19, we recommend that you contact your State or local Department of Health to obtain a quarantine order for yourself, or have your medical provider do so. If you are subject to a quarantine order issued by the State or a local Department of Health, then you would be placed on leave with pay, without charge to accruals in accordance with the State's quarantine policy.

As noted above, for an employee placed on a precautionary quarantine order, if such employee can perform work at home, arrangements should be made to do so.

Q. Does the new State law which provides for paid leave for COVID-19 related-reasons apply to me?

A. No. Like most other union-represented State bargaining units, the State Paid Family Leave (PFL) benefit does not apply to members of the PS&T unit. The PFL law requires that union-represented public sector bargaining units must negotiate the benefit with the public sector employer. As written, the PFL Law provides that the benefit is fully funded by employees through a payroll deduction. PEF has sought to have the State fund the benefit while the State has proposed that the benefit be funded wholly by PS&T members. This PFL benefit is being discussed by PEF and the State in contract negotiations.

Q. If I Am SG 22 Or below Or I Am Otherwise Eligible For Overtime Pay, Can I Be Mandated To Work Beyond My Normal Schedule, Including Being Directed To Work Overtime?

A. Yes, such employees can be directed to work overtime beyond their normal work schedule. For employees eligible for overtime pay, that is employees in Salary Grades 22 and below and certain other employees, there is no change to such employees' overtime eligibility under the PEF/State Contract. Employees will continue to receive overtime pay at their normal overtime rate for mandated overtime.

Further, mandatory overtime for nurses is subject to New York State Labor Law Section 167, which prohibits health care employers from mandating overtime for nurses, subject to certain exceptions, including specified emergencies and health care disasters, and sets forth steps that the employer is to take prior to mandating overtime in such situations. If you believe your employer is in violation of this law, please contact your Field Representative for assistance.

Q. If I Am SG 23 Or Above, Can I Be Mandated To Work Beyond My Normal Schedule, Including Being Directed To Work Overtime, And Will I Be Compensated For The Overtime Hours?

A. Generally, employees in Salary Grades 23 and above may be required to work beyond their normal work hours without additional compensation. However, based on the COVID-19 crisis, the State approved overtime pay for otherwise overtime ineligible employees in Salary Grades 27 and below for overtime work for only those hours in excess of 47.5 hours per week, if it is essential and directly related to activities associated with the State's preparation and response to COVID-19. A link to the State budget bulletin can be found here <https://www.budget.ny.gov/guide/bprm/h/h0501.html>. Employees should keep track of all hours worked over 47.5 and a description of the job duties performed, in case there is any dispute that the hours worked are not eligible for overtime. If you believe you should be entitled for overtime pay but are not receiving it, please send supporting documentation to your Field Representative for assistance.

For employees in Salary Grades 28 and above, such employees may be directed to work overtime hours beyond their normal schedule without any overtime compensation. Unlike the employees in Salary Grades 23 to 27, employees in Salary Grades 28 and above are not eligible for the overtime pay for hours in excess of 47.5 per week. However, it should be noted that the employing State agency can request an a Waiver of Overtime Compensation from the Division of Budget to demonstrate that extraordinary overtime is critical to activities associated with the State's preparation and response to COVID-19. These requests are decided by Division of Budget on a case-by-case basis. PEF can advocate that an agency put in such a request for staff in Salary Grades 28 and above who are working extraordinary hours on the COVID-19 response. Such overtime hours should be documented for both presentations to the agency and potentially to DOB.

Q. How Does On-Call Pay Work?

A. Nurses, nurse anesthetists and employees who are overtime eligible are entitled to on-call pay at a rate of 25% of their daily rate of pay for each eight hours or part thereof that the employee is scheduled to and remains available for recall to duty. This means that if an employee is on-call for 12 hours, they receive 50% of their daily rate of pay; 25% for the first 8 hours and another 25% for the additional four hours. Employees on a list for voluntary overtime are not eligible for on-call pay, though of course they would need to be compensated for the overtime hours voluntarily worked. To be eligible for on-call pay, the employee must be required to respond to contact by the agency and be available for recall to duty. The provisions for on-call pay are contained in Article 31 of the PEF/ State Agreement.

Q. Is There A Minimum Amount of Hours For Which I Must Be Compensated If I am Recalled To The Workplace? And, What If I Am Recalled Twice In One Day?

A. Employees who are recalled to the workplace are guaranteed compensation for a minimum of ½ the day. If recalled twice in one day, for example, each time for two hours, the employee would be entitled to compensation for a full day's pay; a half day for the first two hours of recall and a half day for the second two hours. This applies only to recall situations. If an employee is required to work extra hours immediately before or after their scheduled shift, the compensation will be based on the extra hours work with no minimum of a half day for the extra hours.

Q. Will I Be Paid At The Overtime Rate For Recall Hours?

A. Hours worked during the week between 37.5 and 40 will be compensated as compensatory time and hours over 40 will be compensated at the overtime rate.

Q. Can I Be Compensated For Work Performed Remotely While On-Call?

A. Yes, if the agency has authorized the "recall" work to be performed remotely. This would only apply to employees eligible for on-call and recall pay.

Q. Will I Be Paid Out-Of-Title Pay For Duties Performed Above My Paygrade?

A. Although out-of-title work assignments may be allowed in certain temporary emergency situations, the determination of when out-of-title pay is due is very fact specific. Therefore, if you are performing out-of-title work in a higher salary grade, it is best to file an out-of-title grievance as soon as possible to assure that any potential back pay covers as much of the work as possible. If you are mandated to perform the work of a lower salary grade title, you must be paid at your regular rate of pay. If you are not paid at your regular rate of pay while doing such work, contact your Field Representative immediately to file a grievance. Provisions related to out-of-title work are contained in Article 17 of the PEF/State Agreement.

Q. What If I was unable to take Time Off Before April 1, 2020 Due To The COVID-19 Response. Will I lose all of my vacation Accruals In Excess Of 40 Days?

A. In accordance with an agreement between PEF and the State, employees engaged in response efforts related COVID-19 or unable to utilize vacation leave due to ongoing response efforts who would otherwise forfeit accrued vacation leave on 4/1/20 will be given until close of business on 12/31/20 to use such excess vacation credits. We recommend that anyone who expects to have over 40 days of vacation accruals on April 1 who is either directly involved in the COVID-19 response, or, who expects to be able to use those accruals because of the ongoing response efforts, should put in vacation requests to use that time by April 1 so that the request can be denied and it can be clear that the employee's excess accruals should be carried over until 12/31/20. In the alternative, the employee can request that the supervisor put something in writing saying that the employee cannot use any vacation accruals between now and 3/31/20. <https://www.pef.org/wp-content/uploads/2020/05/Vacation-Accruals-MOA.pdf>

Q. I am eligible to receive compensatory time off for hours worked in excess of 37.5 but not more than 40 hours per week, which I needed to use by March 31, 2020, or it is lost. However, I was unable to do so because of COVID-19 response efforts. Have I lost that time?

A. No. Based on an agreement PEF reached with the State, deadline to use any compensatory leave time that was required to be used by March 31, 202, has been extended to December 31, 2020.

<https://www.pef.org/wp-content/uploads/2020/05/Compt-ime-and-personal-leave-MOU.pdf>

Q. What Is The Status Of Exams Scheduled By The State Department of Civil Service?

A. All State civil service examinations scheduled for *May 2020* have been postponed. All impacted candidates will be notified when exams are rescheduled. For information on the status of civil service exams administered by local governments, contact the applicable local civil service agency.

Q. Am I Going To Receive Hazardous Duty Pay As My Essential Duties Have Increased My Risk Of Infection?

A. Entitlement to hazardous duty pay is determined by criteria set forth by the Department of Civil Service and will depend on the particular facts presented. We will be monitoring in conjunction with PEF's Civil Service Enforcement Unit to make applications where appropriate to the Department of Civil Service for hazardous duty pay as a result of our members' being exposed to unavoidable, clear and direct risks to health and safety. Employees should document the hours they are performing such duties. Any exposures should be reported to your supervisor and Field Service Representative.

Q. What if I come in contact with a co-worker or family member who had contact with someone who has tested positive for Covid-19?

A. If an asymptomatic individual is contacted by a local health department to be notified that they are a contact of a confirmed case, they will be required to be under mandatory quarantine or precautionary quarantine in their home, depending on if contact was close or proximate respectively, following the guidelines provided by the State.

Any spouse, children or other household members, assuming both they and the individual under quarantine are asymptomatic, are considered a "contact of a contact" and therefore are not required to be in quarantine. They can go to school, work, and engaged other activities following recommendations for social distancing as appropriate.

If an asymptomatic employee calls their supervisor and notifies them that they are required to stay home in quarantine because they were a contact of a confirmed case, the contacts they had at work are considered "contacts of a contact" and therefore not at risk. These "contacts of a contact" are not required to be in quarantine and should be permitted to continue to work, following recommendations for social distancing as appropriate.

Q. What if I contracted COVID-19 and am sick for a longer period of time?

A. There is a lot that we don't know about this disease, but we do know it affects everyone differently. Some members' may experience extended conditions as a result of

contracting COVID-19 and in some rare instances; members' may have long-term issues from exposure that may keep them from returning to work. While it may be difficult to determine where a person contracted the virus, if you serve in a position with greater risk of on-the-job exposure, it is critical that you maintain any records regarding your illness and any correspondence you may have had with your manager and your union regarding any work-related situation that may have increased your risk of contracting the virus –i.e., direct on-the-job interaction with infected clients or inmates, lack of appropriate or complete PPE, etc. If you experience ongoing problems associated with contracting COVID-19 that preclude you from returning to work and you feel it is work-related, it is important to understand you may be eligible for workers' compensation benefits. To determine eligibility, file a claim, visit the NYS Workers' Compensation Board at <http://www.wcb.ny.gov/content/main/Workers/Workers.jsp>. It is equally critical that you keep your union informed if your condition does not improve!