



**Cook County Personnel Rules Addendum
COVID-19 Related Leaves and Return to Work Processes
Effective 7/06/2020**

**Rule 1
(Addendum to Rule 1 of the Cook County Personnel Rules)
General Provisions**

The rules and procedures in this addendum to the Cook County Personnel Rules (“Addendum”) are adopted to limit the spread of the Coronavirus (COVID-19) in Cook County buildings and facilities. In an effort to limit the spread of COVID-19, the County implements the following COVID-19 related leaves and return to work provisions, which are in line with recommendations set forth by the Centers for Disease Control and Prevention (CDC) and the Department of Public Health (DPH). All other General Provisions of the Cook County Personnel Rules apply.

1.6 DEFINITIONS

Asymptomatic - a person who does not report or appear to have any symptoms or signs of the COVID-19 virus

Child - The biological, adopted, foster, stepchild or legal ward, or child of an employee standing in loco parentis who is either under 18 years of age, or older than 18 and incapable of self-care due to a mental or physical disability as defined under the Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*, for whom the employee has actual day-to-day responsibility for care.

Close Contact - Being within six (6) feet (2 meters) of a person, or within the room or care area, of a confirmed COVID-19 diagnosed person for a prolonged period (such as caring for, living with, or visiting) or having direct contact with infectious secretions of a confirmed COVID-19 person (e.g., being coughed on).

Emergency Responder - An employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to, law enforcement officers, correctional institution personnel, emergency medical services personnel, physicians, public health personnel, emergency medical technicians, emergency

management personnel, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility. This also includes any individual whom the highest official of a State or territory, including the District of Columbia, determines is an emergency responder necessary for that State's or territory's or the District of Columbia's response to COVID-19.

Hardship Benefit Time – Benefit time given to an employee diagnosed with COVID-19 and has exhausted all of their accrued benefit time and emergency leave time. The employee is unable to qualify for disability benefits but requires additional time to recover from the COVID-19 virus. Recovery as indicated by a negative test.

Healthcare Provider - Anyone employed at any hospital, health care center, clinic, local health department or agency, any facility that performs laboratory or medical testing, pharmacy, or any similar institution, employer, or entity. This includes any permanent or temporary institution, facility, location or site where medical services are provided that are similar to such institutions; any individual employed by an entity that contracts with any of these institutions described above to provide services or to maintain the operation of the facility where that individual's services support the operation of the facility; anyone employed by any entity that provides medical services, and any individual that the highest official of a State or territory, including the District of Columbia, determines is a health care provider necessary for that State's or territory's or the District of Columbia's response to COVID-19.

Self-Isolate - The separation of a person known to be infected with the COVID-19 virus from those who are not infected to prevent spread of the disease.

Self-Quarantine – The separation of a person who might have been exposed to COVID-19 virus away from others to prevent the spread of the disease.

Wellness Screening – Protocol by which an employee answers a series of questions related to COVID-19 symptoms.

Rule 6
(Addendum to Rule 6 of the Cook County Personnel Rules)
Leaves of Absence Related to COVID-19

6.2 LEAVES OF ABSENCE WITH PAY

(a) - (j) **Reserved**

(k) **Emergency Paid Sick Leave**

An eligible employee must be unable to work or telecommute due to the following COVID-19 related reasons:

- i. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- ii. The employee has been advised by a healthcare provider to self-isolate due to concerns related to COVID-19;
- iii. The employee is experiencing COVID-19 symptoms and seeking medical diagnosis;
- iv. The employee is caring for an individual described in subsections (i), (ii) and (iii) of this Section;
- v. The employee is caring for a child (under 18 years of age) whose school or childcare is closed or is unavailable for reason related to COVID-19; or
- vi. An employee experiencing substantially similar conditions as specified by the Secretary of Health and Human Services.

Any full-time employee who meets the requirements of Section (i), (ii) and (iii) above is eligible to receive up to 80 hours of emergency paid sick leave at their regular rate of pay. Eligible part-time employees will receive emergency paid sick leave at their normal rate of pay in an amount equal to the average number of hours they work over a two-week period.

Any full-time employee who meets the requirements of Section (iv) and (vi) is eligible to receive up to 80 hours of emergency paid sick leave at a rate of two thirds (2/3) of their regular rate of pay. Eligible part-time employees will receive emergency paid sick leave at a rate of two thirds (2/3) of their regular rate of pay in an amount equal to the average number of hours they work over a two-week period.

Any full-time employee who meets the requirements of Section (v) is eligible to receive up to two (2) weeks of emergency paid sick leave at their regular rate of pay. Eligible part-time employees will receive an amount equal to the average number of hours they work over a two-week period.

Additional Emergency Paid Sick Leave is permitted under the Emergency Family and Medical Leave provisions.

Eligible employees may, but are not required to, provide notice of absence on the first day of absence, afterwards, eligible employees should follow their usual and customary absence notification procedures. Employees should complete and provide the Emergency Paid Sick Leave Request Form to their supervisor for approval, along with appropriate documentation.

All employees returning to work under this leave should follow their usual and customary return to work procedures. Employees returning to work from a leave related to Section (i), (ii), (iii) and (vi) above may be required to submit corresponding medical certification authorizing them to return to work.

(i) Emergency Family and Medical Leave

An employee employed by the County for at least 30 calendars days and unable to work or telecommute is eligible for leave to care for a child whose school or place of care and/or the unavailability of the child care provider, due to a public health emergency (such as COVID-19 pandemic). Healthcare Providers and Emergency Responders are exempted from the Emergency Family and Medical Leave.

The first ten (10) days of emergency FMLA leave shall be unpaid, and the employee may substitute accrued paid time or Emergency Paid Sick Leave during the 10-day period.

Full time employees are eligible to receive Emergency FMLA leave, beyond the first 10 days, at two-thirds (2/3) of the employee's regular pay rate. Part-time employees are eligible at two-thirds of the employee's hourly pay rate by the number of hours the employee would otherwise work.

Notification requirements of the County's Family and Medical Leave Policy remains in effect. Employees may request leave by completing the Emergency Family and Medical Leave Request Form. Supporting documentation is required to submit within two (2) business days of taking the leave. All certification requirements listed in the County's Family and Medical Leave Act Policy remain in effect.

Employees should follow their usual and customary return to work procedures when returning to work.

Upon returning to work, the employee will be placed in the same position held prior to the leave. Should the position no longer be available, the County will make reasonable efforts to restore the employee to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

(m) Other COVID-19 Related Absences

Employees who exhibit COVID-19 related symptoms during the workday should immediately leave the County building or facility and notify their Department Head (or Designee). Also, employees should notify BHR Personnel Services Division via email as soon as practicable. Upon confirmation that the employee tested positive for COVID-19 or was diagnosed with COVID-19 virus, the employee should contact their Department Head (or Designee) in order to provide information needed for the Department Head to complete a thorough workplace investigation to ensure the health and safety of all employees.

The County may require employees to leave County premises for any of the following reasons related to the COVID-19 pandemic:

- i. Recent travel to any country with a Centers for Disease Control and Prevention (CDC) Travel Alert Level 3 in the last 14 days;
- ii. Employees who live or have had Close Contact with a Person Under Investigation (PUI) as indicated by the CDC;
- iii. Employees who had Close Contact with a person known to have been diagnosed with COVID-19 illness;
- iv. Employees who have a confirmed diagnosis of COVID-19 illness;
- v. Employees who either fail to participate in or fail to pass the wellness screening program administered at all County buildings and facilities for the health and safety of employees and the public.
- vi. All current provisions of the Cook County Personnel Rules and the Cook County Time and Attendance Policy continue to apply to employee absences related to COVID-19.

6.7 PAY PROVISIONS FOR COVID-19 RELATED ABSENCES

(a) Benefit Time

Subject to the provisions of Cook County Personnel Rule 6.2 and its addendum, employees must avail themselves of any applicable benefit time or approved leave of absence to be paid during their time away from work.

(b) Extended Hardship Pay Related to COVID-19 Diagnoses

Employees diagnosed with COVID-19 and who exhaust applicable paid leaves of absence, accrued benefit time and are unable to qualify for disability may apply for the supplemental COVID-19 Hardship Benefit Time (“Hardship Benefit”). Employees must complete and submit the COVID-19 Hardship Benefit Time Request Form attached as Exhibit A to the Bureau Chief of BHR (or Designee) for approval.

Eligibility for the Hardship Benefit will be evaluated on an individual basis. Such eligible employees must submit positive test result for COVID-19 and medical certification indicating that the employee is not authorized to work due to the virus. If approved the employee will be placed on administrative leave not to exceed fourteen (14) days. The employee will receive two-thirds (2/3) of their regular rate of pay during the approved administrative leave.

6.8 RETURNING TO WORK FROM COVID-19 RELATED ABSENCES AND OTHER PARTICULAR ABSENCES DURING THE COVID-19 PANDEMIC

Cook County follows public health and CDC guidance regarding the safe return of employees to the workplace.

(a) Employees Absent Due to Governmental Order

Employees returning to work from an absence imposed by governmental Executive Orders may do so when the Orders are lifted, unless the employee is absent under another provision of Section 6.8.

(b) Employees Diagnosed, Exhibiting Symptoms or Potentially Exposed to COVID-19

Employees diagnosed, exhibiting symptoms, or potentially exposed to COVID-19 may return to work once cleared by their physician. They must submit to BHR

Personnel Services Division the corresponding medical certification authorizing them to return to work.

(c) **Employees Absent Due to School Closings or the Unavailability of Childcare Provider**

Employees absent due to school closings or childcare provider unavailability may return to work using their customary return to work process.

(d) **Employees Returning from a Travel Alert Level 3 Country**

Employees returning from a CDC Travel Alert Level 3 country, cruise or river cruise may return to work after a 14-day Self-Quarantine period upon their return to the United States of America

(e) **Medical Certifications**

Acceptable medical certifications include, but are not limited to:

- i. Two (2) negative COVID-19 test result taken within 24 hours of each other.
- ii. Written correspondence from the physician's office on their letterhead indicating that the employee has been cleared by the physician to return to work.
- iii. Medical certifications can be transmitted via facsimile to (312) 603-3747, mail or by contacting BHR Personnel Services (BHR.confidential@cookcountyil.gov) for instructions to complete and upload documentation.

EXHIBIT A

COVID-19 HARDSHIP BENEFIT TIME REQUEST FORM



**COOK COUNTY BUREAU OF HUMAN RESOURCES
COVID-19 HARDSHIP BENEFIT TIME REQUEST FORM**

Download the form in order to complete

Employee Name (Last, First, MI): _____

Employee ID #: _____ Position Title: _____

Department Name: _____ Supervisor Name: _____

Absence Start Date: _____ Absence End Date: _____

Employees approved for this benefit will be placed on paid administrative leave for a period not to exceed 14 days.

Eligibility– place a check mark on each item that applies:

- I have been diagnosed with COVID-19;
- I have exhausted all of my accrued benefit time;
- I have exhausted all leave available under the Emergency Paid Sick Leave;
- I am unable to qualify for disability

Calculation of Hardship Benefit Time Pay Rate

Employees who meet the eligibility requirements will be placed on an administrative paid leave of absence for a period not to exceed 14 days. Eligible part-time employees will receive an amount equal to the average number of hours worked over a two-week period at two-thirds (2/3) of their regular pay rate. Eligible full-time employees will receive up to 40 hours of Hardship Benefit at a rate of two-thirds (2/3) of their regular rate of pay. The amount of Hardship Benefit Time can be extended with sufficient notification and upon approval of the Chief of the Bureau of Human Resources (or designee).

Acceptable Medical Documentation

1. A Positive COVID-19 test result;
2. A written correspondence from the physician's office on their letterhead indicating that the employee has been cleared by the office to return to work; or

3. A medical certification can be submitted directly to BHR, Personnel Services Division by facsimile, mail, or electronic upload:
 - a. Facsimile: (312) 603-3747
 - b. Mail: Cook County, Bureau of Human Resources, Room 834 – Attention: Personnel Services, 118 N. Clark Street, Chicago, IL 60602
 - c. Upload your medical certification, send the certification to the attached link, and follow the instructions provided - <https://cookcounty.sharepoint.com/sites/BHRReturntoWork>

By my signature, I certify that the information provided in this Form is true, correct, and complete to the best of my knowledge. Further, I acknowledge that falsification or misrepresentation of information provided in this form will be a violation of Personnel Rules 8.2(b) (18) and 8.2(b) (33) and may lead to discipline, up to and including, discharge.

Employee Signature

Date

Hardship Benefit Time Extension

- I am requesting additional time
- I have submitted a secondary positive test result for COVID-19
- I have submitted correspondence from my physician that I am not authorized to work

Employee Signature

Bureau of Human Resources Signature

Bureau of Human Resources ___Approval ___Denial

Bureau of Human Resources (or Designee)

Date

Please send this form to Bureau of Human Resources Personnel Services