

## COVID-19, What to do when an employee is sick

VT Public Library HR minute – October 2020

### Dear Library Friends,

One of the myriad challenges of opening our public libraries to our community members is the vulnerability of our vital staff. In many libraries, one employee or volunteer reporting symptoms or receiving a positive COVID-19 test could mean that the library may have to shut its doors tightly and, as the staff quarantine and/or recover, not get back to business for as long as two weeks.

Another challenge for virtually all Vermont public libraries is that there is no “Human Resources” department to rely on. An HR sub-committee may be present, although people-management issues more often than not fall to the director and trustees. If you are a trustee or director of a municipal library, your municipality may have a formal HR Department to turn to, or it may be subsumed within the town administrator’s responsibilities. Regrettably, for many libraries, people management is just one of the many things someone, or “several someones,” must handle, learning as they go.

Even if you *generally* understand the COVID-19 rules-of-engagement, recalling the sequence of “what-do-I-do-now” (WDIDN) in the case of an employee or volunteer reporting symptoms or testing positive is daunting.

If you don’t have an easily “readable” WDIDN decision flowchart, [please see page three](#). The flowchart has been modified from guidance created by the Town of Milton, Vermont for department heads, courtesy of the Milton Public Library. Vermont is following the Centers for Disease Control recommendations as adapted by the Vermont Department of Health and the Governor’s Office through his evolving Executive Order.

With the understanding that every Vermont public library has a unique “who to contact” list, the chart has “fill-in-the-blanks” in some of the boxes for you to write or type the “correct” answer/name. For instance, who *in your organization* do you contact when an employee tests positive? Is it a department within the town, a trustee, or a series of people? Fill it in. While this document is a PDF and editable if you have Adobe Acrobat Pro, I have also created the chart in Excel for easier editing, which you can download at the [UVM Extension library education](#) website. Please [email me](#) if you have questions, suggestions for improvements, or an interest in another format.

During a Q & A section of a session held at the virtual VT LIB / VLA Trustees and Friends Conference in

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At your fingertips....

**Vermont Department of Health** “What to do if my employee tests positive for COVID-19?”

[CLICK HERE](#)

Current update on **VERMONT WORK SAFE** additions to the *BE SMART, STAY SAFE* executive order

[CLICK HERE](#)

**Centers for Disease Control** “Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools, and Homes.”

[CLICK HERE](#)

**U.S. Equal Employment Opportunity Commission**, “What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws”

[CLICK HERE](#)

**VTLIB consultants** stand at the ready to help! They have a wealth of experience and can offer expert guidance as you “connect the dots” to success.

[CLICK HERE](#)

**Vermont Department of Libraries** COVID-19 information.

[CLICK HERE](#)

Gary Deziel, **UVM Extension**, “Library education” website, for specific and general public library HR and budgetary guidance.

[CLICK HERE](#)

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September 2020, we heard several questions about what to do if certain situations” arise.

1. **“It’s nothing; it’s just a cold.”** What do you do if an employee presents symptoms similar to a cold and they *insist* that they’re okay and it’s “just a cold?”
  - a. Unfortunately, common cold symptoms overlap COVID-19 symptoms. These include runny nose, sore throat, fatigue, cough, and muscle or body aches, among other things. Because of this, employees are under presumption of having been infected with COVID-19. Default

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to “what do I do next” flowchart in guiding your behavior.

2. **“I have no sick leave!”** What if they don’t get any sick days or paid time off and want to work because of that and because “it’s just allergies or a cold?”
  - a. See response 1a, above, for guidance first.
  - b. Then provide virtual work as appropriate or as possible.
  - c. If you cannot provide virtual work, or not enough virtual work as needed for the hours normally worked, consider providing unpaid leave. If this is an hourly position, you may be able to move payroll resources to another employee or temporary worker to fulfill a staffing need.
  - d. If your employees are covered under a collective bargaining agreement, follow it closely. Comply with any personnel policies your library has adopted.
  - e. Municipal library employees may be covered by employee rights under the Families First Coronavirus Response Act (FFCRA). Contact your municipality’s human resource department or contact person for further information. This may be very helpful for your employee. As of writing, the FFCRA is effective through December 31, 2020, and can provide up to 12 weeks of coverage.
  - f. Incorporated libraries *may* be covered by FFCRA, keeping in mind that small businesses may be

exempt from the Act. Consult the trustees for further guidance and decisions.

### More to think about

- Employers should recognize that supervisors are probably going to be the first to hear about a worker’s health. Inform and train your staff!
- While you’re at it, inform ALL your staff; remember that communication, communication, and more communication is a very important leadership duty right now!
- Employers should have clear procedures in place to address confirmed or presumptive COVID-19 cases.
- Do not panic; follow your process.
- Take precautions, like deep sanitation to maintain safe working conditions.
- Your “flowchart” or guidance should have back-to-work procedures.
- You have a legal obligation to protect all health information. If an employee provides you with information, this is covered under the Americans with Disabilities Act (ADA). If the employee’s primary care provider or other medical entity provide information, the employee’s rights to confidentiality are covered under the Health Insurance Portability and Accountability Act (HIPAA). In either case, keep all health records SEPARATE from personnel records and only accessible to people with an absolute necessity to know.

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**Gary is not an attorney and this does not constitute legal advice.**

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<b>Library guidance for sick employees</b>	<b>PROVIDE CLARITY.</b> Discuss the following guidelines <b>WITH ALL</b> employees. If there are any questions you don't know the answer to, direct employee to (_____).	<b>Clean all high-touch surfaces employee may have touched last seven days.</b>	Documentation is important. Maintain strict medical record confidentiality; <u>separate</u> from personnel files, per ADA rules.
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**Employee experiences** temp of 100.4° F or greater, cough, shortness of breath, or other feelings of unwell that are not caused by any of the employee's existing medical conditions.

- Instruct** employee AT WORK to GO home & stay home and consult their Primary Care Physician (PCP). If they're at home, instruct them to STAY HOME and consult their PCP.
- Request** that they inform you if they get a POSITIVE COVID-19 test. [The VT Health Department is notified whenever someone tests positive for COVID-19 in Vermont.]
- Contact** (\_\_\_\_\_) with all information. Best practice is not to email this information, as legally protecting this will be difficult at best! Please mail, hand deliver, or by file transfer protocol.

**Employee states they have had close contact** with someone who is COVID-

**OR**

**Employee has tested positive for COVID-19**

**Employee's doctor does not recommend a test OR test is NEGATIVE for COVID-19** | **Employee tests POSITIVE for COVID-19**

Contact (\_\_\_\_). They will work with the state to conduct contact tracing and inform all **potentially exposed employees** to quarantine for 14 days and consult their Primary Care Physician if they begin experiencing

If employee's doctor says they may **return to work**, they may.

**Returning to Work:**

<b>COVID-19 POSITIVE Employee</b>	<b>Employee's doctor does not recommend test OR employee tests NEGATIVE</b>
Fever has resolved for 24 hours without aid of fever reducers AND at least 10 days have passed since onset of symptoms or last positive test.	Completed 14 day quarantine or 7 day quarantine with negative test on or after 7 day.

The employee DOES NOT need to show proof of a negative COVID-19 test, but a doctor's note or other official documentation CAN be required, per ADA COVID-19 guidelines, in order to return to work.

<b>Per our personnel policies, a formal note of absence due to medical leave / COVID-19 is (please circle)...</b>	<b>Not required</b>	<b>Required</b>	<b>Additional NOTES:</b>
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