

Guidance for BUSD Employees regarding Coronavirus

Can I use my sick leave if I choose to self-isolate or a medical professional recommends I isolate myself?

Yes. Sick leave can be used for absences due to illness, the diagnosis, care or treatment of an existing health condition, or preventative care for the employee or the employee's family member. Preventative care may include self-quarantine as a result of potential exposure to COVID-19 if quarantine is recommended by medical professionals. If you decide to self-isolate or are advised to isolate yourself by a medical professional your absence will be covered by sick leave.

Do I have to use my sick leave if I am placed under quarantine or if I test positive for COVID-19 (Coronavirus)?

No, employees will receive full pay and benefits if you are directed to be quarantined by order of any federal, state, or local agency. Employees will not be charged sick leave, vacation, any paid leave, or docked pay if you are directed to be quarantined by order of any federal, state, or local agency. You will have to show verification of this status upon your return to work.

Do I have to go home or stay home if I feel sick?

All employees and volunteers who present with fever and/or respiratory infection symptoms should be separated from others and should go home immediately. Those who are ill should contact their health care provider, and the local health officials will follow up if there are any identified cases of concern.

Can I work from home or telecommute?

At this time, the District is not able to support our employees working from home or telecommuting due to the nature of our business.

How do I use my sick leave if I choose to self-isolate or a medical professional recommends I isolate myself or if I feel ill or I am sent home?

If you wish to use sick leave, follow the normal process of reporting your absence by contacting your supervisor or using the substitute system(AESOP/Frontline). Upon your return to work, you will need to complete an absence certificate. On the absence certificate, please mark if you wish to use sick leave.

Do I have to use my sick leave?

If you wish to get paid for your time off, the answer is yes. If you wish to continue to receive medical benefits but do not want to use your sick leave, you will need to contact benefits to set up a payment plan to maintain your medical coverage. The district can not force you to use your sick leave. However, in order to access extended sick leave, you must have exhausted all accumulated sick leave.

Do I need to provide a doctor's note?

Yes, if you are absent for five (5) or more consecutive days while school is in session. When you return to work please submit your absence certificate, and if you have been out more than five (5) consecutive days, submit your verification from a medical provider as well.

BCCE - If you are absent for more than five consecutive days, the collective bargaining agreement requires medical verification upon your return to work. This verification should include the dates of illness and clearance to return to work.

BFT - The collective bargaining agreement allows the district to request verification by a medical professional for any leave of absence. In the employee handbook, the district requests that if you are absent more than five consecutive days, you must provide medical verification upon your return to work. This verification should include the dates of illness and clearance to return to work.

Local 21 - The collective bargaining agreement is silent on requiring verification by a medical professional except in the case of illness during vacation. In the employee handbook, the district requests that if you are absent more than five consecutive days, you must provide medical verification upon your return to work. This verification should include the dates of illness and clearance to return to work.

UBA - The collective bargaining agreement is silent on requiring verification by a medical professional. In the employee handbook, the district requests that if you are absent more than five consecutive days, you must provide medical verification upon your return to work. This verification should include the dates of illness and clearance to return to work.

Unrepresented - In the employee handbook, the district requests that if you are absent more than five consecutive days, you must provide medical verification upon your return to work. This verification should include the dates of illness and clearance to return to work.

What if I run out of sick leave?

All employees are eligible for extended sick leave with verification from a medical provider. Extended sick leave starts after the exhaustion of accumulated sick leave and can last up to 100 duty days.

After consultation with the labor unions MOUs were signed on 3/20/2020 so that all non-substitute employees will receive full pay and benefits while on extended illness leave.

If you're unable to work due to having or being exposed to COVID-19 (certified by a medical professional) and you have paid into State Disability Insurance (SDI), you can [file a Disability Insurance \(DI\) claim](#) with the employment development department. DI provides short-term benefit payments to eligible workers who have a full or partial loss of wages due to a non-work-related illness, injury, or pregnancy. Benefit amounts are approximately 60-70 percent of wages (depending on income) and range from \$50-\$1,300 a week.

I am a substitute employee, will I get paid?

For substitute employees, if the substitute is assigned to a limited-term substitute assignment and was pre-assigned to work during dates of illness or quarantine the substitute will receive full pay. During illness or quarantine, day-to-day substitutes will receive a prorated amount of pay based on their pay for the prior three full months of work.

I am an employee on a timesheet, will I get paid?

For employees paid based on a timesheet, if you are ill or under a required quarantine you will receive a prorated amount of pay based on your pay for the prior three full months of work.

What about worker's comp? Can I file a claim for the coronavirus?

You are entitled to file a worker's comp claim for any illness or injury which you believe is work-related. To make a claim, contact the company nurse at 1-877-247-1447 and inform your supervisor. You will be required to see an occupational health network doctor unless you have previously filed a "personal physician pre-designation for work-related injuries" form with the district.

What if I am forced to miss work due to providing care for a family member?

You can use your sick leave and extended sick leave for care-giving responsibilities. The medical professional serving your loved one should be able to provide you a caregiver verification.

If you're unable to work because you are caring for an ill or quarantined family member with COVID-19 (certified by a medical professional), you can file a Paid Family Leave (PFL) claim with the employment development department. PFL provides up to six weeks of benefit payments to eligible workers who have a full or partial loss of wages because they need time off work to care for a seriously ill family member. Benefit amounts are approximately 60-70 percent of wages (depending on income) and range from \$50-\$1,300 a week.

What happens to my pay and benefits if the District is closed?

The District will pay all employees in the event of a closure. You will not need to use sick leave, vacation, or any other leave. Any pre-planned absences scheduled in the sub system(AESOP/Frontline) will be canceled centrally. Any closure will not be included in the count of consecutive days absent, nor will a doctor's note be required in the event of a closure. Any work completed prior to a District closure that would be documented on a timesheet will be paid upon the reopening of the District office. Benefits will remain intact for active and enrolled employees during a closure. Paychecks that are normally sent to worksites will be mailed to the home address we have on file.

For employees paid based on a timesheet, you will receive a prorated amount of pay based on your pay for the prior three full months of work.

For substitute employees, if the substitute is assigned to a limited-term substitute assignment and was pre-assigned to work during dates of school or district closure the substitute will receive full pay. During a school or district closure, day-to-day substitutes will receive a prorated amount of pay based on their pay for the prior three full months of work.

As a substitute if the District shuts down operations due to COVID-19, you can file an Unemployment Insurance (UI) claim with the Employment Development Department. UI provides partial wage replacement benefit payments to workers who lose their job or have their hours reduced, through no fault of their own. Workers who are temporarily unemployed due to COVID-19 and expected to return to work with their employer within a few weeks are not required to actively seek work each week. However, they must remain able and available and ready to work during their unemployment for each week of benefits claimed and meet all other eligibility criteria. Eligible individuals can receive benefits that range from \$40-\$450 per week.

Can I choose to work at another site if my site is closed?

Unfortunately if your site is closed you are under quarantine and we can not authorize you to work or volunteer elsewhere in the district.

I work at two (or more) sites. What do I do if one of my sites is closed?

If you are not sick or caregiving for someone who is sick you may continue to work at the other sites or you may self-quarantine. Please advise your supervisor of your choice. If you are sick or caregiving for someone who is sick please stay home and you will be paid without having to use your sick leave or vacation.

Can I be asked to work if the district is closed?

If your position is considered essential (for example: district office staff, food service, and facilities employees) you will be notified as soon as possible by your supervisor of your temporary assignment. If you are sick or caregiving for a person who is sick, you are not required to take the temporary assignment or to use sick leave or vacation during the closure.

We will continue to communicate regularly with you, and appreciate all you are doing and continue to do to support students and each other through a time of uncertainty and stress. We also want to remind everyone that in addition to consulting with your medical provider if you have health questions, we also have our Employees Assistance Program (EAP) available for employees who need support and advice on personal concerns. You can call 1-800-834-3773 for confidential assistance.

Relevant Contract Language:

BFT Extended Sick Leave

12.3 Extended Sick Leave

A teacher absent from duty for reasons of illness or accident for a period of one hundred (100) duty days or less from the date of the expiration of the accumulated sick leave shall receive the difference between his/her salary and the actual cost to the District of a replacement employee to fill the position during the absence. If no replacement is employed, the salary cost to the District shall be the salary shown on Class II, Step 1 of the Teacher Salary Schedule. Concerning the above-referenced one hundred (100) duty days or less of extended sick leave, the teacher shall continue to receive the same level of District health benefits coverage as before the illness or accident as long as it is consistent with legal limitations and restrictions placed by the various insurance carriers.

BFT Doctor's Notes

12.15.1 The District may require reasonable verification for any leave of absence.

12.17 Medical Examination

12.17.1 A licensed medical practitioner's statement may be requested if the Superintendent has substantial reason to believe that there exists a pattern of abuse of paid sick leave on the part of the teacher.

BFT Industrial Illness

12.2.3 There shall be no loss of sick leave for illnesses or communicable disease contracted through work or work-related accidents provided that an award of worker's compensation claim has been granted.

BCCE Extended Sick Leave

11.2.10 Extended Sick Leave

(a) Extended sick leave shall be used only after exhaustion of all other paid leave. The District will make every effort to notify unit members of their right to apply for this benefit prior to reducing salary after other paid leaves have been exhausted.

(b) Each unit member in the bargaining unit shall once a year be credited with a total of one hundred (100) working days of sick leave including days to which he/she is entitled under Education Code Section 45191. Such days of extended sick leave, in addition to those under the accumulated sick leave provisions shall be compensated at fifty percent (50%) of the unit member's regular salary. Total paid days of extended sick leave days in a fiscal year shall be computed by subtracting from one hundred (100) the total number of sick leave days accumulated by the unit member in a fiscal year.

BCCE Doctor's Notes

(i) Verification

A unit member absent for five (5) consecutive working days or more shall be required to present a doctor's statement stating the dates of the medical leave and the date the unit member is able to return to work. Such statement may be required for absences of fewer than five (5) days if the District has substantial reason to believe that there exists a pattern of abuse of paid sick leave on the part of the individual. Prior written notice shall be given to the unit member if the District desires verification for fewer than five (5) days' absence.

BCCE Industrial Illness

(e) There shall be no loss of sick leave due to illnesses, communicable disease or injury contracted through work or work-related incidents provided that the appropriate procedures for claiming Workers' Compensation have been complied with and an award of Workers' Compensation has been made in such a manner as to substitute for the use of sick leave.