

**COVID-19 Exposure and Work/Leave Options under *Enhanced Telework Status*<sup>1</sup>**  
**(Updated 3/23/2020)**

These charts are designed to be read together with the FAQs below. Please refer to both when providing guidance to employees. If you have questions about how these charts apply to your situation, please contact your supervisor for guidance. Supervisors can also refer to the [Office of Personnel Management FAQ guide issued March 7, 2020](#).

<b>Exposure Situation</b>	<b>Telework Participant<sup>2</sup></b>	<b>Non-Telework Participant<sup>3</sup></b>
1. Employee is a primary contact because they were exposed to a confirmed case of COVID-19 (as documented by a medical provider or public health official)	Employee expected to stay home and telework for the 14-day quarantine period. Employee should continue to telework after the quarantine period under <i>Enhanced Telework</i> status.  webTA code: 01 - Telework-Weather/Emergency	Employee granted paid weather and safety leave for the 14-day quarantine period. If, during the quarantine period, the employee becomes symptomatic, the employee must follow guidance in the FAQs for using sick or other leave to cover the time during which they are sick.  webTA code: 66 – Weather/Safety Leave
2. Secondary contact: Employee is a secondary contact because they had contact with a primary contact	Employee should stay home and telework under <i>Enhanced Telework</i> status.  webTA code: 01 - Telework-Weather/Emergency	Employee should continue to work as scheduled under the guidance for <i>Enhanced Telework</i> status.  webTA code: 66 – Weather/Safety Leave
3. An employee must stay home to care for a family member (e.g., child or elderly family member) who is asymptomatic <sup>4</sup> but quarantined due to exposure to documented case of COVID-19 (i.e., a family member who is a primary contact)	Employee may request annual leave, leave without pay, advanced annual leave, or other paid time off (e.g., earned compensatory time, earned credit hours) to care for the asymptomatic, quarantined family member (e.g., a child or elderly family member). Employee may telework when they are not care giving. See Q20-Q22 for more information.	Employee may request annual leave, leave without pay, advanced annual leave, or other paid time off (e.g., earned compensatory time, earned credit hours) to care for the asymptomatic, quarantined family member. See Q20-Q22 for more information.
4. Employee showing symptoms of an illness (e.g. coughing, shortness of breath, fever)	Employee should telework if they feel well enough. If not, employee should take sick leave, annual leave, leave without pay, advanced leave, or other paid time off (e.g. earned compensatory time, earned credit hours). See Q23 for more information.	Supervisor should encourage employee to take sick leave, annual leave, leave without pay, advanced leave, or other paid time off (e.g., earned compensatory time, earned credit hours). If they refuse, employee may be sent home on paid administrative leave after consulting with Labor and Employee Relations, OHR. See Q23 for more information.
5. Returning from any international travel for personal reasons	Employee should stay home and telework under <i>Enhanced Telework</i> status.  webTA code: 01 - Telework-Weather/Emergency	Employee granted paid weather and safety leave for the 14-day quarantine period.  webTA code: 66 – Weather/Safety Leave

<sup>1</sup> *Enhanced Telework* status: Telework is broadly expanded; non-teleworkers granted paid weather/safety leave; essential workers must report to the worksite, as scheduled, with exceptions explained in the FAQs. **Current Smithsonian status as of March 14, 2020.**

<sup>2</sup> *Telework Participant*: An employee who already has signed a telework agreement or an employee who is eligible for ad hoc telework in a COVID-19 emergency (expanded criteria) and has signed an emergency telework agreement.

<sup>3</sup> *Non-Telework Participant*: An employee who is ineligible for telework, even under emergency ad hoc circumstances.

<sup>4</sup> "Asymptomatic" – showing no symptoms

**COVID-19 Employee Category and Work/Leave Options under *Enhanced Telework Status***  
**(Updated 3/23/20)**

<b>Employee Category</b>	<b>Telework Participant</b>	<b>Non-Telework Participant</b>
1. <b>Employee is categorized as non-essential personnel and does not self-identify as belonging to a higher risk group identified by the CDC.</b>	Employees in this category should telework.  webTA code: 01 - Telework-Weather/Emergency	Employees in this category should not report to work and will be granted paid weather and safety leave. If a non-essential employee needs to come into the work site for any reason: Beginning Monday, March 23, non-emergency, non-essential staff <b>must have</b> the permission of their supervisor or facility director to enter a Smithsonian-owned or leased facility.  webTA code: 66 - Weather and Safety Leave
2. <b>Employee is categorized as non-essential personnel and self-identifies as belonging to a higher risk group identified by the CDC.</b>	Employees in this category should telework. If asked to report to work site, employee should follow the higher risk status certification procedures outlined in the FAQs below. (See Q13.) Upon certification, employees should not report to the work site.  webTA code: 01- Telework-Weather/Emergency	Employees should follow the higher risk group certification procedures outlined in the FAQs below (See Q13). Upon certification, employees should not report to work and will be granted paid weather and safety leave.  webTA code: 66- Weather and Safety Leave
3. <b>Employee is categorized as essential personnel and does NOT self-identify as belonging to a higher risk group identified by the CDC.</b>	On occasion, essential employees may be permitted to telework for all or a portion of their duties. Otherwise, employees should report to work as scheduled.	Essential employees will need to report to the worksite, as scheduled, unless the essential employee is subject to a situation described in the COVID-19 Exposure and Work/Leave Options chart above.*
4. <b>Employee is categorized as essential personnel AND identifies as belonging to a higher risk group identified by the CDC.</b>	If the employee wants to self-identify as part of a higher risk group identified by the CDC, they should follow the higher risk group certification procedures outlined in the FAQs below (See Q13). The certified employee would no longer be considered essential during the COVID-19 emergency.* If the employee can work from home, the employee should telework.  webTA code: 01- Telework-Weather/Emergency	If the employee self-identifies as part of a higher risk group identified by the CDC, they should follow the higher risk group certification procedures outlined in the FAQs below (See Q13). The certified employee would no longer be considered essential during the COVID-19 emergency.* Since the employee is not able to telework, they should be granted paid weather and safety leave.  webTA code: 66- Weather and Safety Leave

\* Note that exceptions may be necessary depending on mission-critical needs, as approved by a Unit Director and/or Occupational Health Service (OHS), and with safety precautions in place.

# COVID-19

## Telework and Leave FAQs under *Enhanced Telework Status* (Updated 3/23/23)

This guidance applies to essential and non-essential employees. These FAQs and the charts are designed to be read together. Please refer to both when providing guidance to employees.

### Telework

#### **Q1. What does *Enhanced Telework status* mean?**

**A1.** Management and employees should broadly expand telework arrangements for telework-eligible employees. Non-essential employees who are ineligible to telework due to the nature of their job or some other reason may be granted paid weather and safety leave. Beginning Monday, March 23, non-emergency, non-essential staff **must have** the permission of their supervisor or facility director to enter a Smithsonian-owned or leased facility. Essential employees will need to report to the worksite, as scheduled, unless they are certified as a higher risk individual (see Q14 for more information).

#### **Q2. Can a supervisor direct a telework-eligible employee to telework?**

**A2.** Yes. OPM regulations allow management to order one or more employees to evacuate from their worksite and perform work from their home (or an alternative location mutually agreeable to management and the employee as a safe haven) during a pandemic health crisis. See 5 CFR 550.409(a). Also, if and when the Smithsonian Continuity of Operation Plan (COOP) is activated, telework may be leveraged during a COOP activation. All telework-eligible employees should sign telework agreements now, however they are not necessary.

#### **Q3. What if a telework-eligible employee refuses to sign a telework agreement?**

**A3.** A telework agreement is preferred, but not necessary in this situation. A telework-eligible employee can be ordered to telework without regard to whether the employee has signed a telework agreement, according to OPM regulations found at 5 CFR 550.409(a).

#### **Q4. What if an employee is not yet telework-ready?**

**A4.** Teleworking requires several tasks be completed before an employee is set-up and “telework ready.” For instance, the employee will likely need a computer and access to the Smithsonian network. Therefore, in this situation, if an employee is not yet telework-ready, they may be granted paid weather and safety leave until they are fully prepared to telework. Employees are encouraged to prepare to telework now using the tools and instructional guidance that are available on OCIO’s updated page on [Telework Preparedness](#).

#### **Q5. Does an employee need full access to the Smithsonian network to be considered telework-ready?**

**A5.** Not necessarily. Employees should discuss with their supervisor now about what kind of

portable work they can do at home and what tools are needed to accomplish that work.

**Q6. If an employee is a non-telework participant and is quarantined under the direction of local or public health authorities, how will they be paid?**

**A6.** The employee's paid time should be coded as 66 - Weather and Safety Leave.

**Q7. If the school systems are closed due to COVID-19, can a telework program participant perform telework with a child in the home?**

**A7.** Supervisors may allow the employee to telework, as a special exception, in these circumstances. The employee would be expected to account for work and non-work hours during their tour of duty and take appropriate personal leave (paid or unpaid) to account for time spent away from normal work-related duties (e.g., to care for small children). Paid weather and safety leave SHOULD NOT be granted to an employee under this scenario. However, supervisors should allow for maximum scheduling flexibility. Employees in this situation should speak with their supervisors on how to structure their day. Telework hours may be broken up throughout the day using flexibility in scheduled work hours.

**Q8. What if a telework program participant does not have enough work to cover the full telework day during incidences of COVID-19?**

**A8.** If a telework program participant does not have enough work, the employee is required to notify their supervisor to receive additional work. Supervisors should make every effort to provide telework participants with additional work. See Q28 for more information on assigning work to employees. If the supervisor does not have additional work to provide the employee, or the work is insufficient to fill a full day, the employee may be granted paid weather and safety leave for hours that they cannot work.

**Q9. Are intermittent employees permitted to telework? What if they do not have enough portable work for full-time telework?**

**A9.** If the Unit has the ability to allow intermittent employees to telework and there is portable work to assign the employees that would benefit the Unit, intermittent employees may telework.

If an intermittent employee does not have enough portable work to telework full-time during their scheduled time, supervisors may NOT grant paid weather and safety leave. Federal law specifically excludes intermittent employees from the paid weather and safety leave provisions because intermittent employees do not have an established regularly scheduled tour of duty during the administrative workweek. See 5 U.S. Code § 6329c.

If intermittent employees were scheduled to work prior to the Institution's closure to the public, and they can no longer perform their duties on site or via telework, they may be paid administrative leave only for the time they were originally scheduled.

**Q10. Are intermittent employees, who are not able to telework, eligible for unemployment?**

**A10:** It is possible that intermittent employees may be eligible for unemployment compensation. State unemployment compensation requirements differ. Employees should submit their questions to the appropriate State office. The state where you file your claim will determine your eligibility.

## **Leave**

**Q11. What leave options are available to *non-essential* employees who are not telework program participants (i.e., ineligible to telework due to the nature of their job or some other reason)?**

**A11.** Non-essential employees in this category would be granted paid weather and safety leave in an *Enhanced Telework* status since they are ineligible to telework.

**Q12. What leave options are available to *essential* employees who must report to the worksite?**

**A12.** Essential employees may request to take annual leave, advanced annual leave, other paid time off (e.g., earned compensatory time off, earned credit hours), or leave without pay. Note that leave requests are subject to supervisory approval and may be denied. If the essential employee self-identifies and is certified by Occupational Health Service (OHS) as being part of a higher risk group, they may be granted weather and safety leave. Note that exceptions may be necessary depending on mission-critical needs, as approved by a Unit Director and/or OHS, and with safety precautions in place. See Q13 and Q14 for further information on higher risk group certification and implications for essential employees.

**Q13. How does an employee get certified by OHS as being in a higher risk group?**

**A13.** Employees who want to be considered as being in the CDC's higher risk category should take the following steps to exercise that option. Participation in the OHS certification process is voluntary. (Note that exceptions may be necessary depending on mission-critical needs. See Q12 above.):

**STEP 1:** Read the higher risk categories as identified by the CDC:

- Adults age 65 years and older
- People with the CDC identified serious underlying conditions like: Heart disease, Diabetes, Lung Disease.

**STEP 2:** Call the Smithsonian Occupational Health Service (OHS) for a consultation. You should **not** go to the clinic in person.

- Call 3-Well (202-633-9355) between the hours of 8:00 am and 4:00 pm (EDT) to speak with an Occupational Health Nurse.
- Let them know that you want to be certified as higher risk.
- The nurse will ask you a couple screening questions, and if you have any documentation.

- If you qualify under the CDC higher risk categories, OHS will issue you and your supervisor a Duty Disposition Report (DDR). The nurse will not share your personal health information with your supervisor.

If you have a condition that is not in the CDC list, and your personal medical provider has designated you in writing as higher risk, your documentation will be reviewed on a case-by-case basis. People who MAY be at increased risk include asthmatics, pregnant women, and the severely immunocompromised. Many serious medical conditions do not place you at increased risk of COVID-19 complications. This is not to say they are not serious medical conditions; even healthy young people have become gravely ill from COVID-19. As a community we need to work together to reduce risk as low as possible to support those who are truly higher risk.

Employees should not provide to supervisors any personal medical or age information and supervisors should NOT ask employees directly for any such personal confidential information.

**Q14. What if an *essential* employee self-identifies as part of a higher risk group identified by the CDC?**

**A14.** If an essential employee self-identifies and has been certified by OHS as part of a higher risk group, the employee should not report to work as scheduled and should be granted paid weather and safety leave. Note that exceptions may be necessary depending on mission-critical needs, as approved by a Unit Director and/or OHS, and with safety precautions in place. If there is telework available, the supervisor should make every effort to assign it.

**Q15. If a *non-essential* employee self-identifies as part of a higher risk group identified by the CDC, do they need to receive a certification from OHS?**

**A15.** Not necessarily. Non-essential, telework-eligible employees should already be teleworking from home under the *Enhanced Telework* status. Non-essential employees who are ineligible for telework should be granted paid weather and safety leave under the *Enhanced Telework* status. If, however, an employee in this category self-identifies as higher risk and is still reporting to a physical work site for some reason, the employee should certify through OHS that they qualify as higher risk and be granted paid weather and safety leave.

**Q16. If an employee who has been receiving paid weather and safety leave due to exposure to COVID-19 becomes symptomatic (ill), should they continue to receive paid weather and safety leave?**

**A16.** No. Sick leave should be used to cover such a period of sickness. If they do not have enough sick leave to cover the absence, the employee may request annual leave, leave without pay, advanced leave or apply for VLTP (voluntary leave transfer program). For additional information on VLTP go to:

<http://prism2.si.edu/OHR/Transactions/Pages/VLTP.aspx>.

**Q17. Must an employee have a doctor's note if requesting to use sick leave for 3 days or more due to an illness from a quarantinable communicable diseases, such as COVID-19?**

**A17.** Not necessarily. An employee's self-certification as to the reason for his or her absence may be considered administratively acceptable evidence, regardless of the duration of the absence. Supervisors should use their best judgment in these situations.

**Q18. If an employee is at home waiting on the results of a COVID-19 test, should they receive paid weather and safety leave?**

**A18.** If the employee is symptomatic (ill), sick leave should be used to cover periods of sickness. If they do not have enough sick leave to cover the absence, the employee may request annual leave, leave without pay, advanced leave or apply for VLTP (voluntary leave transfer program). For additional information on VLTP go to:  
<http://prism2.si.edu/OHR/Transactions/Pages/VLTP.aspx>.

If the employee is asymptomatic (healthy) and a non-telework participant, they should be granted weather and safety leave for the period of time they are quarantined (as ordered by a public health official).

**Q19. If an *essential* employee is healthy but wishes to stay home because they have been in direct contact with an individual exposed to COVID- 19 (i.e., the employee is a secondary contact), in what pay/leave status is the employee placed?**

**A19.** The essential employee may request to take annual leave, advanced annual leave, other paid time off (e.g., earned compensatory time off, earned credit hours), or leave without pay. Paid weather and safety leave SHOULD NOT be granted to an employee under this scenario unless the employee is quarantined (as ordered by a public health official). The use of sick leave would be limited to circumstances where the essential employee has become symptomatic (ill).

**Q20. If an *essential* employee is healthy but stays home because their asymptomatic (healthy) family member has been quarantined due to exposure to COVID-19, in what pay/leave status is the employee placed?**

**A20.** The essential employee may request to use annual leave, advanced annual leave, other paid time off (e.g., earned compensatory time off, earned credit hours), or leave without pay to stay home with a family member who is healthy but has been quarantined due to COVID-19. Paid weather and safety leave SHOULD NOT be granted to an employee under this scenario.

**Q21. If an *essential* employee needs to care for a *sick* family member, in what pay/leave status is the employee placed?**

**A21.** The essential employee may request to use sick leave, annual leave, advanced leave, other paid time off (e.g., earned compensatory time off, earned credit hours), or leave without pay to care for a

sick family member. Paid weather and safety leave SHOULD NOT be granted to an employee under this scenario.

**Q22. If a *non-essential* employee needs to care for a sick family member, in what pay/leave status is the employee placed?**

**A22.** The non-essential employee may request to use sick leave, annual leave, advanced leave, other paid time off (e.g., earned compensatory time off, earned credit hours), or leave without pay to care for a sick family member. Paid weather and safety leave SHOULD NOT be granted to an employee under this scenario.

Supervisors may allow telework-eligible employees to telework, as a special exception, in these circumstances. The employee would be expected to account for work and non-work hours during their tour of duty and take appropriate personal leave (paid or unpaid) to account for time spent away from normal work-related duties (e.g., to care for small children). Paid weather and safety leave SHOULD NOT be granted to an employee under this scenario. However, supervisors should allow for maximum scheduling flexibility. Employees in this situation should speak with their supervisors on how to structure their day. Telework hours may be broken up throughout the day using flexibility in scheduled work hours.

**Q23. If an employee is showing symptoms of an illness at work (e.g. coughing, shortness of breath, fever), can a supervisor order the employee to go home and take leave?**

**A23.** The supervisor should encourage the employee to take sick or annual leave. If the employee is a telework participant, the employee should telework. If the employee does not agree to go home or telework, the supervisor may choose to modify the work environment to minimize exposure to coworkers (e.g., direct employee to sit in a more isolated area of the office). If this is not possible and the employee refuses to leave, the supervisor may order the employee to leave the worksite and place them on paid administrative/excused leave after consulting with the Labor and Employee Relations (LER) Branch, Office of Human Resources.

**Q24. Where can I find more information on leave options?**

**A24.** More information can be located at:

- Smithsonian Directive 212, Federal Personnel Handbook, [Chapter 630, Leave Administration](#), or
- Smithsonian Directive 213, Trust Personnel Handbook, [Chapter 630, Leave Administration](#).
- [Voluntary Leave Transfer Program](#)

## **Other**

**Q25. Can employees receive hazardous duty pay or environmental differential pay for incidental exposure to COVID-19?**

**A25.** No. The hazardous duty pay and environmental differential statutes do not authorize a hazard pay differential for incidental exposure to COVID-19.



**Q26. Where can employees find information on workers compensation benefits related to COVID-19?**

**A26.** A Smithsonian employee who contracts COVID-19 while in performance of their job duties would have the full coverage of the FECA (Federal Employees Compensation Act) for related medical treatment and for wage loss or disability related to that condition or associated complications.

However, exposure to COVID-19 alone does not constitute a work-related injury entitling an employee to medical treatment under the FECA. The employee must be diagnosed with COVID-19 to potentially be afforded coverage. To establish coverage, the employee must submit a medical report from a qualified physician reflecting a positive test result for COVID-19 based on established employment-related exposure to COVID-19. The Centers for Disease Control and Prevention (CDC) website contains [information about the testing and diagnosis of COVID-19](#).

The FECA does not authorize payment for provision of preventive measures such as quarantines.

Additional information on worker's compensation benefits for Federal employees related to COVID-19 can be found at <https://www.dol.gov/owcp/dfec/InfoFECACoverageCoronavirus.htm>

**Q27. Are supervisors still required to complete mid-year performance reviews by March 30?**

**A27.** While supervisors should continue to provide employees on-going performance feedback, the mid-year performance reviews that are typically due March 30, are being extended for one month and that timeframe will be evaluated later.

**Q28. Can a supervisor assign any type of work to an employee during the COVID-19 emergency period?**

**A28.** Under OPM regulations, a supervisor may assign any work considered necessary without regard to the employee's grade or title. However, the supervisor may not assign work to an employee unless the supervisor knows the employee has the necessary knowledge and skills to perform the assigned work. See 5 CFR 550.409(a).

**Q29. Are there resources available for employees feeling stressed or anxious?**

**A29.** Events like COVID-19 can create stress and anxiety. The Employee Assistance Program (EAP) offers guidance and counseling to any SI staff member, free of charge. EAP may be reached by calling 202-633-1051.