

General Guidance for PCC Managers  
In Anticipation of H1N1 Virus Outbreak  
October 7, 2009

1. General approach PCC will be taking with regard to instructions for all staff.
  - These are general guidelines because we will not know until we are well into an outbreak just what the circumstances may dictate. However, we understand the level of uncertainty that generates and the need to provide at least some general guidance on how we intend to approach the situation. The Pandemic Planning Committee will continue to monitor the situation closely.
  - If and when an outbreak makes it necessary to implement these guidelines, the District President will issue an official college announcement which will trigger these provisions as well as other aspects of the pandemic plan.
  - Multiple resources and reference material on symptoms and care will be found on the PCC H1N1 web page, please take a few moments to review them at:  
<http://www.pcc.edu/about/public-safety/swine-flu.html>
  - As a general rule our guidance to all employees is going to be “if you have the symptoms of H1N1, call in sick, stay home and follow the directives for taking care of yourself.” The guidelines which follow apply to absences related to the H1N1 flu and do not apply to absences for other reasons.
  - We are going to err on the side of trusting that employees will exercise good judgment and we are not going to focus on the potential that some employees may see this as an opportunity to ‘abuse sick leave’.
  - Initially, we expect that normal absence reporting procedures will continue. However, it may become necessary or desirable for the college to attempt to track trends or patterns of absences on a weekly or daily basis, so that we may be able to intensify cleaning efforts or evaluate other options on a localized basis. (See section 4 below.)
2. Conversations with employees regarding their health and observation of employees who may be sick, but coming to work.
  - We are asking that all supervisors keep an eye out for employees who may be reporting for work but displaying symptoms of H1N1. If you haven’t checked out the PCC H1N1 flu page, you’ll find there a helpful side-by-side chart on how to tell a cold from the flu. You can get to the H1N1 page at any time using the link on the HR channel “Working at PCC”, found on the right side of Employee tab of MyPCC.
  - In the event you have an employee at work who appears to be ill, we request that you talk with the employee about your observations and unless you are satisfied they are not exhibiting H1N1 symptoms, we strongly recommend that they be sent home for at

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least one day with instructions that they should stay home if they continue to have the symptoms and report back to work when they have recovered. In this case, recovery means a minimum of 24 hours after their fever ends.

- In the event the employee is clearly ill but is reporting for work, they may be jeopardizing the health of co-workers and putting others at risk. You have the right to send them home under these conditions and it does not constitute a disciplinary action, nor does sending them home sick constitute placing an employee on paid administrative leave. The employee may use sick leave or other accrued leave if they have no sick leave balance. If the employee has no usable leave, the time will be leave without pay. (Note, in the case of classified staff, they also may be eligible to use the “emergency leave” provision of Article 17.37.)
  - The flu itself is not generally ADA covered; however multiple provisions of the ADA might be triggered by inappropriate conduct so please adhere to these guidelines in regard to gathering information regarding employee health issues.
  - Conversations with employees regarding their health conditions should occur in as private a setting as you can arrange and should not occur in the presence of other staff or students.
  - Conversations with employees regarding H1N1 may surface other confidential health information. For example, an employee may disclose that they are getting the H1N1 vaccine early because they have one of the qualifying underlying health conditions such as diabetes. The ADA guidelines in such a situation are the same guidelines that you would apply in dealing with an applicant. A summary of those guidelines will be added to the HR web page soon.
  - As a general rule, personal health information is to be treated as confidential, if employees are absent you should not disclose the specific reasons for their absences to co-workers. You may remind other staff to follow the guidelines for prevention, but do not single out or identify any individual employee’s health information as reason to do so.
  - In communicating with employees, do not use any characterization based on ethnicity or national origin. For example, you cannot treat employees who have family in Mexico (where the H1N1 strain of virus is commonly believed to have originated), any differently than other employees.
3. Family illnesses: An otherwise healthy employee who may be needed to stay home with a sick child or other family member.
- Such illnesses are potentially covered under the Family Medical Leave Act (FMLA) or the Oregon Family Leave Act (OFLA). The employee’s absence should be reported on their time sheet designated as family illness.

- If the need is for a family member not covered by FMLA/OFLA, our current collective bargaining agreements include a limitation of three days of sick leave for this purpose. In the event of an outbreak of H1N1, we will waive that limitation.
  - Do not make any assumptions or comments about such caregiver responsibilities on the basis of gender.
4. Sick Leave reporting procedures which may be implemented depending on the extent of the outbreak.

- In order to assess the impact of the outbreak, we are asking all employees when calling in sick (or reporting sick via e-mail) with symptoms which appear to be related to the H1N1 virus, to not just leave a single voice-mail message, but to attempt to reach a “live person” they can speak to in order to ensure that the message has been received.

For example, a faculty member calling in sick might generally leave a voice-mail for the department Instructional Administrative Assistant. In the event of a wide-spread outbreak, there is the potential the IAA may also be absent and the message may not be received for several days. A faculty member should call the IAA, but also attempt to reach the Faculty department chair and/or Division Dean leaving each a message if they are unable to connect live, to ensure the absence report is received.

- The college may also implement procedures to gather daily information on faculty and or staff absences in order to assess the impact on programs and/or to gather information on outbreak patterns, locations, etc., to facilitate decisions regarding enhanced cleaning schedules or potential need to consider cancellation of classes or in a worst case scenario, potential building, campus or college closure.
5. Enforcement of requirements for medical statements:
- Our current collective bargaining agreements include provisions which allow for management to require employees to provide a “physician’s certificate” to verify illnesses of five working days or more. In the event of a wide-spread outbreak it is anticipated that medical offices and emergency rooms may be understaffed and over worked. The Center for Disease Control guidance includes recommendations that individuals ill with H1N1 avoid going to emergency rooms. Accordingly, in the event of an outbreak, we will waive this requirement. For the same reason we will also generally waive requirements that employees provide a medical statement before they can return to work.
6. Options for “work from home”. In the event of an outbreak which triggers the implementation of these guidelines, TSS will not be able to address a large number of last minute requests for assistance. In order to avoid that problem, we are asking that managers be pro-active in considering under what circumstances and which employees may be able to perform essential work by working at home or telecommuting. Whether

or not working from home is an available option will vary depending on a number of factors, including:

- whether the employee is an “exempt salaried” employee or an hourly employee, (management, full-time and part-time faculty, and academic professionals are exempt, classified, confidential, casual or student are hourly); because of the wage and hour laws which apply to hourly employees, there must be a written agreement on what work is to be accomplished, the expected time it will take and limitations on hours in any one day. The “Telecommuting Agreement and Authorization” form (<https://view.pcc.edu:2051/pcc/forms.htm>) may serve as a guide for what should be included in the agreement.
- A written agreement is also recommended if the employee is exempt. In the event the employee is not available to sign such an agreement in person (e.g., is staying home to tend to an ill child), an agreement could be documented via e-mail.
- Whether the employee’s work is such that it can reasonably be performed from home. Note, not all work would necessarily require remote computer access into the PCC system. Some employees may have appropriate projects which might be worked on off campus.
- Whether or not you and the employee have pre-arranged remote access within the TSS guidelines, (contact the TSS Help Desk (x4400) for further information) where that is necessary for the employee to work from home. Staff will also be asked to acknowledge their understanding of the application of home system security requirements, FERPA information, etc. See the information security standards: <http://www.pcc.edu/resources/tss/info-security/policies.html>
- If there is an outbreak of H1N1, it may be desirable to have some staff that are healthy work from home to avoid becoming infected. Managers should consider whether they have employees who might fit into that scenario and, if so, we highly recommend taking steps to arrange for that possibility in advance (i.e., working out a telecommuting agreement, working with TSS to ensure the employee has access and capability to work from home).

#### 7. Taking care of yourself:

- Be sure to consider your own health and that of your family as you plan for how to handle H1N1 in the work place. Here’s a link to a DHS brochure to help you prepare yourself and your family: <http://www.flu.oregon.gov/DHS/ph/acd/flu/preparing.pdf>