



## TEMPORARY COVID-19 PERSONNEL POLICY

Issued by Jay Osborne, Director of the Department of Human Resources

March 7, 2023

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King County seeks to responsibly and equitably respond to the COVID-19 situation by providing policy guidance to its employees with the intention of promoting public health and safety.

This temporary policy applies to all Executive Branch employees<sup>1</sup>. Employees in other branches of County government will receive guidance from their leaders.

This policy is effective immediately and will end upon declaration by the Director of the Department of Human Resources. This policy is subject to change during this time and will be reissued if things change.

*To the extent this policy changes existing County policy that applies to represented employees, adds to or modifies the collective bargaining agreement, OLR will bargain the effects of that change to the extent required by law.*

### DEFINITIONS

**COVID-19 (also known as “novel coronavirus”)** – a new virus strain spreading from person-to-person. Its symptoms include, but are not limited to, fever or chills, a cough, shortness of breath and difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, and diarrhea. Symptoms may appear in as few as 2 days or as long as 14 days after exposure to the virus.

**High-Risk Employee** – the definition of a high-risk employee under the Health Emergency Labor Standards Act is one who:

- Is at an age or has an underlying health condition that puts them at high risk of contracting a severe case of COVID-19; and
- Has obtained a recommendation from a medical provider for removal from the workforce due to the employee’s high risk of contracting a severe case of COVID-19. For this purpose, removal from the workforce means the employee cannot be present in the workplace.

The definition of a high-risk employee is made with reference to the [CDC’s definition](#) for those people more likely to get severely ill from COVID-19. This definition changes over time. As of February 6, 2023, people at high risk may include older adults, people who are pregnant or were recently pregnant, and those that have certain medical conditions or need extra precautions.

- The CDC does not define a specific age for “older” adult, but the risk for severe illness with COVID-19 increases with age, with older adults at highest risk.
- Certain medical conditions can contribute to making an employee “high risk.” The CDC is constantly updating this list as more information becomes available. Those conditions may

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<sup>1</sup> **Executive Branch departments:** Department of Assessments, Department of Adult and Juvenile Detention, Department of Executive Services, Department of Community and Human Services, Department of Human Resources, Department of Judicial Administration, Department of Local Services, Department of Metro Transit, Department of Natural Resources and Park, Department of Public Defense, Department of Public Health, Executive Department, King County Elections, King County Information Technology, King County Sheriff’s Office.

**Other branches of County government:** District Court, King County Council, Prosecuting Attorney’s Office, Superior Court.

include cancer, chronic kidney disease, chronic lung disease, dementia, diabetes, and certain types of heart conditions. The current list is available on the [CDC website](#).

- An employee requesting accommodation or to use leave because they are high risk, must provide medical verification that they are high risk under the above definition and must be removed from the workplace. When making this assessment, the health care professional considers the employee's medical condition, vaccination status and circumstances of the job and the workplace.

## **POLICIES**

### **MASKS FOR EMPLOYEES**

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**Employees in the following settings are required to always wear a mask**, per state guidance:

- correctional facilities, when employees are likely to come in direct contact with people in custody or in community supervision,
- healthcare settings, and
- long-term care facilities.

**Some executive branch employees may work in county facilities that have more restrictive mask requirements**, for example in courtrooms or in areas where court business is conducted with the public. Executive branch employees must abide by those more restrictive requirements when working in those areas.

**Otherwise, masks are recommended in all settings.**

King County encourages and welcomes anyone who wants to wear a mask.

#### **Accommodation**

If an employee who is required to wear a mask, has a medical condition that impacts the employee's ability to wear a mask, they should contact their HR Manager. The county may not be able to reasonably accommodate a disabled employee's request that they be exempted from the requirement to wear a mask, especially if the employee works in an environment where not wearing a mask creates a risk of exposing others.

### **VACCINATIONS**

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Effective February 6, 2023, most Executive Branch employees will no longer be required to be vaccinated. Employees providing health care services who are covered by federal mandate (e.g., Centers for Medicare and Medicaid Services) or employees working in non-county facilities where outside employers require vaccination (e.g., Harborview Medical Center) will still be required to be vaccinated. These employees will be notified by their supervisor about their ongoing vaccination requirements.

## **WHICH EMPLOYEES MUST BE OUT OF THE WORKPLACE**

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1. **Employees who have symptoms**, should be out of the workplace for at least 5 days. The first day with symptoms is day 0. Employees can return to the workplace 6 days after their symptoms have begun if their symptoms are improving and they are fever-free for 24 hours without the use of fever-reducing medication. It is recommended that the employee get tested as soon as possible. The employee may telecommute, if feasible, or may use accrued leaves during the absence. In some instances, departments may have varying rules provided that they have received approvals from the appropriate personnel and public health authorities.
2. **Employees who test positive for COVID and are asymptomatic**, these employees must be out of the workplace for at least 5 days from the day they are tested. The day of the test is considered day 0. If they remain asymptomatic, they can return to the workplace on day 6. The employee may telecommute, if feasible, or may use accrued leaves during the absence.
3. **Employees who test positive for COVID and have or develop symptoms**, must be out of the workplace for at least 5 days from the start of their symptoms (not from the day they test positive). The first day with symptoms is day 0. Employees can return 6 days after their symptoms have begun if their symptoms are improving and they are fever-free for 24 hours without the use of fever-reducing medication. The employee may telecommute, if feasible, or may use accrued leaves during the absence.
4. **Employees who come into close contact with a confirmed case of COVID-19** do not need to be out of the office but should monitor for symptoms.

## **LEAVES AVAILABLE FOR COVID-19-RELATED ABSENCES**

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Employees can use their accrued leaves (sick, vacation, executive leave, comp. time, and benefit time off (BTO)) for COVID-19-related absences, these include:

- The employee's own health condition;
- The health condition of a family or household member;
- A school or childcare closure due to COVID-19;
- Employees who are medically verified as high risk, and want to stay home and are unable to telecommute;
- Employees who are exhibiting symptoms and are sent home; and
- For COVID-19 testing.

### **Leave Without Pay**

Employees who have been approved for leave may choose to go into a leave without pay status before using all accrued paid leaves for any COVID-19-related absence. Note, that a choice to go into a leave without pay status may impact the employee's benefits, e.g., retirement credits, healthcare benefits, leave accruals, etc. Employees should talk to their department HR Manager for more information.

## **MEDICAL VERIFICATION**

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In order to reduce the strain on the medical community, doctor's notes for COVID-19 related absences or other medical conditions are at the discretion of the HR Manager. The availability of medical providers will be taken into consideration during the pandemic. This exception does not apply to verification of high-risk status.