

FREQUENTLY ASKED QUESTIONS
Suspended Operations and Emergency Planning

Essential Functions

Q: *What are considered “essential functions?”*

A: Those tasks/job duties that must continue at a department/unit during an emergency situation.

Examples: WSU Police, Steam Plant operations, and processing of departmental payroll/human resource information.

Certain essential functions may be seasonal, specific to the time of month or year, or may be dependent on other factors directly affecting the essential function(s).

- o Note: Not to be confused with the identified essential functions of an individual position, as noted on the position description.

Q: *What factors should departments/units consider when determining appropriate staffing levels to ensure essential functions are performed?*

A: Flexibility is encouraged when determining appropriate staffing to ensure that “Essential Functions” continue. Supervisors can accomplish this by asking employees to voluntarily agree to work hours other than their usual schedule in the case of the university’s closure due to a declared emergency.

Q: *How will an employee know if s/he is required to report to work during a period of suspended operations/emergency closure?*

A: The appointing authority for the area/college/unit or his/her designee determines what positions are designated with essential status and must report to work.

Each area/college/unit should have an emergency response plan identifying essential functions and positions with performing these functions.

The employee should contact the department/unit to determine if s/he is required to report to work. If to the employee’s supervisor has previously given or gives approval to work from home, the employee may do so,

Refer to the [Report to Work Matrix](#); and [BPPM 60.40](#).

Q: *If a department/unit is unable to voluntarily fulfill the “essential functions”, may employees be directed to work on-campus schedules if necessary?*

A: Yes. When the “essential functions” of a department are not met, the department management may direct staff to work on-campus schedules.

Q: *Must a department follow certain rules/policies if an employee’s work schedule must be changed?*

A: Civil Service employees must be provided two calendar days notice for any temporary (less than 30 days) work schedule changes, and seven calendar days notice for any permanent or longer than 30 days work schedule changes ([WAC 357-28-252](#)). Less than two days notice may be given in emergency conditions, for safety reasons, or if scheduled change is requested by the employee.

For Bargaining Unit covered employees, refer to the applicable Collective Bargaining Agreement hrs.wsu.edu/LR+Home

Q: *Certain employees’ positions are funded by grants and/or contracts. Are there factors, a department/unit should consider when assigning essential functions outside of the scope of the grant/contract?*

A: Employees funded by external grants must be paid according to the specific requirements and of the grant. Employing units and principal investigators are encouraged to work with funding agencies to determine how grant-funded employees will be paid in advance of any period of suspended operations/emergency closure at the university.

Refer to [BPPM 40.01](#), and [Office of Grant and Research Development](#)

Q: *What can an employee do on an individual level to assist a department/unit with emergency planning?*

A: Provide department/unit with current emergency contact information, and update as needed.
Discuss with supervisor alternative work arrangements such as working from home or another location.

Communicate specific requests and needs to the department e.g. transportation concerns, technology needs, scheduling limitations etc.

Q: *Must an employee report to work if department/unit or university operations have been suspended?*

A: The employee should contact the department/unit to determine if s/he is required to report to work.

If to the employee’s supervisor has previously given or gives approval to work from home, the employee may do so,

Refer to the [Report to Work Matrix](#); and [BPPM 60.40](#).

Leave Issues: General

Q: *Does an employee need to report leave if s/he is not required to report to work during a period of suspended operations/emergency closure?*

A: Yes, please leave must be reported in accordance with the appropriate employee type:

Civil Service

Employees may use the following types of leave:

- Accrued compensatory time - may be required to use this first (overtime eligible CS employees)
- Personal holiday (full day only)
- Accrued annual leave
- Sick leave (after all other leaves are exhausted, up to 3 days maximum in a calendar year)

Refer to [BPPM 60.40](#), [BPPM 60.57](#), [WAC 357-31-265](#)

Bargaining Unit Covered

WFSE BU Employees may use the following types of leave:

- Accrued compensatory time
- Personal holiday (full day only)
- Accrued annual leave
- Leave Without Pay

Employees should refer to appropriate Collective Bargaining Agreement.

Refer to hrs.wsu.edu/LR+Home

Administrative Professional

Employees may use the following types of leave:

- Accrued compensatory time - may be required to use this first (overtime eligible AP employees only)
- Accrued annual leave
- Personal Holiday (full day only)

Refer to [BPPM 60.56](#)

Faculty

Employees may use the following types of leave:

- Accrued annual leave
- Personal Holiday – for eligible Faculty (full day only)
- Leave without pay

Refer to [BPPM 60.56](#)

Q: *What types of leave options are available to a Civil Service employee who is in the probationary period during suspended operations/emergency closure?*

A: The employee may use the following types of leave:

- Accrued compensatory time - may be required to use this first (overtime eligible CS employees only)
- Personal holiday (full day only)
- Accrued sick leave (up to 3 days maximum in a calendar year)
- Request leave without pay

An over-time eligible employee may request to temporarily adjust her/his schedule, to work additional hours during the workweek that a suspended operations/emergency closure occurred.

Refer to [BPPM 60.40](#) and [BPPM 60.57](#)

Q: *What types of leave options are available to a WSFE bargaining unit covered employee who is in the probationary period during suspended operations/emergency closure?*

A: The employee may use the following types of leave:

- Accrued compensatory time
- Personal holiday (full day only if you have been employed for at least 4 months)
- Request leave without pay
- Request to temporarily adjust his/her schedule in accordance with the appropriate bargaining unit agreement.

Q: *How is a Civil Service employee's probationary or trial service period affected by unpaid leave due to a period of suspended operations/emergency closure?*

A: A probationary or trial service period, typically six (6) months in duration, may be affected by the use of unpaid leave. For example, if an employee uses leave without pay (LWOP) for an entire shift, her/his probationary or trial service period is extended on a day-for-day basis. (Refer to Probationary Periods. [BPPM 60.31](#))

For Bargaining Unit covered employees, refer to the applicable Collective Bargaining Agreement hrs.wsu.edu/LR+Home

Q: *What options are available to an employee who has exhausted all her/his leave and is unable to work from home during a period of suspended operations/emergency closure?*

A: Upon prior approval from the manager/supervisor, an overtime **eligible** Administrative Professional or Civil Service employee may:

- Use leave without pay
- Request to temporarily adjust his/her schedule, to work additional hours during the workweek that the suspended operations and/or university state of emergency occurred.

Upon prior approval from the manager/supervisor, a Bargaining Unit employee may:

- Use leave without pay
- Request to temporarily adjust his/her schedule in accordance with the appropriate bargaining unit agreement.

Upon prior approval from the manager/supervisor, an over-time **exempt** Administrative Professional, Civil Service employee, or Faculty member may:

- Use leave without pay
- If business needs allow temporarily adjust his/her schedule, to work additional hours.

Leave Issues: Highly Contagious/Infectious Disease Emergency

A highly contagious/infectious disease emergency event may have a significant impact on the utilization and/or granting discretionary requests for annual leave, compensatory time off, and/or personal holidays (paid leave) or unpaid leave.

In the event of a business necessity, supervisors may deny certain requests to use paid leave or rescind previously approved/scheduled paid leave or unpaid leave for non-medical/non-FML reasons.

Q: *Do I have the option to not approve leave requests?*

A: A supervisor may deny leave requests based on business necessity. Prior to denying a request to use leave, the supervisor should attempt to staff the unit or project through other available means (e.g., seek other available staff to perform the work).

Q: *What if I have already approved a leave request, but now I must rescind the approval due to operational necessity?*

A: Prior to rescinding a request to use leave, the supervisor should attempt to staff the unit or project through other available means. Rescission of an employee's leave which is already in progress shall be reasonably based upon the employee's ability to report to work.

For example, it would be reasonable to require that an employee who is on vacation at home to report to work, but unreasonable to require an employee who is on vacation out of the area or out of the country, to report to work.

When rescinding leave, the supervisor shall have actual contact with the employee to ensure that the employee received the directive to report to duty. Rescission of paid leave should be confirmed in writing.

- Q:** *If I need to rescind an employee's leave request, am I required to have the employee come in to the workplace?*
- A:** Departments should review the duties of the employee who is on leave to determine if those duties may be able to be accomplished via telecommuting, or assigned to an alternative work location as an option to returning to the worksite.
- Q:** *An employee is using annual leave to ensure that his/her leave balance stays below the maximum allowed. What if I need the employee to work?*
- A:** Should the need for an employee to work result in the employee going beyond the maximum annual leave accrual amount, the Appointing Authority may submit a recommendation to HRS that the employee be allowed to carryover annual leave. Civil Service employees refer to [WAC 357-31-215](#).
- Q:** *What if the employee is taking compensatory time off to ensure that his/her balance stays below the maximum?*
- A:** Should rescission of compensatory time off occur, the Appointing Authority may submit a recommendation to Human Resource Services that the employee be allowed to carryover accrued compensatory time. Unused accrued compensatory time will be paid to the employee prior to year end. Accrued compensatory time cannot exceed 240 hours.

Alternative Work Schedules and Locations

- Q:** *What factors should be taken into account when considering an alternative work schedule?*
- A:** For supervisors, review normal business hours and work schedules to determine if they can be modified in a manner that best promotes social distancing.
- Q:** *May an employee change his/her schedule during a period of suspended operations/emergency closure. Is this allowed?*
- A:** Yes, an employee may change her/his schedule if approved the supervisor. Alternative work schedules may be preferred or necessary during an emergency situation to enhance social distancing, operational and business continuity, and other emergency response goals.

Appropriate policies according to the employee's category or applicable bargaining unit agreement must be followed.

*Social distancing refers to actions taken to discourage close social contact between individuals.

Examples of *social distancing* include cancellation of classes, sporting events, worship services, and other social events. Work place methods could include: work stations three (3) feet or more

apart; eliminate face-to-face meetings by using phone and email instead; encourage respiratory etiquette and frequent hand-washing.

Q: *What factors should I take into account when considering an alternative work schedule?*

A: For supervisors, review normal business hours and work schedules to determine if they can be modified in a manner that best promotes social distancing.

Q: *What should a department do to change an employee's work schedule?*

A: Civil Service employees must be provided two calendar days notice for any temporary (less than 30 days) work schedule changes, and seven calendar days notice for any permanent or longer than 30 days work schedule changes ([WAC 357-28-252](#)).

Less than two days' notice may be given in emergency conditions, for safety reasons, or if the schedule change is requested by the employee.

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Website: hrs.wsu.edu/LR+Home

Q: *How long can an employee work an alternative work schedule?*

A: As long as may be necessary, if the employee was given proper notice. When appropriate, employees should be assigned back to their regular work schedule.

Q: *Can employees be assigned to work from home or another work location?*

A: Yes, employees can have their work location temporarily changed from an on-campus location to their home or another location during an emergency situation as directed by the supervisor. When appropriate, the employee should be assigned back to their normal work location.

Q: *What about meal periods and rest breaks?*

A: For overtime eligible employees, rest and meal period requirements continue no matter what type of work schedule is assigned.

Telecommuting

Q: *Can an employee work from home during a period of suspended operations/emergency closure?*

A: Yes, if business operations allow. Civil Service, Bargaining Unit and Administrative Professional employees must receive prior approval from their manager/supervisor. Faculty members should seek approval from the appropriate department chair or director.

A temporary telework agreement is not required.

Refer to [BPPM 60.34](#), [BPPM 60.56](#), and [BPPM 60.57](#)

Q: *Can an employee work from home where a university emergency exists, but operations have not been suspended?*

A: Yes, if business operations allow. Civil Service, Bargaining Unit and Administrative Professional employees must receive prior approval from their manager/supervisor.

Faculty members should seek approval from the appropriate department chair or director.

Refer to [BPPM 60.34](#), [BPPM 60.56](#), and [BPPM 60.57](#)

Infected Employees

Q: *If an employee appears to be infected with a highly contagious/infectious disease yet s/he remains at the worksite, what can be done?*

A: If an employee appears to have a highly contagious/infectious disease, the employee may be required to leave the workplace.

Supervisors must receive approval from the department/unit manager or director AND HRS prior to sending an ill employee home.

If an employee is sent home because the employee may have H1N1 for example, the employee may be eligible to use the *Emergency Ride Home* ([BPPM 80.87](#)) benefit.

Q: *If an employee is sent home from work is s/he required to use leave?*

A: An employee who is sent home because of a highly contagious/infectious disease may use his/her sick or annual leave accruals, compensatory time off, or may request leave without pay if his/her paid leave accruals are depleted.

Q: *What paperwork is needed if an ill employee is unable to work due to a highly contagious/infectious disease and is away from work for 3 or more working days?*

A: **Typical Guidelines** (may be changed depending on type of highly contagious/infectious disease emergency)

- Employees may utilize sick leave, annual leave or compensatory time off accruals or may request approval for leave without pay if paid leave accruals are depleted;
- An employee with a highly contagious/infectious disease must document her/his period of medical leave by completing and submitting the Medical Leave Kit including :
 - Medical Leave Request form, and
 - Medical Certification form

For the H1N1 virus, as of September 2009, the guidelines are as follows:

- Employees should not report to work if experiencing flu like symptoms.
- Employees should not return to work until 24 hours after fever .
- In most employee situations WSU will not require medical documentation to return to work. Special circumstances require discussion with HRS.
- HRS will review these forms to determine if the employee is eligible for Family Medical Leave (FML) or Medical Leave (if the employee is not eligible for FML).
 - Refer to the HRS website hrs.wsu.edu/Medical+Parental+Leave+Information
- An employee who was directed to leave the workplace, **MAY** be required to present a medical release to HRS prior to returning to work.

Return to Work Procedures

Q: *An employee who had contracted the highly infections/contagious disease is now ready to return to work. What are the next steps?*

A: It is a good idea to have a process in place to address return to work issues. The following are some items to consider:

- Who the employee is to contact;
- When the employee may return to the workplace;
- What location the employee should return to;
- Work schedule and shift, and specific work assignments, if different from the employee's regular assignment(s);
- An advisement that the employee **MAY** be required to provide medical certification/return to work verification (depending upon the type of disease) prior to the employee resuming his/her duties if ill or injured during his/her absence from work.

Refer to Medical and Parental Leave hrs.wsu.edu/Medical+Parental+Leave+Information

Temporary Appointments

Q: *Can an employee receive a temporary appointment for performing higher level duties during a period of suspended operations/emergency closure?*

A: Yes, an employee may receive a temporary assignment to an existing higher level classification when the higher level duties and responsibilities comprise the majority of the work performed. Only in the event that an employee is assigned to higher level duties will the employee receive “special duty” pay.

For Civil Service employees, refer to [WAC 357-19-435 through 455](#).

Q: *Can an employee receive “special duty” pay when he/she performs work in another work area?*

A: It depends. An employee may receive “special duty” pay if the work he/she performs in another work area is at a higher level. “Special duty” pay is not appropriate where an employee is simply assigned different duties which are not higher level duties or where an employee is assigned to work in a different work unit but the work performed is not at a higher level.

Q: *What if an employee performs different work duties within an equal or lower job classification during a period of suspended operations/emergency closure? Will that affect his/her pay?*

A: Employees may be assigned to perform duties of an equal or lower classification, without a reduction in base pay during this period.