UUP COVID-19: Questions and Answers

The information below is accurate as of Tuesday, March 17, 2020. However, the NYS and SUNY response to the COVID-19 pandemic is evolving rapidly. We will provide you with updated information as we have it.

What is UUP doing to address employee issues related to the COVID-19 situation?

At the state level, UUP has been in continuous discussion with the Governor’s Office of Employee Relations (GOER) and SUNY to address our members’ concerns, participate in developing solutions to challenges facing campuses, and come to specific agreements on terms and conditions related to SUNY’s COVID 19 response. UUP’s statewide officers and Labor Relations Specialists are communicating with chapter presidents and vice presidents to assist them in preparing for ongoing campus Labor-Management discussions to address campus-specific issues. Items we are working on include:

- Work-from-home options (UUP and the state have reached agreement on a new Statewide Telecommuting Pilot Program)
- Flexible work arrangements to address employee’s family needs
- Campus designation of essential and non-essential employees
- Workload and compensation for transitioning to remote instruction
- Workload and compensation for COVID-19 response at the SUNY hospitals
- Steps to address employee, student, and community risks for exposure to the virus, including adequacy of personal protective equipment (PPE) for health care workers
- Intellectual property protection during the transition to remote instruction
- Empire Plan coverage for COVID-19 testing and treatment
- Impacts on programs and campus calendars, and many others.

These discussions are ongoing. We will provide updated information as we have it.
**What if I am absent due to a COVID-19 related quarantine?**

The governor has announced that all state employees, including UUP-represented employees, who are placed in “mandatory” or “precautionary” quarantines by state or local public health officials will not be required to charge leave accruals for 14 days of such absence.

- Employees placed in “mandatory” quarantine will be placed on leave with pay for all workdays within the 14-day quarantine period regardless of whether they are displaying symptoms or not.

- Employees placed in “precautionary” quarantine will be asked to perform work from home where possible. If not, these employees will be placed on leave with pay for all workdays in the 14-day quarantine period.

We have attached the March 11, 2020 memorandum from the GOER describing this in greater detail.

Please note that the criteria for triggering quarantines are subject to change. The critical point is that the necessity of quarantine in any particular case must be determined by state or local public health officials.

*Employees who choose to self-quarantine in the absence of a public health-directed quarantine will be required to charge appropriate leave accruals for the absence.*

**What if I or someone in my family becomes ill but the illness isn’t identified as COVID-19:**

Ordinary use of leave rules for illness of employees or their immediate family members apply.

- If an employee is ill and unable to report to work, they will need to charge sick leave credits.

- If an immediate family member is ill, employees may use up to 30 days of available sick leave credits to care for the employee’s immediate family member (Article 23.4(f)(4)).

Employees who are ill, or who are caring for ill family members, who meet the Family and Medical Leave Act (FMLA) eligibility criteria, may request a FMLA leave for up to 12-weeks. More information about FMLA leave can be found at: [https://uupinfo.org/reports/reportpdf/FLWLSguide2019.pdf](https://uupinfo.org/reports/reportpdf/FLWLSguide2019.pdf)

Eligible employees who are caring for ill family members also have the option of applying for NYS Paid Family Leave (PFL) may use partial Paid Family Leave (PFL). More information about NYS PFL can be found at: [https://www.suny.edu/media/suny/content-assets/documents/benefits/ltd/SUNY-PFL-Policy-December-2018.GOER-edits-12.7.18.pdf](https://www.suny.edu/media/suny/content-assets/documents/benefits/ltd/SUNY-PFL-Policy-December-2018.GOER-edits-12.7.18.pdf)
**What happens if my child’s school closes?**

Like any other short-term closing of Pre-K through 12 schools (such as for weather-related closings), employees will have to make alternative arrangements for childcare. Eligible employees could use vacation leave or floating holidays with permission from the employee’s supervisor.

Employees without vacation leave credits or insufficient leave credits could request the use of any available compensatory time or an alternative work schedule with authorization from the employee’s supervisor.

It’s important to have frank discussions with supervisors about flexibility in scheduling to address employees’ needs due to school closings, and to work together to meet department work objectives while assisting the employee to the extent possible.

**May I work from home?**

UUP has reached an historic agreement with the state to allow employees to telecommute from alternate work locations. The agreement is a two-month statewide pilot which allows UUP-represented employees to telecommute if operationally feasible. The agreement provides that, where it is operationally feasible, telecommuting requests should be granted to the greatest extent possible. This pilot attempts to strike a balance between protecting our members’ health and safety and reducing the spread of COVID-19 and ensuring that the essential work performed on SUNY campuses continues to the extent practicable.

Employees interested in telecommuting will be required to submit a telecommuting application to their supervisor. The agreement includes tight time frames for review and approval of the request and a limited appeal process if the request is denied. Training will be required to assure that telecommuters are aware of the terms of and work rules applicable to telecommuting.

Telecommuting employees will be subject to a work plan which will define the telecommuting schedule and the work to be performed while telecommuting. SUNY is not obligated to provide computer or office equipment or provide reimbursement for costs of internet access to employees interested in telecommuting but can provide necessary office supplies.

The agreement provides for the possibility that telecommuting may be mandated. However, it will not be mandated if the employee does not have the necessary computer equipment or internet access to work from the telecommuting work location. UUP pressed to make sure employees would not be mandated to telecommute and thus would not be forced to incur out-of-pocket expenses if they did not have appropriate equipment.

The state and SUNY have historically resisted UUP efforts to negotiate a statewide telecommuting agreement that provides employees across the system the opportunity to telecommute. The state’s need to respond to the current pandemic has provided us with an opportunity to help protect our members’ health and possibly to establish that telecommuting, where operationally feasible, can work.
Employees interested in telecommuting should contact their supervisor or their campus HR department for additional information.

**Enhanced health benefits related to testing for COVID-19:**

The governor has directed all NYS health insurance plans to waive any employee cost sharing (such as copayments) associated with a variety of COVID-19 related medical expenses. This includes waiving any copayment for COVID-19 testing and in-network doctors’ office or urgent care visits and emergency room copayments related to COVID-19 testing. This direction has also been extended to the Empire Plan and covers all HMOs available to state employees.

**Does UUP have a website with COVID-19 information and resources?**

Yes: [https://uupinfo.org/resources/covid19/](https://uupinfo.org/resources/covid19/)