

OFFICIAL POLICY

Subject/Title: COVID-19 Special Policy

Policy Number: FPU-1.01210P

New Revised Technical Revision Only Emergency Policy

Date First Adopted:

Date Revised

Responsible Division or Department: Office of the President

Initiating Authority: President

A. APPLICABILITY & PURPOSE

This policy applies to University employees, students, volunteers, visitors, contractors, and vendors ("University community") when on University facilities or when participating in University-sponsored activities. Facilities are physical space and grounds that are under the University's operating authority, collectively referred to as "campus" in this policy.

B. BACKGROUND INFORMATION

The COVID-19 pandemic and the state of emergency it has created have presented challenges for all members of the University community and for society as a whole. The Florida Surgeon General, at the directive of Governor DeSantis, on March 1, 2020, issued a Public Health Emergency declaration for the State of Florida. Governor DeSantis declared a state of emergency for the State of Florida on March 9, 2020. The World Health Organization declared COVID-19 a global pandemic on March 11, 2020. The federal government issued a Federal Major Disaster Declaration for the State of Florida on March 25, 2020. COVID-19 is reshaping our lives and changing how the University operates.

The U.S. Centers for Disease Control (CDC), federal, state, and local agencies have provided guidance on health measures that should be in place. This policy serves to set expectations for all members of the University community to follow. This policy anticipates and relies on the cooperation of all members of the University community.

NOTICE

This policy is subject to change with the introduction of additional public health guidelines from local, state, and federal authorities. Any policy amendments or updates will be provided on the University policies website (<https://floridapoly.edu/University-policies-regulations-rules.php>) and will take effect as of the date and time of publication. This policy will be in force until modified or repealed.

The University provides general information on the coronavirus and the University's responses to it at <https://floridapoly.edu/coronavirus/index.php>, which is regularly updated. This website may provide more details on items addressed in this policy.

C. POLICY STATEMENT

The University is focused on the health and well-being of all members of the University community. During this time, we must support one another, take personal responsibility, and remain diligent in taking reasonable precautions.

All members of the University community must comply with the instructions given to them as to when to return to campus. The goal of the University is that all members of the University community will comply with this policy and the procedures below. However, should enforcement become necessary, this policy will be enforced as laid out in Section D.10, below.

D. PROCEDURES

The University cannot guarantee a risk-free environment. The following procedures aim to reduce the likelihood of the spread of COVID-19 on campus and therefore all members of the University community are required to comply with them. These procedures are consistent with the CDC guidelines in effect on the date of adoption of this policy. If a provision in this policy conflicts with CDC guidelines released at a later date, those guidelines control.

1. Procedures for all Members of the University Community

- a. No person may come to campus if they have tested positive for COVID-19, until such time as they have complied with guidance from their healthcare provider or the Department of Health.
- b. No person should come to campus (or, if they live in an on-campus residence hall, leave their room):
 - i. if they are ill, or are experiencing symptoms of COVID-19;
 - ii. if any person living in the same residence with them has tested positive for COVID-19 or is experiencing COVID-19 symptoms, or quarantining for COVID 19;
 - iii. for the advised period after close contact with a person who has tested positive for COVID-19 or is ill with COVID-19 symptoms;
 - iv. for the period advised by a healthcare provider or the Department of Health while they are waiting for COVID-19 test results.
- c. While on campus, everyone must wear a cloth face covering:
 - i. in indoor common spaces (e.g., hallways, restrooms, breakrooms, classrooms, common work, common living spaces, meeting rooms, etc.);
 - ii. in all enclosed spaces when other people are present (e.g., while riding in campus vehicles, shuttles, or participating in a RideShare facilitated by Florida Poly, etc.);
 - iii. Face coverings should be worn when the individual is outdoors/outside while on campus when strict adherence to social distancing is not possible or when meeting in a group of more than three people..

Note: Exceptions to the face covering requirements are noted in Section 5.b below.

- d. Everyone should frequently and thoroughly wash their hands.
- e. Everyone should engage in respiratory etiquette, including covering coughs and sneezes.
- f. Everyone should abide by physical distancing expectations by maintaining at least six (6) feet of distance between individuals as often as possible and by following signs and markings.
- g. When on campus, everyone should check their temperature at least once a day, preferably at the start of the day.

2. Procedures for University Employees

- a. For those employees working on campus, the following apply in addition to the procedures listed in Section D.1. above:
 - i. All employees coming to campus to perform work must complete the required online training course that provides a general overview of COVID-19 prevention and control measures and campus-specific policies prior to returning to campus. If this training course is substantially revised or if there is an identified need for it, some or all employees may be asked to retake the training.
 - ii. Employees coming to campus for work or other purposes should complete the self-assessment each day they come to campus. The self-assessment may be accessed through the Florida Poly Mobile App (a free application available for download from the Apple App Store or Google Play Store). Employees should complete the self-assessment even if they are just coming to campus for a short duration, for example to pick up something from the office, and even if they are not intending to stay on campus the entire workday. Once the self-assessment is complete, employees will receive a green check mark if they are permitted to proceed to the worksite. If they receive a red X, employees are required to follow the instructions that appear on the screen and may not report to the worksite.
 - iii. University business meetings should continue to occur in virtual platforms as much as possible. If an in-person meeting is necessary, the meeting organizer must structure the meeting to conform to space capacity limits, physical distancing, and other health measures.
 - iv. Employees are expected to adhere to physical distancing expectations and requirements and communicate any concerns in office space to their supervisor.
 - v. Employees should avoid using other employees' phones, or sharing desks, offices, or other work tools and equipment, as much as possible.
 - vi. Employees should avoid gatherings and unnecessary visitors in the workplace.
 - vii. Employees may be required to change their work location from a remote location to an on-campus location or from an on-campus location to a remote location at any time.

3. Procedures for Students.

Students must abide by the general health and hygiene rules outlined in this policy and the procedures in Section D.1. above. In addition, the University expects students to abide by the following:

- a. Adhere to the Campus Commitment.
- b. Complete all required trainings.
- c. Students coming to, or living on, campus should complete the self-assessment each day they are on campus. Once the self-assessment is complete, students who receive a green check mark are able to proceed to campus (or, as applicable, leave the residence hall). If a student receives a red X after completing the self-assessment, they should follow the instructions prompted on the screen. If a student answers YES to any of the screening questions, the student should not come to campus (or, as applicable, leave the residence hall).
- d. Students must abide by all University guidance related to meetings, events, and gatherings.
- e. A student may be asked to leave a University facility or a classroom if they are not wearing a face covering or abiding by the University's health and hygiene rules as outlined in this policy. A student who refuses to leave a University facility or classroom upon request may be referred for student disciplinary action.

4. Individuals at Increased Risk of Severe Illness due to COVID-19.

The CDC has identified certain categories of individuals who are or may be at increased risk of serious illness from COVID-19. This CDC guidance is regularly reviewed and updated as more is learned about COVID-19 and the virus that causes it. Therefore, the University refers to current CDC guidance at:

<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/index.html>.

- a. Employees who are at increased risk of developing severe illness from COVID-19 who have not previously requested an accommodation are encouraged to contact Human Resources for guidance.
 - i. All employees are expected to serve the University in the capacity that best supports their University role. Requests for a work accommodation are processed using an interactive process that requires appropriate documentation as well as conversations between the employee, the employee's supervisor, and Human Resources, and, if applicable, Academic Affairs. A full range of solutions to accommodation requests is possible where the University works to accomplish its mission while, if possible, accommodating the employee.
- b. Employees who are not personally at increased risk but have an immediate family member in the household that may be at increased risk of developing severe illness from COVID-19 are encouraged to contact Human Resources for guidance.
- c. The University encourages all persons with health-related considerations or concerns due to COVID-19 to consult with a healthcare provider.

5. Face Coverings.

Face coverings are reusable cloth face masks or disposable masks that cover the nose and mouth of the wearer and are effective at containing respiratory droplets when the wearer coughs, sneezes, or speaks. The University follows CDC guidelines on the proper fit and type of face covering to be worn on campus.

- a. Individuals are expected to provide their own face coverings unless otherwise agreed by the University. The University will maintain a limited number of face coverings for visitors. University community members are responsible for laundering their reusable cloth face coverings on a frequent basis.
- b. Exceptions: Wearing a face covering is not required or may not be appropriate:
 - i. When an individual is in a personal office (a single room with a closable door) and others are not present.
 - ii. When communication is necessary between a deaf or hard-of-hearing person and another individual(s), for which the mouth needs to be visible and where clear face coverings are not readily available for either person.
 - iii. When individuals have been advised by a medical professional not to wear a face covering due to a medical condition or are unable to remove a face covering without assistance. Employees who have been advised by a medical professional not to wear a face covering should contact Human Resources, and students advised by a medical professional not to wear a face covering should contact the Office of Disability Services.
 - iv. When wearing a face covering creates a safety hazard at work under established health and safety guidelines.
 - v. While actively eating or drinking, however the individual should be stationary and maintain appropriate physical distancing while doing so.
 - vi. When the individual is outdoors and able to maintain more than six feet of physical distance from other persons.
 - vii. For children under the age of two or for persons of any age who are developmentally unable to wear a face covering.

6. CDC and Department of Health Guidance on Quarantine and Isolation.

The University follows guidance issued by the CDC and the Department of Health on Quarantine and Isolation.

7. Remote Work Restrictions.

- a. Employees who are working remotely for COVID-19-related reasons, regardless of whether the person has been granted an accommodation to work remotely, must comply with the following provisions:
 - i. The employee must remain a legal resident of the State of Florida the entire time they are performing their duties remotely. The employee may not be working remotely outside the State of Florida for more than thirty (30) days at a time.
 - ii. Approval to work remotely is conditioned upon the employee's continued satisfactory performance of the essential functions of the job position.
 - iii. Employees are responsible for safeguarding confidential and sensitive information, which may include limiting physical access to remote workspaces.
- b. Assignment of a remote work location is not a benefit, term, or condition of employment.
- c. The University reserves the right to revoke approval for remote work and direct the employee to report to the employee's normal work location depending on the needs or best interest of the University.

8. Childcare/School Closures During COVID-19.

If an employee is unable to work due to a bona fide need for leave to care for a child whose school or childcare provider is closed or unavailable, or if the child has been directed to not return to the school or childcare provider for reasons related to COVID-19 (collectively referred to as "COVID-19 Closure"):

- a. The employee may be permitted to temporarily work remotely for the period of the "COVID-19 Closure".
- b. For an employee to be permitted to work remotely for this purpose, the employee must submit a statement to Human Resources that includes:
 - i. The name and age of the child (or children) to be cared for;
 - ii. The name of the school that has closed or place of care that is unavailable;
 - iii. A representation that no other person will be providing care for the child during the period for which the employee is permitted to work remotely; and
 - iv. Assurance that the essential job functions of the employee can be performed remotely during the time period in which the school is closed or childcare provider is unavailable.
- c. For purposes of this section, a child's (or children's) school or place of care is considered closed when, due to COVID-19, the physical location where the child (or children) receive instruction is closed for in-person instruction or childcare during the child's (or children's) academic year.
- d. If the essential job functions of an employee cannot be performed remotely during the time period in which the school is closed or childcare provider is unavailable, the employee will be required to take the appropriate and available leave.
- e. Approval to work remotely for a COVID-19 Closure is conditioned upon the employee's continued satisfactory performance of the essential functions of the job position.

Note: Under the FFCRA and/or Emergency Paid Sick Leave Act (See Below), an employee qualifies for expanded family leave if the employee is caring for a child whose school or place of care is closed (or child care

provider is unavailable) for reasons related to COVID-19. An employee should consult with HR to determine if the employee is eligible to use FFCRA and/or Emergency Paid Sick Leave Act leave.

9. Emergency Paid Sick Leave Act.

- a. In response to the passing of the Families First Coronavirus Response Act (FFCRA) and Emergency Paid Sick Leave Act, Florida Poly is offering eligible employees up to two (2) work-weeks (80 hours for a full-time employee) of a new leave benefit, which can be used as of March 24, 2020 and will expire December 31, 2020 unless otherwise extended by law.
- b. An employee would be eligible for this leave if they are currently or become unable to work remotely because they:
 - i. Are subject to a federal, state, or local quarantine or isolation order related to COVID-19. This includes if they are not able to work due to the University reducing to essential operations only on campus or meet the criteria of the State Surgeon General Public Health Advisory.
 - ii. Have been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
 - iii. Are experiencing COVID-19 symptoms and are seeking a medical diagnosis.
 - iv. Are caring for an individual who is subject to an order as described in 9.(b)(i) or self-quarantine as described in 9.(b)(ii).
 - v. Are caring for their child whose school or place of care is closed (or childcare provider is unavailable) due to COVID-19 related reasons; or
 - vi. Are experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services.
- c. Employees who believe that they qualify for use of this leave for any of the above reasons should speak with their supervisors and Human Resources.
- d. An employee is not eligible for paid leave under the FFCRA unless the University would otherwise have work for the employee to perform.
- e. If an employee does not meet any of the above conditions, they do not qualify for use of this leave at this time. They may account for any approved absences with the use of their accrued sick or annual leave or may use unpaid leave.
- f. Emergency Paid Sick Leave can be used intermittently; however, in order for an employee to do so, they will need to work with their supervisors to devise an alternate work schedule.
- g. Any approved use of Emergency Paid Sick Leave will be entered in Workday using a specific time reporting code. Employees will work with their supervisors or Human Resources if they need assistance in recording these hours in Workday.
- h. When entering the Paid Sick Leave Time Reporting Code in Workday, an employee is agreeing that to the best of their knowledge that they meet the criteria for use of this leave. In doing so, the employee acknowledges that any willful misrepresentation or falsification may lead to ineligibility for these benefits and may be cause for disciplinary action, up to and including termination.

10. Enforcement of Policies and Procedures.

The goal of the University is that all members of the University community and all other persons on campus will voluntarily comply with this policy. It is the intent of the University that most policy violations will initially be addressed as an educational matter and addressed with progressively stronger responses if violations continue. Therefore, in most instances of a violation of this policy, the University will seek compliance first through education and repeated training.

- a. Not all violations of this policy are the same. An instance of failing to wear a mask or not performing the daily symptom screener may be a matter of inattention or miseducation that can be corrected with a reminder or additional training. However, reporting to campus for work or classes knowing that one is COVID-19 positive and has not been released to return to normal activities by a healthcare provider is an egregious policy violation that directly endangers the health of others and may result in substantial disruption and/or cost to the University. The University reserves the right to respond immediately and at the highest level to egregious policy violations. This response may include substantial disciplinary action (up to and including termination or suspension) and/or removal of the individual from the campus and/or the issuance of a trespass order.
- b. Repeated acts of non-compliance will result in the individual's removal from campus until compliance is achieved. Continued non-compliance may result in a more severe response – specifically, disciplinary action for faculty, staff, and students, up to and including separation from the University or suspension; and/or removal from campus, including trespass orders as necessary.
- c. Visitors, contractors, and contractor employees who fail or refuse to comply with the University's policy may be asked to leave the University and may be trespassed from the University if non-compliance continues, and such contractors may be in breach of contract.

E. RELATED INFORMATION

Florida Poly Coronavirus Information page
(regularly updated):

<https://floridapoly.edu/coronavirus/index.php>

Florida Poly Coronavirus FAQ page for employees
(periodically updated):

<https://floridapoly.edu/coronavirus/faqs-employee.php>

Florida Poly Coronavirus FAQ page for students
(periodically updated):

<https://floridapoly.edu/coronavirus/faqs-students.php>

Florida Poly Returning to Campus page (regularly updated): <https://www.FloridaPoly.edu/coronavirus/returning-to-Florida-Poly/>

ACHA Considerations for Reopening Institutions of Higher Education in the COVID-19 Era: <https://acha-test.app.box.com/s/k202537ahi3w27b0w6cdhqxyr3vljif>

CDC Guidance on How to Protect Yourself and Others:

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>
(page last updated April 24, 2020; page last visited July 9, 2020)

CDC Considerations for Institutions of Higher Education:

<https://www.cdc.gov/coronavirus/2019-ncov/community/colleges-universities/considerations.html> (page last updated May 30, 2020)

CDC Interim Guidance on Discontinuation of Transmission-Based Precautions and Disposition of Patients with COVID-19 in Healthcare Settings (page last updated July 20, 2020): <https://www.cdc.gov/coronavirus/2019-ncov/hcp/disposition-in-home-patients.html>

CDC Guidance on How to Wear Cloth Face Coverings: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-wear-cloth-face-coverings.html> (page last updated July 6, 2020)

POLICY APPROVAL	
Policy No: FPU- 1. 01210P	Date _____
Initiating Authority	Date _____
Policies & Procedures Review Committee Chair	Date _____
President/Designee	Date _____
Approved by FPU BOT, if required	Date _____

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