



COVID-19 EMPLOYEE FAQs September 30, 2022

Background

On March 16, 2020, Alameda County issued a Shelter-In-Place Order in response to the ongoing COVID-19 pandemic. While the Shelter-In-Place Order is no longer in place, several COVID-related regulations, rules, laws, and orders remain in effect.

To keep employees informed, the City regularly updates and distributes Frequently Asked Questions (FAQs). As of the date listed above, this document represents the latest version of those FAQs, which replaces previous versions.

These FAQs contain important information regarding safety, operations, and benefits related to the COVID-19 pandemic. However, as circumstances develop, and rules and regulations evolve, the City will update these FAQs to align with evolving best practices.

Generally, the City follows best practices provided by the California Department of Public Health and the Alameda County Health Department, while adhering to the Cal/OSHA COVID-19 Prevention Emergency Temporary Standards:

- <https://covid19.ca.gov/>
- <https://covid-19.acgov.org/index.page>
- <https://www.dir.ca.gov/dosh/coronavirus/>

This FAQ addresses the following topics. Use the links below to jump to that topic:

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- [AB 152: COVID-19 Supplemental Paid Sick Leave \(Updated\)](#)
- [Returning to Work after Testing Positive for COVID-19 or Experiencing COVID-19 Symptoms](#)

Please review every FAQ. If you have questions, please contact your supervisor, manager, or Departmental HR Single Point of Contact (SPOC).

Relevant Authority

1. On what rules, regulations, and/or authority has the City based its COVID-19 policies and procedures?

City policies and procedures related to **employee** safety and conduct are based on the most current version of the [COVID-19 Prevention Emergency Temporary Standards](#) approved by the Division of Occupational Safety and Health of California (commonly known as Cal/OSHA). The most current version of these regulations became effective on May 6, 2022.

City policies and procedures related to **public** safety and conduct are based on direction provided by Alameda County Public Health. Detailed information regarding the County's guidance can be found [here](#).

Finally, the City also considers advice and guidance provided by both the State of [California's —Health and Human Services Agency](#) and the [Centers for Disease Control and Prevention](#) (CDC).

The City's policies and procedures are also based on specific applicable laws which require the City to perform some specific action related to COVID-19. Those laws are referenced below when applicable.

Current Work Expectations

2. Am I required to work under the current rules and regulations?

Yes. On June 15th, 2021, the State of California fully reopened the economy. This means that most COVID-19 restrictions have been lifted. Accordingly, all Oakland employees are expected to work while adhering to applicable COVID-19 policies and procedures.

3. I am over the age of 65, am I required to work?

Yes. While the risk of severe illness due COVID-19 likely increases with age, there are currently no additional restrictions placed on individuals of a specific age.

4. If I have a medical condition that makes me particularly susceptible to COVID-19, am I required to work?

Yes. While individuals with specific underlying medical conditions may have increased susceptibility to COVID-19, there are currently no broadly applicable additional restrictions placed on individuals with perceived or actual underlying medical conditions.

However, employees who believe that they require a reasonable accommodation due to a mental or physical disability should contact Risk Management to begin the Interactive Process. Generally, applicable disability law requires the City to provide reasonable accommodation to employees who, because of their disability, are limited in or unable to perform one or more of the essential functions of their job.

Employee Telecommuting Options

5. What telecommuting options are available to City Employees?

City of Oakland *Administrative Instruction 594 – Employee Telecommute Policy* explains the telecommuting options available to City Employees. Information and applications related to AI 594 are available [here](#).

6. Is telecommuting available as a reasonable accommodation due to my susceptibility to COVID-19?

Maybe. Telecommuting as a reasonable accommodation is not available under AI 594. Telecommuting under AI 594 is provided for operational reasons at the City's discretion; it is not an employee entitlement and it can be discontinued at any time.

However, employees who believe that they require a reasonable accommodation due to a mental or physical disability should contact Risk Management to begin the Interactive Process. Generally, applicable disability law requires the City to provide reasonable accommodation to employees who, because of their disability, are limited in or unable to perform one or more of the essential functions of their job. Reasonable accommodations are determined through the interactive process.

7. How do I code my time if I am approved to telecommute?

Employees who are telecommuting should code their timecard as "REG" (NONSWORN).

8. May I work overtime if I am approved to telecommute?

Yes. However, overtime still requires advanced authorization from your supervisor. Managers and supervisors of telecommuting employees are strongly urged to schedule any required overtime in advance.

9. What if I get sick while telecommuting or need to care for an ill family member?

Just as if you were working from the office, you must immediately let your supervisor know if you are too sick to telecommute, need to care for an ill family member, or need to care for a child for any COVID-related reason. You can use your accrued paid time off or other available leave benefits.

10. What if I do not feel comfortable or safe reporting to work in person?

Although the City previously allowed employees to liberally use leave, including unpaid leave based on pandemic related concerns, the City has returned to normal leave practices.

Employees' still experiencing feelings of unease related to the pandemic are encouraged to speak with their personal medical provider, to contact their Employee Assistance Program Representative, and/or to raise those concerns with their direct supervisor.

COVID-19 Safety Protocols

11. What safety protocols does the City have in place to mitigate workplace risk created by COVID-19?

The City of Oakland implemented a Citywide Covid-19 Prevention Plan in compliance with California Code of Regulations, Title 8, section 3205. Individual departments have also created supplemental plans to address department specific issues. Each of these plans is modeled after the Cal/OSHA COVID-19 Model Prevention Program. That Model Program is available [here](#). The City's program is available [here](#).

12. What physical distancing requirements are currently in place?

Barring a COVID-19 "outbreak" as defined by Cal/OSHA, physical distancing is no longer required under any law or regulation. But all people, regardless of vaccination status and location, are encouraged to socially distance to the extent practicable. Additionally, there are no capacity limitations for locations or spaces due to COVID-19, but the City intends to control capacity to the lowest numbers operationally feasible.

13. What physical barrier requirements are currently in place?

Cal/OSHA has lifted all partition and barrier requirements. Physical barriers are no longer required by law or regulation.

14. What cleaning and disinfecting is required under the law?

Cal/OSHA has lifted all cleaning and disinfecting requirements. Specialized cleaning and disinfecting are no longer required by law or regulation.

Face Coverings & Personal Protective Equipment

15. Am I required to wear a face covering while at work?

City of Oakland employees are required to wear a face mask indoors. Please see the Face Covering Memorandum issued by the City Administrator. City employees are no longer required to wear a mask while outdoors.

According to the California Department of Public Health, masks—especially those that offer the best fit and filtration (e.g., N95s, KN95s, KF94s)—remain a critical component of our multi-layered approach for protection against COVID-19 infection.

A “face covering” means a surgical mask, a medical procedure mask, a respirator worn voluntarily, or a tightly woven fabric or non-woven material of at least two layers (i.e., fabrics that do not let light pass through when held up to a light source) that completely covers the nose and mouth and is secured to the head with ties, ear loops, or elastic bands that go behind the head. If gaiters are worn, they shall have two layers of fabric or be folded to make two layers. A face covering is a solid piece of material without slits, visible holes, or punctures, and must fit snugly over the nose, mouth, and chin with no large gaps on the outside of the face.

A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric. This definition includes clear face coverings or cloth face coverings with a clear plastic panel that, despite the non-cloth material allowing to pass through, otherwise meet this definition and which may be used to facilitate communication with people who are deaf or hard-of-hearing or others who need to see a speaker's mouth or facial expressions to understand speech or sign language respectively.

Employees should not use face coverings when doing so would be dangerous, such as when vision might be obstructed or when using tools or equipment that could become entangled with the covering.

If your Department requires you to wear a face shield, N95 mask, gloves, or other required personal protective equipment (PPE), you shall wear full PPE required by the Department while working.

16. Will the City provide me with a cloth face covering?

Yes. Upon request, the City will provide face coverings or masks as required by CCR Title 7, §3205.

17. When masks are generally required, are there exceptions?

Yes, but they are limited. A face covering is not required when a person is in a

personal office (a single room) with the door closed if the public or co-workers do not visit the room.

However, you must have a face covering available should someone enter the office or room. You must also wear a face covering if you work in a cubicle or enter a common space, including restrooms and reception areas. Please consult your supervisor should you have questions.

A face covering is also not required by an individual if that individual can show either: (1) a medical professional has advised that wearing a face covering may pose a risk to the person wearing the mask for health-related reasons; or (2) wearing a face covering would create a risk to the person related to their work as determined by local, state, or federal regulators or workplace safety guidelines. Should you need a medical exception, please contact Risk Management.

18. Are patrons accessing City services required to wear a face covering?

Yes. Patrons are required to wear mask. The California Department of Public Health strongly recommends that all persons, regardless of vaccine status, continue indoor masking. As a building owner and employer, and to protect our employees and visitors, the City of Oakland may impose stricter masking requirements than what is currently required by state or local public health authorities.

Vaccine Information

19. Where can I find up-to-date information about the COVID-19 vaccine?

Please visit the following websites for information on the COVID-19 vaccine:

- [Centers for Disease Control State of California](#)
- [Alameda County Public Health Department](#)
- [We are Greater than COVID](#)
- [World Health Organization COVID-19 Vaccine Tracker](#)

20. Who can be vaccinated?

Everyone 5 years and older is eligible to be vaccinated for free. Vaccination is the most important tool to end the COVID-19 pandemic.

21. Is the vaccine mandatory?

The City of Oakland adopted *Administrative Instruction 593 - Employee Mandatory Vaccination Policy* on October 4, 2021. That AI is available on the City's intranet [here](#). This AI applies to all City Employees, but may be superseded by other Local, State, or Federal laws that mandate vaccination.

22. Will the City provide me paid leave, time off, or allow me to be vaccinated on the clock?

Yes. Leave to cover vaccination or related issues is available under SB 114.

23. Will the need to quarantine, isolate, or be excluded from work change based on my vaccination status?

No. Cal/OSHA previously mandated different standards based on an employee's vaccination status. However as of May 6, 2022, all protections now apply regardless of vaccination status and requirements do not vary based on an employee's vaccination status.

COVID-19 Testing and Exposure

24. How do I get tested for COVID-19?

Employees desiring a COVID-19 test can contact their personal doctor or clinic. Additionally, employees are likely eligible for no-cost testing offered by the City. Please call CarivaCare at 1-877-247-5431 if you experience COVID-19 symptoms, had direct contact with someone who was confirmed to have COVID-19, or want to be tested for COVID-19 for any other reason.

Additionally, the City has several CityHealth RapidReturn Covid Self-Tests on hand for distribution to City employees. You may obtain self-test from your Department SPOC or from the Risk Management Department. A YouTube video explaining how to use the CityHealth RapidReturn Covid Self-Test is available here:

<https://www.youtube.com/watch?v=sq1wC5tSufg>

25. If I test positive for COVID-19, what should I do?

- Follow the guidance of your medical provider.
- Inform your supervisor or Risk Management. The City will comply with California's confidentiality laws and will not disclose your identity unless required by a California County Health Department or compelled by law.
- Understand that the City is required to exclude you from the workplace as set forth in these FAQs.
- Remain under home isolation and follow the recommendation of your physician until you are cleared to return to work.
- Upon receiving notice of your COVID-19 positive test results, the City will conduct an internal exposure investigation and take additional actions as directed by the Alameda County Public Health Department.
- If you test positive through the City's COVID-19 testing, please contact your personal doctor immediately for further guidance.

26. What will the City do if a co-worker tests positive for COVID-19?

If a City employee reports to a worksite, then later tests positive for COVID-19, the City and Risk Management or designated Department Infection Control Officer (DICO) will assess the exposure. Risk Management and designated DICOs have implemented internal COVID-19 exposure investigation guidelines.

Upon learning of a COVID-19 positive employee, the City and Risk Management/DICO will investigate and trace the employee's steps at the workplace to identify other employees who may have had "close contact" with the COVID-19 positive employee. The City will assess across Departments to identify everyone who may have been exposed.

The City relies on the Cal/OSHA definition of "close contact," which Cal/OSHA defines as being within six feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period (unless close contact is defined by regulation or order of the CDPH. If so, the CDPH definition shall apply).

Exposed employees identified through the exposure investigation will receive an individualized communication from Risk Management or the DICO with specific instructions. Typically, the exposure investigation is completed and notices sent out within the same workday, but in any case, not more than 24 hours after learning of the possible exposure. If an employee did not receive an exposure notice from Risk Management or a DICO, that means they were not identified as a close contact of the COVID-19 positive employee. Even so, employees who remain concerned about their COVID-19 status should contact their personal medical provider or take advantage of City-funded COVID-19 testing. Please understand that an exposure investigation is not perfect, but the City is committed to using all efforts to identify employees who had close contact with a COVID-19 positive individual.

All notices of potential exposure must be sent to Risk Management or a DICO. Risk Management (or DICO) will perform an exposure investigation and the associated workplace investigation. Following the investigation, Risk Management will individually notice possible close contacts and will generally notice the subject Department Director and all other Department Directors. This notice will contain all information required by and allowed under law while respecting employee privacy. Department Directors will, in turn, notice affected employees and subcontractors as required. Employees and subcontractors will be noticed by email. Employee Relations will notify employee representatives as required.

The City will not disclose the identity of the COVID-19 positive employees unless required by law.

27. What if I have been exposed to COVID-19 in the workplace?

The period before an employee can return to work after a close contact has been updated by Cal/OSHA. And, Absent contrary direction from the California Department of Public Health or the Alameda County Public Health Department, the following rules apply to employees who experienced close contact.

<p>For employees who are asymptomatic.</p> <p>Applies to all employees, regardless of vaccination status.</p>	<ul style="list-style-type: none"> •Exposed employees must test within three to five days after their last close contact. Persons infected within the prior 90 days do not need to be tested unless symptoms develop. •Employees must wear face coverings around others for a total of 10 days after exposure. •If an exposed employee tests positive for COVID-19, they must follow the isolation requirements for COVID-19 cases. •Employees are strongly encouraged to get vaccinated and boosted.
<p>For employees who are symptomatic.</p> <p>Applies to all employees, regardless of vaccination status.</p>	<ul style="list-style-type: none"> •Symptomatic employees must be excluded and test as soon as possible. Exclusion must continue until test results are obtained. •If the employee is unable to test or choosing not to test, exclusion must continue for 10 days. •If the employee tests negative and returns to work earlier than 10 days after the close contact, the employee must wear a face covering around others for 10 days following the close contact. •CDPH recommends continuing exclusion and retesting in 1-2 days if testing negative with an antigen test, particularly if tested during the first 1-2 days of symptoms. •For symptomatic employees who have tested positive within the previous 90 days, using an antigen test is preferred.

If you experienced close contact, you should contact and follow the directions of your personal healthcare provider. Additionally, you are eligible for the City-provided COVID-19 testing at no cost to you. Remember that following the City COVID-19 testing, you should immediately contact your physician for instructions on whether

you need to isolate or quarantine or have another COVID-19 test. You must also update your supervisor as to whether you will report to work.

28. What if I have been exposed to COVID-19 outside the workplace?

The regulations issued by Cal/OSHA also apply to exposure outside of the workplace.

If you had an exposure to someone outside the workplace who is diagnosed with COVID-19, you must contact and follow the directions of your personal healthcare provider. Additionally, you are eligible for the City-provided COVID-19 testing at no cost to you. You must update your supervisor as to whether you will report to work.

While the exposure identification and exclusion processes are generally the same for workplace and non-workplace exposures, leave during the exclusion period is different. Employees excluded from the workplace due to an exposure that is not work related may use their accrued leave during the period of exclusion or utilize unpaid leave if no telecommute options are available and the employee is otherwise able and willing to work. Employees who choose not to use their accrued leave (or do not have any accrued paid leave) must be placed on an unpaid leave of absence.

29. If I think I have been infected with COVID-19 or I am experiencing flu-like symptoms, what should I do?

The CDC, California Department of Public Health, and Alameda County Public Health Department recommend that if you suspect that you have been infected with COVID-19, that you stay home to minimize the potential spread of COVID-19. Additionally, the City mandates that you **do not report to work sick**, especially if you are experiencing flu-like or COVID-19 symptoms. It is imperative that we limit COVID-19 exposure.

If you experience COVID-19 symptoms, please contact your supervisor to inform them that you will not be reporting to work or are unable to telecommute. You can use your accrued paid time off or other available leave benefits.

Additionally, alert your doctor if you experience symptoms or have questions about your symptoms. Minimizing the spread of the virus is critical and you must follow the guidance of your physician. Please notify Risk Management if you receive a positive COVID-19 test result and your Single Point of Contact (SPOC) can guide you through City leave policies.

30. What if I need an accommodation for work due to COVID-19?

If you feel you need such an accommodation, please contact your Department Single Point of Contact and/or Risk Management as you would for a FEHA accommodation under Administrative Instruction 139.

AB 152: COVID-19 Supplemental Paid Sick Leave

31. What is AB 152?

AB 152 is a California Assembly Bill signed into law on September 29, 2022. The law extended the period that California employees can utilize available COVID-19 Supplemental Paid Sick Leave (“SPSL”). The law does not provide a new SPSL allotment, rather it extends the expiration date of SPSL benefits granted under SB 114 to December 31, 2022.

32. Who determines whether I am eligible for leave under AB 152?

Risk Management, in coordination with your Department’s Single Point of Contact (SPOC), will determine your eligibility for leave under AB 152.

33. What are the qualifying reasons to take leave under AB 152?

Covered employees are eligible for AB 152 leave benefits for the following qualifying reasons:

- Employees subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidance of the State Department of Public Health, the federal Centers for Disease Control and Prevention, or a local public health officer who has jurisdiction over the workplace.
- Employees advised by a health care provider to isolate or quarantine due to COVID-19.
- To attend an appointment for the employee or a family member to receive a COVID-19 vaccine or booster.
- Employees experiencing symptoms, or caring for a family member experiencing symptoms, related to a COVID-19 vaccine or booster.
- Employees experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- Employees caring for a family member who is subject to quarantine or isolation.
- Employees caring for their child, whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.

34. What leave benefits are available under AB 152?

AB 152 merely extends the time that SB 114 benefits are available. Therefore, the leave benefits under SB 114 still apply.

SB 114 provides leave benefits to all “covered employees.” A “covered employee” is an employee who is unable to work or telecommute for the City for any of the qualifying reasons under SB 114. Leave taken under SB 114 is called COVID-19 Supplemental Paid Sick Leave. Covered employees are provided the following leave benefits per the following categories:

Full-time employees are entitled to 80 hours of SPSL.

Firefighters are not limited to 80 hours of SPSL; rather, active firefighters who were scheduled to work more than 80 hours in the two weeks before the leave is taken can take as many hours as they were scheduled. However, pay for SPSL is still capped at \$5,110 in total.

Part-time employees with a regular schedule are entitled to two-weeks' worth of SPSL based on their regularly scheduled hours.

Part-time employees with an irregular schedule who have worked for more than 14 days are entitled to SPSL equal to 14 times the average number of hours the covered employee worked each day for the employer in the six months¹ preceding the date the covered employee took SPSL.

Part-time employees with an irregular schedule who have worked for more 14 days or fewer are entitled to SPSL equal to the number of hours that they worked in the two weeks preceding the date SPSL leave begins.

35. How much will I be paid under AB 152?

AB 152 maintains the SB 114 caps. That is, SPSL is capped at \$511 per day and \$5,110 in the aggregate.

36. May I supplement AB 152 leave with other accruals?

Yes. Employees who make more than \$511 per day may utilize other qualifying paid leave to receive what they would normally earn if the cap is reached. In such cases **employees are responsible** for calculating how many hours of their time is equivalent to \$511, and that many hours of SPSL shall be reported on the time card. The remaining balance of time shall be recorded as other available paid accruals. An employee will never receive more than their normally allocated pay.

If an employee normally makes more than \$511 per day and does not supplement with other qualifying paid leave, the employee may use available SPSL to complete their time card, but the employee's pay will be capped at \$511 per day.

Similarly, if an employee reaches the \$5,110 total cap and still has hours of SPSL remaining, the remaining SPSL hours will only be available as unpaid SPSL.

¹If the employee has worked for less than six months, but more than 14 days, then this six-month period will be replaced with however long the employee has worked for the City.

37. Are AB 152 leave benefits retroactive?

Yes. AB 152 is retroactive to January 1, 2022. This means that employees who used personal accruals or took unpaid time for any of the qualifying reasons listed above may submit an adjustment to payroll for reimbursement of used time or back pay.

Leave taken--paid or otherwise--before January 1, 2022 has no effect on AB 152 benefits.

38. How do I apply for AB 152 leave?

Employees may apply for AB 152 leave by completing an AB 152 Leave Certification form and submitting that form to their Department SPOC.

39. May I take AB 152 leave intermittently?

It depends. Intermittent SPSL is available under AB 152 in some cases. Please see the AB 152 Leave Certification for more information. However, in all cases, intermittent leave is only available when both the employee and the Department agree on the intermittent schedule. Such determinations will be made on a case-by-case basis and will vary depending on an individual's duties, schedule, and circumstances balanced against the operational needs of the City.

40. How do I code my timecard when taking AB 152 leave?

Employees using approved AB 152 leave should code "SPSL Suppl Sick Lv".

41. How long is leave under AB 152 available?

The requirement to provide 2022 COVID-19 Supplemental Paid Sick Leave will end on December 31, 2022. If the law expires while a covered employee is taking this leave, the employee can finish taking the amount of 2022 COVID-19 Supplemental Paid Sick Leave they are entitled to receive. However, such leave shall be taken on a continual basis only and no intermittent leave will be approved after December 31, 2022.

42. Can I cash out AB 152 leave?

No. The City will not cash out SPSL at any time, including upon separation of employment or upon expiration of the benefit.

43. Will my retirement pension be impacted if I use SPSL?

For retirement questions, please contact [CalPERS](#) at (888) CalPERS (888-225-7377).

Returning to Work after Testing Positive for COVID-19 or Experiencing COVID-19 Symptoms

44. If I tested positive for COVID-19, experienced COVID-19 symptoms, or was made to isolate/quarantine by a medical provider, when can I return to work?

First and foremost, you should follow the direction of your medical provider. Neither Risk Management nor DICOs can provide medical advice to City employees. Additionally, the period before an employee can return to work after testing positive is set by Cal/OSHA.

Absent contrary direction from the California Dept. of Public Health or the Alameda County Public Health Department, the following rules apply to positive employees.

<p>Requirements apply to all employees, regardless of vaccination status, previous infection, or lack of symptoms.</p>	<ul style="list-style-type: none"> • Employees who test positive for COVID-19 must be excluded from the workplace for at least 5 days after either (1) the start of symptoms or (2) the date of the first positive test if no symptoms. • Isolation can end and employees may return to the workplace after day 5 if symptoms are not present or are resolving, and a diagnostic specimen* collected on day 5 or later tests negative. • If an employee's test on day 5 (or later) is positive, isolation can end and the employee may return to the workplace after day 10 if they are fever-free for 24 hours without the use of fever-reducing medications. • If an employee is unable to or choosing not to test, isolation can end, and the employee may return to the workplace after day 10 if they are fever-free for 24 hours without the use of fever-reducing medications. • If an employee has a fever, isolation must continue and the employee may not return to work until 24 hours after the fever resolves without the use of fever-reducing medications. • If an employee's symptoms other than fever are not resolving, they may not return to work until their symptoms are resolving or until after day 10. • Employees must wear face coverings around others for a total of 10 days. <p>*Antigen test preferred.</p>
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