



CITY OF OAKLAND

COVID-19 EMPLOYEE FAQs December 6, 2021

Background

On March 16, 2020, Alameda County issued a Shelter-In-Place Order in response to the ongoing COVID-19 pandemic. That order was modified several times and supplemented by other applicable laws and regulations.

On June 15, 2021, Alameda County rescinded its Shelter-in-Place Order, in accordance with the [California State Beyond the Blueprint Framework](#). For more information, see [California State Public Health Officer Order](#) and [Alameda County Health Officer Order 21-01a](#).

To keep employees informed, the City has updated and distributed 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. As circumstances develop and rules and regulations evolve in response to the ongoing global COVID-19 pandemic, these FAQs will be updated and revised in alignment with evolving public health guidance.

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

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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 revised [COVID-19 Prevention Emergency Temporary Standards](#) approved by the Division of Occupational Safety and Health of California (commonly known as Cal/OSHA) on June 17, 2021.

City policies and procedures related to **public** safety and conduct are based on direction provided by Alameda County Public Health. Alameda County has implemented the State's *Beyond the Blueprint* framework and is fully aligned with the California State Reopening Plan, California State Recommendations for Fully Vaccinated People, and California State Mask Guidance and Masking Q & A. Detailed information about the State's implementation of these standards is available [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). Relevant information from each of these agencies can be found at the following links:

The City's policies and procedures are also based on specific applicable laws, such as SB-95, which directly 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 tied to business reasons; it is not an 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 now 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?

Barring a COVID-19 "outbreak" as defined by Cal/OSHA, physical barriers are no longer required under any law or regulation.

Face Coverings & Personal Protective Equipment

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

City of Oakland employees are still generally required to wear facemask indoors. Please see the most recent Face Covering Memorandum issued by the City Administrator.

However, City employees are no longer required to wear a mask while outdoors.

A “face covering” means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose and mouth and surrounding areas of the lower face.

Employees should not use cloth 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 while working.

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

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

16. 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) 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.

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

Yes. All patrons are required to wear mask.

The general public must follow the current [CDPH Guidance for Face Coverings](#). Please see the [CDPH Flyer](#).

Subject to some individualized exceptions, masks are not required for fully vaccinated individuals, except in the following settings where masks are required for everyone, regardless of vaccination status:

- On public transit and in transportation hubs
- Indoors in K-12 schools,
- Childcare and other youth settings
- Healthcare settings
- State and local correctional facilities and detention centers
- Homeless shelters
- Emergency shelters and cooling centers

Additionally, masks are required for unvaccinated individuals in indoor public settings and businesses.

The State of California provided the following three options regarding patron masking while masking is still required for unvaccinated individuals:

- Provide information to all patrons regarding vaccination requirements and allow vaccinated individuals to self-attest that they comply prior to mask-less entry
- Implement vaccine verification to determine whether individuals must mask
- Require all patrons to wear masks

Following State of California guidance, The City of Oakland has elected to require all patrons to wear mask.

Vaccine Information

18. 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](#)

19. 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.

20. 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.

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

No. All programs available to cover employee time off related to COVID-19 vaccination have now lapsed.

22. Will the need to quarantine, isolate, or be excluded from work change based on whether or not I have taken the vaccine?

Yes. The City's application of exclusion/quarantine/isolation laws varies depending on employee vaccination status. Risk Management will handle such situations on a case-by-case basis.

SB 95: COVID-19 Supplemental Paid Sick Leave

23. What is SB 95?

SB 95 was a California Senate Bill signed into law on March 18, 2021. That law extended COVID-19 sick leave benefits to California employees. The law applied retroactively to January 1, 2021 and expired on September 30, 2021.

This program is now complete. SB 95 leave benefits, current or retroactive, are no longer available.

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.

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

Under new regulations issued by Cal/OSHA, the City must exclude employees who have been exposed in the workplace to COVID-19 through close contact, except in the following circumstances:

- Employees who were fully vaccinated before the close contact and who do not develop COVID-19 symptoms.
- Employees who test positive for COVID-19, who returned to work pursuant to regulations and have remained free of COVID-19 symptoms for 90 days after the initial onset of COVID-19 symptoms, or for employees who never developed COVID-19 symptoms, for 90 days after the first positive test.

The regulations define a close contact COVID-19 exposure as being within six feet of a COVID-19 positive individual for a total of fifteen (15) minutes or greater in any 24-hour period. The City's exposure investigation will investigate whether an employee was a close contact of a COVID-19 positive individual by looking back:

1. 48 hours before the COVID-19 positive individual began experiencing COVID-19 symptoms;
2. 48 hours before the individual tested positive for COVID-19 without symptoms; and/or
3. 10 days after the individual first experienced COVID-19 symptoms or tested positive without symptoms.

If you are exposed and identified as a close contact, and not subject to an exception, Cal/OSHA requires an exclusion period of up to fourteen (14) days after the last known COVID-19 exposure. Accordingly, if you have been identified as a close contact exposed to COVID-19, then you will be excluded from the worksite as follows:

- All asymptomatic close contacts (within 6 feet of a COVID-19 positive person for a total of 15 minutes or more over a 24-hour period) shall discontinue quarantine after day 10 from the date of last exposure with or without testing.
- Employees excluded as required by the Cal/OSHA regulations due to a workplace exposure will be allowed to use their accrued leave during the period of exclusion 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 will be required to use their accrued paid sick leave. Employees without accrued sick leave will be placed on paid administrative leave.

If you had exposure to a co-worker who is diagnosed with COVID-19 as determined by Risk Management and/or the DICO (Department Infection Control Officer), 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 PCR test. You must also update your supervisor as to whether you will report to work.

26. 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.

27. 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, 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 Emergency Paid Sick Leave, if eligible.

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.

28. If I have tested positive for COVID-19, what should I do?

- Follow the guidance of your doctor.
- Inform your supervisor or Risk Management. Understand that the City is required to exclude you from the workplace as set forth in these FAQs. Any questions on the timeline for your exclusion from the workplace should be directed to your DICO 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.

- 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.

29. 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 positive individual for a cumulative total of fifteen (15) minutes or greater in any 24-hour period.

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 not more than 24 hours after notice. 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 physician 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 any employee who had close contact with another COVID-19 positive employee. California counties are officially tasked with COVID-19 contact tracing and the City must notify and cooperate in any contact tracing conducted by a California county.

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.

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.

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

31. 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. Unless separate applicable individualized medical advice exists, employees may return to work under any of the following circumstances:

- An employee presents a note from a medical provider which indicates that they are not a risk for spreading COVID-19.
- An employee who tested positive but never developed COVID-19 symptoms may return to work after 10 days have passed since the date of their COVID-19 test that resulted in a positive result. Please note that it is the date of the test, not the date the employee received the results. See California Code of Regulations, Title 8, section 3205(c)(11).
- Symptomatic employees who tested positive may return to work when:
 - At least 24 hours have passed since a fever of 100.4 or higher has resolved without the use of fever-reducing medications;
 - COVID-19 symptoms have improved; and
 - At least 10 days have passed since COVID-19 symptoms first appeared.