



**Cook County Personnel Rules Addendum
COVID-19 Related Leaves and Return to Work Processes
Effective October 1, 2021**

**Rule 1
(Addendum to Rule 1 of the Cook County Personnel Rules)
General Provisions**

The rules and procedures in this addendum to the Cook County Personnel Rules (“Addendum”) are adopted to limit the spread of the Coronavirus (“COVID-19”) in Cook County buildings and facilities. In an effort to limit the spread of COVID-19, the County implements the following COVID-19 related leaves and return to work provisions, which are in line with recommendations set forth by the Centers for Disease Control and Prevention (“CDC”) and the Department of Public Health (“DPH”). The County reserves the right to update the Addendum upon the issuance of new CDC and DPH guidelines. All other General Provisions of the Cook County Personnel Rules apply.

1.6 DEFINITIONS

Asymptomatic - A person who does not report or appear to have any symptoms or signs of the COVID-19 virus.

Child - The biological, adopted, foster, stepchild or legal ward, or child of an employee standing in loco parentis who is either under 18 years of age, or older than 18 and incapable of self-care due to a mental or physical disability as defined under the Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.*, for whom the employee has actual day-to-day responsibility for care.

Close Contact - Being within six (6) feet (2 meters) of an infected person for a cumulative total of 15 minutes or more over a 24-hour period starting from 2 days before illness onset (or, for asymptomatic patients, 2 days prior to test specimen collection); providing care at home to a person diagnosed with COVID-19; having direct physical contact with a person diagnosed with COVID-19 (hugged or kissed them); sharing eating or drinking utensils with a person diagnosed with COVID-19; or having direct contact with infectious secretions of a confirmed COVID-19 person (e.g., being coughed on).

Closed/Unavailable - The physical location of the child's school or childcare provider is not open or available to care or provide instruction. For the purpose of this policy, the school is considered closed when instruction is delivered to students through online format such as "distance learning" and the child is expected or required to complete all or a portion of their instruction through that format.

Emergency Responder - An employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to, law enforcement officers, correctional institution personnel, emergency medical services personnel, physicians, public health personnel, emergency medical technicians, emergency management personnel, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility. This also includes any individual whom the highest official of a State or territory, including the District of Columbia, determines is an emergency responder necessary for that State's or territory's or the District of Columbia's response to COVID-19.

Fully Vaccinated - Two weeks after the second dose of a two-dose COVID-19 vaccine or two weeks after one dose of a single-dose vaccine.

Hardship Benefit Time - Benefit time given to an employee diagnosed with COVID-19 and has exhausted all of their accrued benefit time and emergency leave time. The employee is unable to qualify for disability benefits but requires additional time to recover from the COVID-19 virus. Recovery as indicated by a negative test result.

Health Care Provider - Anyone who is a licensed doctor of medicine, nurse practitioner, or other health care provider permitted to issue a certification for purposes of the FMLA.

Any other person who is employed to provide diagnostic services, preventive services, treatment services, or other services that are integrated with and necessary to the provision of patient care and, if not provided, would adversely impact patient care. This group includes employees who provide direct diagnostic, preventive, treatment, or other patient care services, such as nurses, nurse assistants, and medical technicians. It also includes employees who directly assist or are supervised by a direct provider of diagnostic, preventive, treatment, or other patient care services. Finally, employees who do not provide direct health care services to a patient but are otherwise integrated into and necessary to the provision those services—for example, a laboratory technician who processes medical test results to aid in the diagnosis and treatment of a health condition—are health care providers.

Self-Isolate - The separation of a person known to be infected with the COVID-19 virus from those who are not infected to prevent spread of the disease.

Self-Quarantine - The separation of a person who might have been exposed to COVID-19 virus away from others to prevent the spread of the disease.

Rule 6

(Addendum to Rule 6 of the Cook County Personnel Rules)

Leaves of Absence Related to COVID-19

6.2 LEAVES OF ABSENCE WITH PAY

(a) - (j) **Reserved**

(k) **Emergency Paid Sick Leave**

(Emergency Paid Sick Leave is extended by Cook County through December 31, 2021 for employees who have not previously exhausted the leave.)

An eligible employee must be unable to work or telecommute due to the following COVID-19 related reasons:

- i. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- ii. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- iii. The employee is experiencing COVID-19 symptoms and seeking medical diagnosis;
- iv. The employee is seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, COVID-19 and such employee has been exposed to COVID-19 or the employer has requested a COVID-19 test or diagnosis;
- v. The employee is obtaining a COVID-19 vaccination;

- vi. The employee is recovering from any injury, disability, illness, or condition related to such COVID-19 vaccination;
- vii. The employee is caring for an individual described in subsections (i.) and (ii.) of this Section;
- viii. The employee is caring for a child (under 18 years of age) whose school or childcare is closed or is unavailable for reason related to COVID-19; or
- ix. The employee is experiencing substantially similar conditions as specified by the Secretary of Health and Human Services.

Any full-time employee who meets the requirements of Section (i.), (ii.), (iii.), (iv.), (v.) or (vi.) above is eligible to receive up to 80 hours of emergency paid sick leave at their regular rate of pay. Eligible part-time employees will receive emergency paid sick leave at their normal rate of pay in an amount equal to the average number of hours they work over a two-week period.

Any full-time employee who meets the requirements of Section (vii.), (viii.) or (ix.) is eligible to receive up to 80 hours of emergency paid sick leave at a rate of two thirds (2/3) of their regular rate of pay. Eligible part-time employees will receive emergency paid sick leave at a rate of two thirds (2/3) of their regular rate of pay in an amount equal to the average number of hours they work over a two-week period.

Eligible employees may, but are not required to, provide notice of absence on the first day of absence, afterwards, eligible employees should follow their usual and customary absence notification procedures. Employees should complete and provide the Emergency Paid Sick Leave Request Form to their supervisor for approval, along with appropriate documentation.

All employees returning to work under this leave should follow their usual and customary return to work procedures. Employees returning to work from a leave related to Section (i.), (ii.), (iii.), (iv.), (v.), (vi.) or (ix.) above may be required to submit corresponding medical certification authorizing them to return to work.

Health Care Providers and Emergency Responders may be exempted from the Emergency Paid Sick Leave.

(l) **Emergency Family and Medical Leave**

(Emergency Family and Medical Leave is extended by Cook County through December 31, 2021 for employees who have not previously exhausted the leave.

An employee employed by the County for at least 30 calendar days and unable to work or telecommute is eligible to take Emergency Family and Medical Leave due to the following qualifying needs related to a public health emergency, such as the COVID-19 pandemic:

- i. The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- ii. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- iii. The employee is experiencing COVID-19 symptoms and seeking medical diagnosis;
- iv. The employee is seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, COVID-19 and such employee has been exposed to COVID-19 or the employer has requested a COVID-19 test or diagnosis;
- v. The employee is obtaining a COVID-19 vaccination;
- vi. The employee is recovering from any injury, disability, illness, or condition related to such COVID-19 vaccination;
- vii. The employee is caring for an individual described in subsections (i.) and (ii.) of this Section;
- viii. The employee is caring for a child (under 18 years of age) whose school or childcare is closed or is unavailable for reason related to COVID-19; or
- ix. The employee is experiencing substantially similar conditions as specified by the Secretary of Health and Human Services.

Health Care Providers and Emergency Responders may be exempted from the Emergency Family and Medical Leave.

Full time employees are eligible to receive Emergency FMLA leave, at two-thirds (2/3) of the employee's regular pay rate. Part-time employees are eligible at two-thirds of the employee's hourly pay rate by the number of hours the employee would otherwise work.

Notification requirements of the County's Family and Medical Leave Policy remain in effect. Employees may request leave by completing the Emergency Family and Medical Leave Request Form. Supporting documentation is required to submit within two (2) business days of taking the leave. All certification requirements listed in the County's Family and Medical Leave Act Policy remain in effect.

All employees returning to work under this leave should follow their usual and customary return to work procedures. Employees returning to work from a leave related to Section (i.), (ii.), (iii.), (iv.), (v.), (vi.) or (ix.) above may be required to submit corresponding medical certification authorizing them to return to work.

Upon returning to work, the employee will be placed in the same position held prior to the leave. Should the position no longer be available, the County will make reasonable efforts to restore the employee to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

(m) Other COVID-19 Related Absences

Employees who exhibit COVID-19 related symptoms during the workday should immediately leave the County building or facility and notify their Department Head (or Designee). Also, employees should notify BHR Personnel Services Division via email as soon as practicable. Upon confirmation that the employee tested positive for COVID-19 or was diagnosed with COVID-19 virus, the employee should contact their Department Head (or Designee) in order to provide information needed for the Department Head to complete a thorough workplace investigation to ensure the health and safety of all employees.

The County may require employees to leave County premises for any of the following reasons related to the COVID-19 pandemic:

- i. Fully vaccinated employees and employees who had COVID-19 within the last three months are not required to self-quarantine after domestic or international travel. Employees who are not fully vaccinated should quarantine for seven days, if they test negative for COVID-19 or quarantine for a ten-day period if they are not

tested for COVID-19 upon returning from domestic or international travel;

- ii. Employees who have not been fully vaccinated and live or have had Close Contact with a Person Under Investigation (PUI) as indicated by the CDC;
- iii. Employees who have not been fully vaccinated and had Close Contact with a person known to have been diagnosed with COVID-19 illness;
- iv. Employees who have a confirmed diagnosis of COVID-19 illness;
- v. All current provisions of the Cook County Personnel Rules and the Cook County Time and Attendance Policy continue to apply to employee absences related to COVID-19.

6.7 PAY PROVISIONS FOR COVID-19 RELATED ABSENCES

(a) Benefit Time

Subject to the provisions of Cook County Personnel Rule 6.2 and its addendum, employees must avail themselves of any applicable benefit time or approved leave of absence to be paid during their time away from work.

(b) Extended Hardship Pay Related to COVID-19 Diagnoses

Employees diagnosed with COVID-19 and who exhaust applicable paid leaves of absence, accrued benefit time and are unable to qualify for disability may apply for the supplemental COVID-19 Hardship Benefit Time (“Hardship Benefit”). Employees must complete and submit the COVID-19 Hardship Benefit Time Request Form attached as Exhibit A to the Bureau Chief of BHR (or Designee) for approval.

Eligibility for the Hardship Benefit will be evaluated on an individual basis. Such eligible employees must submit a positive test result for COVID-19 and medical certification indicating that the employee is not authorized to work due to the virus. If approved, the employee will be placed on a fourteen (14) day leave. The employee will receive their regular rate of pay during the approved leave. Any extensions to the Hardship Benefit will also be evaluated on an individual basis.

6.8 RETURNING TO WORK FROM COVID-19 RELATED ABSENCES AND OTHER PARTICULAR ABSENCES DURING THE COVID-19 PANDEMIC

Cook County follows public health and CDC guidance regarding the safe return of employees to the workplace.

(a) **Employees Absent Due to Governmental Order**

The County complies with Federal, State, and local quarantine or isolation orders related to COVID-19 and expects County employees to do the same. Employees returning to work from an absence imposed by governmental orders may do so as directed by the orders or when the orders are lifted, unless the employee is absent under another provision of Section 6.8.

(b) **Employees Diagnosed or Exhibiting Symptoms of COVID-19**

Employees diagnosed or exhibiting symptoms of COVID-19 may return to work once cleared by their physician. They must submit to BHR Personnel Services Division the corresponding medical certification authorizing them to return to work.

(c) **Employees Potentially Exposed to COVID-19**

Employees who were potentially exposed to a positive or diagnosed COVID-19 individual through Close Contact and are not fully vaccinated should stay home for 14 days after their last contact with a person who has COVID-19 and monitor their symptoms. They may return to work after the quarantine period if they do not exhibit COVID-19 related symptoms during that period. If employees who are not fully vaccinated exhibit COVID-19 related symptoms during the quarantine period, they may return to work once cleared by their physician. They must submit to BHR Personnel Services Division the corresponding medical certification authorizing them to return to work.

Employees who were potentially exposed to a positive or diagnosed COVID-19 individual through Close Contact, are fully vaccinated or have tested positive for COVID-19 within the last three months, and asymptomatic are not required to self-quarantine, but should still monitor their symptoms for 14 days following exposure. If COVID-19 symptoms develop, the employees should begin a period of self-quarantine as determined by a physician and may return to work once cleared by the physician. They must submit to BHR Personnel Services Division the corresponding medical certification authorizing them to return to work.

(d) **Employees Absent Due to School Closings or the Unavailability of Childcare Provider**

Employees absent due to school closings or childcare provider unavailability may return to work using their customary return to work process.

(e) **Employees Returning from a Travel Alert Level 3 or Higher Country**

Fully vaccinated employees and employees who had COVID-19 within the last three months are not required to self-quarantine after domestic or international travel. Employees who are not fully vaccinated should quarantine for seven days, if they test negative for COVID-19 or quarantine for a ten-day period if they are not tested for COVID-19 upon returning from domestic or international travel.

(f) **Employees Absent Due to Obtaining the COVID-19 Vaccination and Associated Recovery**

Upon returning to work after an absence to obtain the COVID-19 vaccination, employees must show the Department Head (or Designee) their vaccination card to verify that they received the vaccine.

Upon returning to work after an absence to recover from injury, disability, illness, or condition related to the COVID-19 vaccination for up to four (4) days immediately after receiving the vaccine, the employee must provide proof of receiving a vaccination card to BHR. Employees who are absent to recover from injury, disability, illness, or condition related to the COVID-19 vaccination for five (5) or more non-FMLA sick days, immediately after receiving the COVID-19 vaccination, must submit to BHR Personnel Services Division the corresponding medical certification authorizing them to return to work.

(g) **Medical Certifications**

Acceptable medical certifications include, but are not limited to:

- i. Two (2) negative COVID-19 test results taken within 24 hours of each other.

- ii. Written correspondence from the physician's office on their letterhead indicating that the employee has been cleared by the physician to return to work.
- iii. Proof of vaccination.
- iv. Medical certifications and proof of vaccination can be transmitted via facsimile to (312) 603-3747, mail or by contacting BHR Personnel Services (BHR.confidential@cookcountyil.gov) for instructions to complete and upload documentation.

EXHIBIT A

COVID-19 HARDSHIP BENEFIT TIME REQUEST FORM



**COOK COUNTY BUREAU OF HUMAN RESOURCES
COVID-19 HARDSHIP BENEFIT TIME REQUEST FORM**

Download the form in order to complete

Employee Name (Last, First, MI): _____
Employee ID #: _____ Position Title: _____
Department Name: _____ Supervisor Name: _____
Absence Start Date: _____ Absence End Date: _____

Employees approved for this benefit will be placed on paid administrative leave for a period not to exceed 14 days.

Eligibility– place a check mark on each item that applies:

- I have been diagnosed with COVID-19;
- I have exhausted all of my accrued benefit time;
- I have exhausted all leave available under the Emergency Paid Sick Leave and Emergency Family and Medical Leave;
- I am unable to qualify for disability.

Calculation of Hardship Benefit Time Pay Rate

Employees who meet the eligibility requirements will be placed on a paid leave of absence for a period not to exceed 14 days. Eligible part-time employees will receive an amount equal to the average number of hours they work over a two-week period at their normal rate of pay. Eligible full-time employees will receive up to 80 hours of Hardship Benefit at their regular rate of pay. The amount of Hardship Benefit Time can be extended with sufficient notification and upon approval of the Chief of the Bureau of Human Resources (or designee).

Acceptable Medical Documentation

1. A Positive COVID-19 test result; and
2. A written correspondence from the physician’s office on their letterhead indicating that the employee has not been cleared by the office to return to work

A medical certification can be submitted directly to BHR, Personnel Services Division by facsimile, mail, or electronic upload:

- a. Facsimile: (312) 603-3747
- b. Mail: Cook County, Bureau of Human Resources, Room 834 – Attention: Personnel Services, 118 N. Clark Street, Chicago, IL 60602
- c. Upload your medical certification, send the certification to the attached link, and follow the instructions provided - <https://cookcounty.sharepoint.com/sites/BHRReturntoWork>

By my signature, I certify that the information provided in this Form is true, correct, and complete to the best of my knowledge. Further, I acknowledge that falsification or misrepresentation of information provided in this form will be a violation of Personnel Rules 8.2(b) (18) and 8.2(b) (33) and may lead to discipline, up to and including, discharge.

Employee Signature

Date

Hardship Benefit Time Extension

- I am requesting additional time**
- I have submitted a secondary positive test result for COVID-19**
- I have submitted correspondence from my physician that I am not authorized to work**

Employee Signature

Bureau of Human Resources Signature

Bureau of Human Resources ___Approval ___Denial

Bureau of Human Resources (or Designee)

Date

Please send this form to Bureau of Human Resources Personnel Services