



## Loudoun County Government Administrative Policies and Procedures

<b>Title: General Requirements</b> (Mandatory Reporting, Return to Work, and Employee Rights)	<b>Effective Date: October 13, 2020</b>
<b>Number: COVID-19 EMERGENCY STANDARD-01</b>	<b>Date Last Reviewed/Revised: June 7, 2021</b>
	<b>Date of Next Review:</b>

### I. Authority

16VAC25-220, Final Permanent Standard for Infectious Disease Prevention of the SARS-CoV-2 Virus That Causes COVID-19 as Adopted by the Safety and Health Codes Board on January 13, 2021, effective January 27, 2021. This policy terminates upon a determination by the Safety and Health Codes Board regarding discontinuation of the need for the standard, unless otherwise superseded by an Executive Order issued by the Governor of Virginia.

### II. Policy Statement

The County shall comply with all applicable federal and state regulations governing employee health and safety related to the COVID-19 pandemic, including, but not limited to employer guidelines issued and/or enforced by the Virginia Occupational Safety and Health (“VOSH”) Program, the Virginia Department of Labor and Industry (“DOLI”), the Virginia Department of Health, and any applicable Virginia Executive Order or Order of Public Health Emergency.

The standards and requirements outlined in this policy are applicable to all regular and temporary County employees. Further, Department Directors shall ensure that this policy is also enforced with respect to all temporary employees hired through a staffing agency, contractors/sub- contractors and the companies by whom they are employed, as well as interns, volunteers and other non-County employees working within a County workplace. Individuals in these categories shall collectively be referred to as “other covered individuals.”

Failure to follow the standards and requirements outlined in this policy shall subject an employee to discipline, up to and including termination of employment. Cases of contractors or subcontractors refusing to comply with the requirements of this policy shall immediately be reported by the Contract Administrator to the Department of Finance and Budget-Procurement Division.

### III. Employee Self-Monitoring and Self-Reporting of Symptoms or Positive Test

COVID-19 is a disease caused by a new coronavirus (SARS-CoV-2) that has spread throughout the world. The virus that causes COVID-19 is thought to spread mainly from person to person,

primarily through respiratory droplets produced when an infected person coughs or sneezes. These droplets can land in the mouths, noses or eyes of people who are nearby or possibly be inhaled into the lungs. Spread is more likely when people are in close contact with one another (within about 6 feet for approximately 15 minutes or more over a 24 hour period).

COVID-19 symptoms can range from mild to severe illness. Persons with COVID-19 can also be asymptomatic (experiencing no symptoms). As COVID-19 continues to spread in our community, employees should be aware of the symptoms which may appear 2-14 days after exposure. These symptoms may include:

- Cough
- Shortness of breath or difficulty breathing
- Fever
- Chills
- Repeated shaking with chills
- Muscle pain
- Headache
- Sore throat
- New loss of taste or smell
- Gastrointestinal problems, including nausea, diarrhea, and vomiting

The signs and symptoms of COVID-19 are defined by the Centers for Disease Control and Prevention (“CDC”) and updated as more information is learned about the virus. Employees and other covered individuals are encouraged to self-monitor for signs and symptoms of COVID-19. Self-monitoring is especially important when an individual has reason to suspect possible exposure to COVID-19 or is experiencing signs of an oncoming illness.

Employees and other covered individuals who are not feeling well shall not report to the worksite, regardless of the types of symptoms they may be experiencing, and shall not return to their physical work location until they meet the guidelines in Section IV. (D), Return to Work, below.

Employees and other covered individuals shall utilize the following procedures to report symptoms of COVID-19 and/or a positive COVID-19 test result:

**A. Procedure for Self- Reporting Symptoms of COVID-19:**

***1. Symptoms Develop While at Home:***

Employees and other covered individuals who develop symptoms of COVID-19 shall not report to the worksite. Employees shall follow the department’s normal call in procedure and shall utilize this procedure to report that the employee is unable to come to work due to symptoms of COVID-19. Other covered individuals shall follow the applicable protocol to report absences and shall report the absence is due to experiencing symptoms of COVID-19.

**2. *Symptoms Develop While at Work:***

Employees or other covered individuals who develop symptoms of COVID-19 while at work shall immediately inform their supervisor or another member of management. This notification can be made by email, phone call, or in person. If in person, the employee or other covered individual shall maintain six feet of distance from the supervisor or manager while providing notice and continue to wear his/her face covering pursuant to HR-47, Face Coverings in the Workplace. If the employee or other covered individual is well enough to transport him/herself home, he or she shall immediately exit the worksite. The employee or other covered individual shall ensure that he or she wears a face covering and maintains six feet of distance from all other persons when exiting the workplace.

**B. Procedure for Self-Reporting a COVID-19 Positive Test Result:**

1. Employees, temporary employees, volunteers, and interns who receive a positive test result for COVID-19 and who were present at the work location within the previous 14 days from the date of the positive test, or who are scheduled to report to the work location, shall immediately notify their Department Director or supervisor of the positive test result regardless of whether they are asymptomatic or experiencing symptoms.
2. Contractors, sub-contractors, and other vendors who receive a positive test result for COVID-19 and who were present at a County work location within the previous 14 days from the date of the positive test, or who are scheduled to report to a County work location, shall immediately notify the County's Contract Administrator for the applicable vendor contract.
3. Employees, temporary employees, volunteers, and interns who voluntarily or are required to participate in County sponsored testing for COVID-19 shall be required to release the results of the test to the County's Department of Human Resources ("DHR") as a condition of participation in such testing.

**IV. Management Procedures for Handling a Report of COVID-19 Symptoms and/or a Report of a Positive COVID-19 Test Result**

**A. How to Handle a Report of Symptoms of COVID-19**

**1. *Symptoms Reported while the Employee/Covered Individual is Home or Otherwise Off-Site:***

- a. Managers and supervisors who receive a report that an employee or other covered individual is unable to report to work due to experiencing symptoms of COVID-19 shall ask the employee or other covered individual the questions listed in [Attachment A](#), Report of COVID-19 Symptoms or Positive Test. These questions include asking when the symptoms first began; the last day at the

worksite; whether the symptoms were experienced when last at work; and whether the employee or other covered individual had any close contact with other employees or covered individuals, beginning two (2) days prior to becoming ill. Close contact is defined as being inside of six feet for 15 minutes or more over a 24 hour period, with or without a face covering.

- b. The manager or supervisor shall record the answers on [Attachment A](#), Report of COVID-19 Symptoms or Positive Test. Employees or other covered individuals who are experiencing symptoms of COVID-19, but have not received a positive test result from a COVID-19 test, shall be designated on the form as “Suspected to be Infected with COVID-19.” Upon completion, the Department Director or designee shall immediately scan and email the form to the Employee Relations Section of the Department of Human Resources following the instructions listed on the form, and then the original copy of the form shall be shredded. When the case involves a County employee, the Department Director or designee shall also notify the department’s internal Human Resources Liaison and ensure that a copy of this policy and HR-46 Amended are sent to the employee.
- c. Managers and supervisors should encourage employees and other covered individuals who are experiencing symptoms of COVID-19 to contact their health provider and request a COVID-19 test. Some employees may be required to submit to a COVID-19 test based on their job classification; the cost of such testing will be covered by the County.
- d. Managers and supervisors are responsible for explaining the return to work procedures to employees/other covered individuals as outlined in this policy. Managers and supervisors should consult with the DHR on any questions they are unable to answer.

## ***2. Symptoms Reported while the Employee/Covered Individual is at the Worksite***

- a. The manager or supervisor shall determine whether the employee is well enough to transport him/herself home. If the employee/covered individual is well enough to transport him/herself home, the manager or supervisor shall request that the employee exit the building immediately, wear his or her face covering and avoid others upon exiting.
- b. Employees or other covered individuals who are unable to transport themselves home due to their symptoms shall be asked by management to wait in an office or conference room with a closed door. If the employee does not appear to need emergency care, management shall ask the employee or covered individual to contact a family member or friend to transport him or her home and should

assist with making contact if necessary. If the employee or other covered individual appears to need emergency care, management shall immediately call 911 and request an ambulance. The manager making the call shall inform the dispatcher that the employee is experiencing symptoms of COVID-19.

- c. Supervisors and managers who receive a report that an employee or covered individual has developed symptoms of COVID-19 while at work, shall attempt to ask the employee/covered individual the questions listed in Attachment A to this policy, Report of COVID-19 Symptoms or Positive Test. These questions include asking when the symptoms first began, whether the employee/covered individual had any close contact with other employees/covered individuals beginning 2 days prior to becoming ill. Close contact is defined as being inside of six feet for 15 minutes or more over a 24 hour period, with or without a face covering. These questions can be asked in a follow-up phone call to the employee/covered individual after he or she has exited the workplace.
- d. The manager or supervisor shall record the answers on [Attachment A](#), Report of COVID-19 Symptoms or Positive Test, and immediately scan and email the form to the Employee Relations Section of DHR by following the directions listed on the form. Employees/covered individuals who are experiencing symptoms of COVID-19 but have not yet received a positive result from a COVID-19 test shall be designated on the form as “Suspected to be Infected with COVID-19.” When the case involves a County employee, the Department Director shall also notify the department’s internal Human Resources Liaison and ensure that a copy of this policy and HR-46 Amended are sent to the employee.
- e. Managers and supervisors should encourage employees/covered individuals who are unable to report to work due to experiencing symptoms of COVID-19 to contact their health provider and request a COVID-19 test. Some employees may be required to submit to a test based on their job classification; the cost of such testing shall be covered by the County
- f. Managers and supervisors are responsible for explaining the return to work procedures to employees/other covered individuals as outlined in this policy. Managers and supervisors should consult with the DHR on any questions they are unable to answer.
- g. DHR may arrange for cleaning of impacted spaces within the affected department, as may be necessary and pursuant to CDC guidelines, through the Department of General Services (“DGS”) by contacting the Director of DGS and the DGS Facilities Services Administrator. Where the worksite is a facility that the County does not own, DGS shall notify the building/facility owner. When the need for cleaning arises after core County business hours, and it is not feasible to wait beyond 24 hours, departments may

report requests for cleaning to DGS by calling 703-737-8181 and also advise DHR of this request as soon as practical.

## **B. How to Handle a Report of a Positive COVID-19 Test Result**

1. Management (or the Contract Administrator in the case of a contractor or sub-contractor) shall ask the employee/other covered individual if he or she is experiencing symptoms, when he or she first began experiencing symptoms, the employee's last day at the worksite, if the employee was experiencing symptoms when last at work, and whether the employee had any close contact with another employee while at work during the previous 48 hours. Close contact is defined as being inside of six feet for 15 minutes or more over a 24 hour period, with or without a face covering. Management (or the Contract Administrator in the case of a contractor or sub-contractor) shall record the answers on [Attachment A](#), Report of COVID-19 Symptoms or Positive Test, and forward the form to the Employee Relations Section of DHR by following the directions listed on the form. The employee/other covered individual shall be designated on the form as "Confirmed Positive for COVID-19."
2. If the employee is in the workplace when he or she receives notification of a positive COVID-19 test, the manager or supervisor shall request that the employee/other covered individual immediately leave the workplace and wear his or her face covering and avoid others upon exiting. The manager or supervisor shall follow-up with a phone call to the employee to request the required information needed to complete [Attachment A](#), Report of COVID-19 Symptoms or Positive Test.
3. In the case of an employee reporting a positive test result, management shall also notify the department's internal Human Resources Liaison and ensure that a copy of this policy and HR-46 Amended are sent to the employee.
4. During a declaration of an emergency by the Governor pursuant to § 44-146.17 of the Code of Virginia, DHR or the responsible employer of record shall notify the Virginia Department of Health, within 24 hours of discovery, when the worksite has had two or more confirmed cases of COVID-19 of its own employees present at the place of employment within a 14-day period testing positive for COVID-19 during that 14-day time period. The 14-day period begins on the date of the notification of the first positive.
5. DHR or the responsible employer of record shall notify the Virginia Department of Labor and Industry within 24 hours of the discovery of three (3) or more employees present at a County work location or facility within a 14-day period testing positive for COVID-19 during that 14-day time period. The 14-day period begins on the date of the notification of the first positive.
6. Management shall notify its own employees who may have been exposed, within 24 hours of discovery of their possible exposure, while keeping confidential the identity of the individual known to be infected with COVID-19 in accordance with the

requirements of the Americans with Disabilities Act and other applicable federal and Virginia laws and regulations; and in the same manner, notify other employers whose employees were present at the work site during the same time period. The Contract Administrator shall be responsible for making the notification to any vendor impacted.

7. DHR may arrange for cleaning of impacted spaces within the affected department, as may be necessary and pursuant to CDC guidelines, by contacting the Director of DGS and the DGS Facilities Services Administrator. Where the worksite is a facility that the County does not own, DGS shall notify the building/facility owner. When the need for cleaning arises after core County business hours, and it is not feasible to wait beyond 24 hours, departments may report requests for cleaning to DGS by calling 703-737-8181 and advise DHR of this request as soon as practical.

### C. Return to Work

An employee who has tested positive for COVID-19 will likely have written guidance from his/her healthcare practitioner detailing when a return to work may be possible. According to the most recent guidance from the CDC, people with COVID-19 who are positive or suspected positive may end isolation and return to work when **one** of the following standards are met:

#### 1. Symptom Based Return to Work Standard:

- a. No fever for at least 24 hours (that is, one full day of no fever without the use of medicine that reduces fevers) AND
- b. Other symptoms have improved (for example, when an individual's cough or shortness of breath have improved) AND
- c. At least **10 days** have passed since the individual's symptoms first appeared (or 10 days since specimen was collected if the individual remained asymptomatic)

2. **Consultation with Healthcare Practitioners:** An employee who was symptomatic, but never tested for COVID-19, can provide a note from a healthcare practitioner stating that his/her belief that the employee is not sick with COVID-19, is not contagious, and clearing the employee to return to work.

3. **Special Circumstances:** A limited number of employees with severe illness may produce replication-competent virus beyond 10 days that may warrant extending the duration of isolation for up to 20 days after symptom onset. Employees who are severely immunocompromised may require testing to determine when they can return to work and DHR will consider consultation with infection control experts. VOSH will consult with VDH when identifying severe employee illnesses that may warrant extended duration of isolation or severely immunocompromised employees required to undergo testing.

## **V. Self-Reporting as a “Close Contact” of COVID-19 Positive Individual**

Employees who have been informed that they have been identified as a close contact of a COVID-19 positive individual shall not report to the worksite and shall not return to their physical work location until they meet the guidelines set forth in [Attachment B](#) to this policy and/or are instructed by management to return. “Close contact” is defined as being inside of six feet for 15 minutes or more over a 24-hour period, with or without a face covering.

Employees who are Close Contacts may be exempted from the quarantine requirement if they self-disclose that they are fully vaccinated or have tested positive for COVID-19 in the past three months and have not developed any new symptoms. The criteria for the quarantine exemption is outlined in Section VI below.

### **A. Procedure for Self-Reporting as a Close Contact of a COVID-19 Positive Individual**

1. An employee or other covered individual may learn that he or she is a “close contact” of a person with COVID-19 from the Health Department, the Department of Human Resources, and/or the person for whom he or she is a “close contact.” Employees and other covered individuals who are informed that they are a “close contact” of a COVID-19 positive individual shall not report to the physical worksite and must inform their supervisor or other member of management as soon as practical. Employees shall follow the department’s normal call-in procedure and report that the employee is unable to come to the worksite due to exposure to a COVID-19 positive individual. Other covered individuals shall follow the applicable protocol to report absences and shall report the absence is due to being identified as a close contact of a COVID-19 positive individual.
2. If the employee or other covered individual is at work when he or she is notified of being a close contact of a COVID-19 positive individual, the employee or other covered individual shall immediately inform the supervisor or other member of management. This notification can be made by email, phone call, or in person. If in person, the employee or other covered individual shall maintain six feet of distance from the supervisor or manager while providing notice and continue to wear his/her face covering pursuant to HR-47, Face Coverings in the Workplace. After notifying management, the employee shall immediately exit the worksite. The employee or other covered individual shall ensure that he or she wears a face covering and maintains six feet of distance from all other persons when exiting the workplace.

### **B. Management Procedures for Handling a Report of a “Close Contact”**

1. Managers and supervisors who receive a report that an employee or other covered individual is unable to report to work due to being a close contact of COVID-19 shall ask the employee or other covered individual the questions listed in [Attachment C](#), Report of Close Contact with COVID-19 Positive Individual. These questions include

asking when the employee last had contact with the COVID-19 positive individual; how long the individual was in contact with the COVID-19 positive individual; the last day at the worksite; whether the COVID-19 positive individual had symptoms at the time of close contact; and whether the employee or other covered individual had any close contact with other employees or covered individuals, beginning two (2) days prior since the exposure.

2. The manager or supervisor shall record the answers on [Attachment C](#), Report of Close Contact with COVID-19 Positive Individual. Upon completion, the Department Director or designee shall immediately scan and email the form to the Employee Relations Section of the Department of Human Resources following the instructions listed on the form, and then the original copy of the form shall be shredded. When the case involves a County employee, the Department Director or designee shall also notify the department's internal Human Resources Liaison and ensure that a copy of this policy and HR-46 Amended are sent to the employee.
3. Upon receipt of a Report of Close Contact with COVID-19 Positive Individual, a representative of Employee Relations will contact the Department Director or other member of management to assess the information reported by the employee to ensure the situation meets the definition of a "close contact." Employee Relations will advise the Department Director or other member of management of when the employee may return to the physical work location. [Attachment B](#) to this policy outlines various scenarios to assist Employee Relations in assessing the circumstances and the steps that need to be taken. Employees who are Close Contacts may be exempted from the quarantine requirement if they self-disclose that they are fully vaccinated or have tested positive for COVID-19 in the three months preceding the quarantine period and have not developed any new symptoms. The criteria for the quarantine exemption is outlined in Section VI below.
4. In the event Employee Relations advises that the employee must quarantine, the Department Director or designee shall also notify the department's internal Human Resources Liaison and ensure that a copy of this policy and HR-46 Amended are sent to the employee.
5. Managers and supervisors should encourage employees and other covered individuals who are exposed to COVID-19 to contact their health provider and request a COVID-19 test. Some employees may be required to submit to a COVID-19 test based on their job classification; the cost of such testing will be covered by the County.

## **VI. Employee/Covered Individual Quarantine and Isolation Requirements**

[Attachment B](#) to this policy, Employee Scenarios, Risks, and Recommendations, outlines additional guidance related to when an employee/covered individual is required to stay

home from work due to an exposure to COVID-19. This Attachment is updated frequently and available on the County intranet. Questions related to this attachment shall be directed to DHR.

Employees and Covered Individuals who are identified as having close contact with an individual with COVID-19 are not required to quarantine if the employee/covered individual has been fully vaccinated for COVID-19 and has no symptoms. Fully vaccinated is defined as two weeks or more have passed since the receipt of the second dose of a two-dose vaccine or two or more weeks have passed since the receipt of the single dose vaccine. Employees and covered individuals who have tested positive for COVID-19 in the preceding three months of the quarantine period are not required to quarantine as long as they have not developed new symptoms. Employees who choose not to quarantine due to the reasons described in this section will need to inform the Employee Relations Division within the Department of the Human Resources. The information should be provided by the Employee directly to Employee Relations by completing the Exemption to Quarantine Form (Attachment D). This form shall be sent directly to the Employee Relations by the employee.

Employees who experience COVID-19 like symptoms during the 24-48 hours after inoculation and have no known high risk exposure to COVID-19 can return to work once symptoms resolve.

Employees or covered individuals who are exempted from quarantine must monitor themselves for COVID-19 symptoms for 14 days after the exposure and continue to follow all COVID-19 mitigating recommendations. Should COVID-19 symptoms develop within the 14 days after exposure, the employee shall notify his/her supervisor or the Employee Relations and the exemption from quarantine may be rescinded.

## **VII. County Sponsored COVID-19 Employee Testing**

- A. From time to time the County may offer County-sponsored, voluntary COVID-19 testing to County employees and volunteers. Further, County departments, in consultation with DHR, may develop testing requirements for certain job classifications of employees.
- B. As of the effective date of this policy, employees, temporary employees, volunteers, and interns who voluntarily or are required to participate in County sponsored testing for COVID-19 shall be required to release the results of the test to DHR as a condition of participation in such testing.
- C. Departments that establish required testing requirements for job classifications within the department shall develop a written Standard Operating Procedure (SOP) detailing the impacted job classification and when testing will be required. The Department Director shall submit the SOP to DHR for review and approval prior to implementation.

## **VIII. COVID-19 Related Medical Records**

All medical records created by the County in accordance with this policy shall be designated as “confidential” and shall be maintained by the Department of Human Resources outside of the Official Personnel File and in a secured location with controlled access. Employees shall have access to their own COVID-19 disease related exposure forms and medical records.

## **IX. Anti- Discrimination**

- A. Employees shall not suffer any adverse employment action for exercising rights under the safety and health provisions of Title 40.1 of the Code of Virginia, and the implementing regulations under 16VAC25-60-110 for themselves or others.
- B. The County shall not discriminate against an employee who voluntarily provides and wears his/her own personal protective equipment, including but not limited to a respirator, face shield, gown, or gloves, provided that the PPE does not create a greater hazard to the employee, or create a serious hazard for other employees. In situations where face coverings are not provided by the County, no person shall discharge or in any way discriminate against an employee who voluntarily provides and wears the employee's own face covering that meets the requirements of the DOLI regulations and HR-47, provided that the face covering does not create a greater hazard to the employee or create a serious hazard for other employees. Nothing in this subsection shall be construed to prohibit the County from establishing and enforcing a legally permissible dress code or similar requirements addressing the exterior appearance of personal protective equipment or face coverings.
- C. The County shall not discharge or in any way discriminate against an employee who raises a reasonable concern about infection control related to COVID-19 to the County, the County’s agent, other employees, a government agency, or to the public such as through print, online, social, or any other media.

**Responsible Department/Division: Department of Human Resources**

*This policy remains in effect until revised or rescinded.*