Guidelines Regarding Work Expectations, Telecommuting, and Benefit Usage During COVID 19

Labor and Employee Relations
March 20, 2020

Introduction

In light of the extraordinary circumstances facing the University due to the COVID 19 pandemic, and in keeping with one of the University’s guiding principles to, insofar as possible, protect our employees from economic harm resulting from the pandemic, Labor and Employee Relations offers these guidelines regarding work expectations and benefit usage for both telecommuting and on-site working. These guidelines are effective immediately and will remain in effect until the Chancellor of the University of Illinois at Urbana-Champaign determines that remote working protocols should end and transition back to normal operations and work locations may commence.

NOTE: As part of the federal government’s response to the COVID 19 pandemic, the “Families First Coronavirus Response Act” has been signed into law. The terms of the new statute must be implemented by April 2, 2020 and will remain in effect through December 31, 2020. This new legislation provides certain additions to the Family and Medical Leave Act (FMLA) and other benefits and may ultimately supersede the guidelines below. We will update these guidelines as appropriate.

1. Working Remotely (Telecommuting)

To the extent practicable, employees and units should enter into telecommuting agreements. However, it is acknowledged that certain individuals might be required to report to their physical location for continuity of operations.

Employees who are working remotely are expected to perform work and be available during their assigned work schedule.

a. If the employee wants to take vacation or other time off for personal reasons during the remote work period, the employee must request permission to take time off from work. The employee should indicate, in the request, which leave benefit the employee will use to cover this time away from work (vacation, floating holiday, accrued compensatory time) and receive approval prior to taking the time off (i.e., the employee must follow his/her unit’s normal process for requesting time off).

b. If the employee becomes ill during the remote working arrangement, or if an employee’s family member (as defined in the appropriate sick leave policy) becomes ill during the remote work
period, the employee can use any combination of sick leave, vacation, floating holiday, accrued compensatory time, or take the time as an approved, unpaid absence. Because of the extraordinary demands on our community health care providers due to the COVID pandemic, medical evidence will not be required during this time period. If the absence is greater than three days, units should follow the process for provisionally approving FMLA for qualifying employees.

c. The University recognizes that children and other family members may be present at the remote work location. This is acceptable during the COVID 19 period. Employees should take steps to minimize interruptions.

2. Working On-site

For employees who are required to report to their physical location for continuity of operations:

a. If the employee is unable to report to work due to illness, or if an employee’s family member (as defined in the appropriate sick leave policy) becomes ill, he/she can use any combination of sick leave, vacation, floating holiday, accrued compensatory time, or take the time as an approved, unpaid absence. Because of the extraordinary demands on our community health care providers due to the COVID pandemic, medical evidence will not be required during this time period. If the absence is greater than three days, units should follow the process for provisionally approving FMLA for qualifying employees.

b. If the employee is unable to report due to child-care issues, the employee may use vacation, floating holiday, any accrued compensatory time, or take the time as an approved, unpaid absence.

c. Employees who do not want to report to work and who do not have illness or child-care issues (e.g., the employee is fearful of getting exposed to the COVID 19 virus, the employee has a family member who has health issues that make the family member vulnerable to the COVID 19 virus, etc.) should use vacation, floating holidays, and accrued compensatory time or take the time as approved, unpaid leave. Sick leave can only be used in accordance with section 2(a), above.

FLSA-Exempt Employees

The Fair Labor Standards Act (FLSA) includes certain provisions for FLSA-exempt employees that are different than the provisions for non-exempt employees, and as a result, some of the above guidelines may not apply to an FLSA-exempt employee. If you have any questions about an FLSA-exempt employee, please contact Labor & Employee Relations.

The above guidelines may be subject to change as situations warrant.