

375 FSS Civilian Personnel COVID-19 SUPPLEMENTARY GUIDANCE

Phase 2

17 June 2020

This provides information for civilian employees, supervisors, and managers returning to the work place.

- Consistent with the mission, commanders should seek to minimize the number of high risk emergency employees required to work, by deliberately identifying the required skills, assessing mission impact and considering alternative approaches (such as whether those not at high risk possess similar skills). Wing Commanders or equivalent retains the ultimate decision authority with respect to mission criticality and safety when there is a disagreement between management and individual employees with respect to their recall.
- Commanders and supervisors should consider creative, flexible and tailored solutions to meeting the various needs; there is no ‘one-size-fits-all’ approach to returning employees to the worksite.
- After decision to return employees to the worksite, supervisors must notify those employees that Weather and Safety Leave will be terminated and the reporting date. Supervisors will also consult with Civilian Personnel prior to returning employees.
- All employees on Weather and Safety Leave (WSL) are subject to recall for duty, consistent with their individual medical status, and changes to the evolving public health situation and guidance.
- Employees on Weather and Safety Leave must remain in the local area so they are available for recall or changes in their leave status.
- Employees are not prohibited from requesting and taking personal leave (annual, sick, compensatory time off, time off awards) during periods when Weather and Safety Leave is approved.
- EEOC has specifically deemed telework, including full-time telework, to be a potential reasonable accommodation, even in situations where employees without a disability are not permitted to telework.
- **Emergency Paid Sick Leave Act (EPSL)**
 - Provides up to 2 weeks to all employees in specific COVID-19 related circumstances
 - Paid at Fair Labor Standards Act based regular rate of pay or two-thirds of that rate (subject to statutory limitations on daily and aggregate cash value of paid leave)
 - Employees qualify for EPSL if unable to work or unable to telework because the employee:
 - Is subject to a federal, state, or local quarantine or isolation order related to COVID-19 (regular rate);
 - Has been advised by a health care provider to self-quarantine related to COVID-19 (regular rate);

- Is experiencing COVID-19 symptoms and is seeking a medical diagnosis (regular rate);
 - Is caring for an individual subject to a quarantine or isolation order or self-quarantine (2/3 rate); or
 - Is caring for a child under (18 years of age) whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19 (2/3 rate)
- **Emergency Family and Medical Leave Expansion Act (EFMLEA)**
 - Can take up to 12 weeks of EFMLEA, 10 weeks of which are paid at a partial pay rate (up to a specified cap), when *unable to work, or telework*, because of need to care for employee's child whose school or place of care is closed, or whose child care provider is unavailable, due to COVID-19 related reasons, and no other suitable person is available to care for the child

QUESTIONS AND ANSWERS

WEATHER AND SAFETY LEAVE

Q1. Under what circumstances may a commander authorize Weather and Safety Leave or COVID-19?

A1. A commander may authorize Weather and Safety Leave to a civilian employee under the following circumstances:

- The employee is asymptomatic of COVID-19, but subject to movement restrictions (i.e. quarantine or isolation) under the direction of public health authorities;
- The employee is asymptomatic and directed by a medical professional, public health authority, commander, or supervisor, to not report to the worksite. Note that a commander or supervisor may direct the employee to stay home because of possible exposure or because the employee shows symptoms that might be COVID-19.
- Other circumstances when an employee is not able to safely travel to or perform work and an approved location.
- The employee is asymptomatic and at higher risk to COVID-19 under the criteria identified by the Center for Disease Control (CDC).

Q2. Are there any limitations on how much Weather and Safety Leave can be authorized for an employee, at one time or yearly?

A2. No. There is no cap on the number of hours of Weather and Safety Leave that may be granted

Q3. Since WSL can be/has been authorized and taken by employees for EPSL qualifying reasons #1 and #2, should employee's now be required to use ESPL instead of being granted WSL?

A3. No, OPM, DoD and Air Force have issued guidance for when WSL is appropriate, which includes when an employee is asymptomatic of COVID-19 and subject to movement restrictions (i.e., quarantine or isolation) under the direction of public health authorities and when an employee is asymptomatic and directed by a medical professional, public health authority, commander, or supervisor, to not report to the worksite. These are substantively similar to EPSL qualifying reasons #1 and #2; therefore, in these situations, it would be appropriate to authorize WSL. This is

consistent with the goal of reducing transmission and protecting Air Force personnel and families.

Q4. If an employee comes to work and exhibits symptoms of respiratory illness, can he/she be sent home?

A4. When a supervisor observes an employee at the workplace exhibiting symptoms of respiratory illness, he/she should express general concern regarding the employee's health and remind the employee of leave options available, including advanced leave. If the employee is able to perform work (i.e., they are not incapacitated), supervisors should identify whether the employee is telework-ready, or can be made telework-ready on a just-in-time basis, and offer the employee the option to telework. If the employee cannot telework, and if the supervisor wants to keep the employee away from the worksite for the safety of other workers, then the supervisor should utilize Weather and Safety Leave.

Q5. Why are employees who participate in a telework program generally excluded from receiving Weather and Safety Leave?

A5. The Administrative Leave Act of 2016 authorizes Weather and Safety Leave "only if the employee or group of employees is prevented from safely traveling to or performing work at an approved location..." For employees who participate in a telework program, the telework site (usually the employee's home) is an "approved location" – i.e., a location that has been approved by the agency for the performance of work. Employees who can work at their home are not prevented from safely traveling to work.

Q6. Can I grant Weather and Safety Leave if the school/daycare my employee's child attends is closed?

A6. Civilian personnel may telework even when a child or dependent requiring care or supervision is present at the alternative worksite. (Air Force granted a temporary waiver of policy to allow employees to telework in this situation through 31 Dec 20.) Where an employee is teleworking and providing care to a child or dependent during duty hours, the employee must account for this time using appropriate leave as approved by his or her supervisor. For example, an employee who feeds and supervises a young child multiple times during the day will need to take leave or, if on a flexible work schedule, adjust his or her hours. Commanders and supervisors are encouraged to extend telework flexibilities more broadly to accommodate state and local responses to the outbreak, including, but not limited to, school closures.

Commanders and supervisors may also authorize alternative work schedules that allow employees to complete their tour of duty in less than 10 days if applicable. For example, a maxiflex schedule would allow an employee to meet his or her basic work requirement for a biweekly pay period on fewer than 10 days and vary the number of hours worked on a given workday. Additional tools available include annual and advanced annual leave, compensatory time, credit hours, and other leave flexibilities. Weather and Safety Leave would not be appropriate for the periods required to render care to the dependent.

WEATHER AND SAFETY LEAVE – RETURN TO WORK

Q7. If an employee is healthy but, out of caution, chooses to stay home even though they are not considered high risk, should they be authorized Weather and Safety Leave?

A7. If the worksite is "open" and employees have not been mandated to telework or otherwise told to stay home, then Weather and Safety Leave would not be appropriate for this employee. Supervisors should develop a plan for returning employees to the worksite. If the work permits,

employees can volunteer to telework. Employees can also request and supervisor may approve leave (e.g. annual leave, LWOP), as mission permits.

Q8. My position is not telework eligible, and I have been told to report to work. I have young children in my home because their school/daycare is closed. Shouldn't my supervisor grant me Weather and Safety Leave?

A8. Once the worksite is open and employees are expected to return, Weather and Safety Leave is not appropriate for an employee who needs to remain home to care for children. Employees who cannot telework may request annual leave or other paid time off, such as accrued compensatory time or credit hours. Supervisors may also authorize alternative work schedules (compressed or flexible work schedules) that provide for flexible work days and/or work hours.

If an employee cannot be accommodated through an alternate work schedule, the following leave may be approved when no childcare is available:

Emergency Paid Sick Leave (EPSL) is available to eligible full-time employees for up to 80 hours and for part-time employees up to the number of hours that they work on average over a 2-week period (special rules apply to part-time employees with varying schedules) to care for a child under (18 years of age) whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19. Employee received 2/3 rate of basic pay.

Emergency Family and Medical Leave Expansion Act (EFMLEA) is available for employees who are temporary (not-to-exceed 1 year); work an intermittent work schedule; or who have worked in federal civilian service for less than one year but at least 30 days. Under EFMLEA eligible employees can take up to 12 weeks of EFMLEA, 10 weeks of which are paid at a partial pay rate (up to a specified cap), when *unable to work, or telework*, because of the need to care for employee's child whose school or place of care is closed, or whose child care provider is unavailable, due to COVID-19 related reasons, and no other suitable person is available to care for the child.

Q9. If employees mandated to telework do not have enough work, for example, the office is only partially open, how should they report time and attendance for the actual telework time as well as the time when there is no work available?

A9. Hours spent actually working would be coded as Regular time. When employees are prevented from performing work at their worksite due to a lack of available work, Weather and Safety Leave would be appropriate for any employee who is not able to telework.

Q10. If an employee has preapproved annual or sick leave, and the commander authorizes Weather and Safety Leave for the same time period, can the employee cancel their annual/sick leave request and use Weather and Safety Leave instead?

A10. This will depend on the circumstances of the annual leave cancellation. If the reason for the Weather and Safety Leave authorization impacts the employee's annual leave plans (e.g., the employee was scheduled to go on a vacation and cannot go due to COVID-19 physical distancing measures), then the employee could cancel their annual leave and be granted Weather and Safety Leave. However, if the employee was not going to be available to perform work, they cannot cancel their annual leave for the primary purpose of obtaining Weather and Safety Leave. Similarly, if an employee is on an extended period of leave to recover following surgery, he/she clearly would not be available for work if they cancelled their leave, and should not therefore be granted Weather and Safety Leave. Additionally, employees on Weather and Safety Leave are required to remain in the local area so they are available for recall or changes in their leave status.

Q11. My employees are teleworking and are able to perform all of their job duties that way. Do I have to recall them to the worksite?

A11. Where employees are able to perform the full range of their duties through telework, or where there is not an urgent mission need for the remaining duties to be performed in the immediate future, supervisors may determine not to recall those employees to the worksite.

HIGH RISK AND SPECIALS POPULATION – RETURN TO WORK

Q12. I believe I am at a higher risk for COVID-19 and want to stay at home to minimize my risk. What can I do?

A12. Healthy employees always have the option to request personal leave (e.g., annual, advanced annual, LWOP, compensatory time off) for safety reasons and supervisors are encouraged to approve such requests as appropriate. Additionally, during the COVID-19 outbreak, supervisors should seek to minimize the number of high risk emergency employees required to work, by deliberately identifying the required skills, assessing mission impact and considering alternative approaches (such as whether those not at high risk possess similar skills). Wing Commanders or equivalent retain ultimate decision authority with respect to mission criticality and safety when there is a disagreement between management and individual employees with respect to their recall.

Effective safeguards and measures must be put in place to ensure that all high risk emergency employees who are required to work, or who are recalled from Weather and Safety Leave, are able to safely travel to and from work and perform their jobs on site in a safe manner. Supervisors should maximize the use of telework, including rendering employees telework eligible and ready on a just-in-time basis wherever possible and mandating telework when deemed appropriate, while maintaining mission critical workforce needs. Finally, employees may self-identify as “high risk” or as members of “special populations”, in accordance with CDC criteria, and commanders may then approve Weather and Safety Leave if the employee cannot be rendered telework eligible and ready. Upon employee self-identification, commanders will require individuals to document in writing and “self-certify” that they meet the CDC requirements as “high risk” or “special populations” for COVID-19. This “self-certification” is sufficient to allow the employee to be placed on Weather and Safety Leave, subject to subsequent documentation requirements.

Q13. Do I have to submit anything after I “self-certify” that I’m in a “high risk” or “special population”?

A13. After self-certifying and being placed on Weather and Safety Leave, employees must then provide, within 30 days, substantiating documentation (at their own expense) from a licensed medical practitioner confirming their condition met CDC high-risk/special population criteria at the time of self-certification. Supervisors and individuals must ensure that required documentation is in accordance with individual Privacy Act and Rehabilitation Act rules.

Q14. If my supervisor already knows of my medical condition, or that I’m in a CDC-identified “special population”, do I still need medical documentation?

A14. Not necessarily. Supervisors may waive the requirement for substantiating medical documentation if there are known/previously identified medical conditions meeting the CDC high risk guidelines, or if the certification is based on a readily identifiable special population, such as age.

Q15. What do I do if I can’t get in to see my doctor in order to provide the substantiating

medical documentation after self-certifying?

A15. Supervisors may approve extensions based on individual employee circumstances and should favorably consider extension requests due to the unavailability of the employee's regular medical provider because of the pandemic. Employees are encouraged to request telehealth appointments where possible.

Q16. What type of documentation must be submitted? Does it have to disclose what my medical condition is?

A16. Supervisors and individuals must ensure that required documentation is in accordance with individual Privacy Act and Rehabilitation Act rules. It is sufficient for a medical provider to state that an employee meets the CDC guidelines for "high risk" or "special population" as of the date of the self-certification. Current CDC information on "high risk" and "special populations" can be found at <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/index.html>.

Q17. My employee self-certified that he had a "high risk" medical condition (that was previously undisclosed) and I therefore placed him on Weather and Safety Leave. What happens if he fails to provide subsequent substantiating medical documentation?

A17. Failure to provide substantiating medical documentation will result in the revocation of the WSL with the employee being assessed "chargeable leave" (e.g., annual leave or sick leave if applicable) or Leave Without Pay (LWOP). This will be retroactively applied for the entirety of the time period. Individuals may also be subject to disciplinary measures and adverse action for false certifications.

Q18. If an employee is designated as an 'emergency employee', non-telework eligible, AND is at high risk of COVID-19 as defined by the CDC, can the employee still be ordered to report to the worksite based on their 'emergency employee' designation?

A18. Yes, you can designate an employee as an "emergency employee" who is non-telework eligible and at risk of COVID-19, and require him/her to report to the worksite or an alternative worksite. However, Consistent with mission, supervisors should seek to minimize the number of high risk emergency employees required to work, by deliberately identifying the required skills, assessing mission impact and considering alternative approaches (such as whether those not at high risk possess similar skills). Wing Commanders or equivalent retain ultimate decision authority with respect to mission criticality and safety when there is a disagreement between management and individual employees with respect to their recall.

Effective safeguards and measures must be put in place to ensure that all high risk emergency employees who are required to work, or who are recalled from Weather and Safety Leave, are able to safely travel to and from work and perform their jobs on site in a safe manner. When the reasons for the recall are satisfied, employees should be returned to Weather and Safety Leave status as appropriate. Supervisors must assess these situations in consultation with Medical, Legal and Civilian Personnel advisors. Supervisors and individuals must ensure that required documentation is in accordance with individual Privacy Act and Rehabilitation Act rules.

Q19. I have a "high risk", "Mission Essential" employee who has been placed on Weather and Safety Leave. However, I need to be able to recall that employee on short notice for critical mission needs/tasks. Can I restrict their travel while on Weather and Safety Leave?

A19. Yes. Employees on Weather and Safety Leave must remain in the local area so they are available for recall or changes in their leave status. However, employees are not prohibited from requesting and taking personal leave (annual, sick, compensatory time off, time off awards) during periods when Weather and Safety Leave is approved; and a supervisor may not deny personal

leave solely because an employee is traveling outside of the local commuting area.

Consistent with mission, commanders should seek to minimize the number of high risk emergency employees required to work, by deliberately identifying the required skills, assessing mission impact and considering alternative approaches (such as whether those not at high risk possess similar skills). Wing Commanders or equivalent ultimate decision authority with respect to mission criticality and safety when there is a disagreement between management and individual employees with respect to their recall.

Effective safeguards and measures must be put in place to ensure that all high risk emergency employees who are required to work, or who are recalled from Weather and Safety Leave, are able to safely travel to and from work and perform their jobs on site in a safe manner.

REASONABLE ACCOMMODATION

Q20. During a pandemic, must an employer continue to provide reasonable accommodations for employees with known disabilities that are unrelated to the pandemic, barring undue hardship?

A20. Yes. An employer's reasonable accommodation obligation to individuals with disabilities continues during a pandemic. If an employee with a disability needs the same reasonable accommodation at a telework site that he/she had at the workplace, the employer should provide that accommodation, absent undue hardship for the employer. In the event that the employer decides that the reasonable accommodation creates an undue hardship, the employer and employee should cooperate to identify an alternative reasonable accommodation.

Q21. During the pandemic, if an employee requests an accommodation for a medical condition either at home or in the workplace, may an employer still request information to determine if the condition is a disability?

A21. Yes, if it is not obvious or already known, an employer may ask questions or request medical documentation to determine whether the employee has a "disability" as defined by the ADA (a physical or mental impairment that substantially limits a major life activity, or a history of a substantially limiting impairment). When the disability or need for the requested accommodation is not obvious, AFI 36-205, paragraph 8.7 states that supervisors or managers may request from the employee, sufficient medical documentation to support or confirm the disability, identify functional limitations, and determine appropriate accommodations. Sufficient documentation is documentation describing the disability; its nature, severity, and duration; and the extent to which it limits the employee's ability to perform a major life activity or activities. The supervisor may also request from the employee a medical release and medical documentation to support the requested accommodation. Contact Civilian Personnel

Q22. As installation restrictions and government stay-at-home orders are modified or gradually lifted, how will organizations and supervisors know what steps they can take consistent with the Rehabilitation Act to screen employees for COVID-19 when entering the workplace?

A22. The Rehabilitation Act permits employers to make disability-related inquiries and conduct medical examinations if job-related and consistent with business necessity. Inquiries and reliable medical examinations meet this standard if it is necessary to exclude employees with a medical condition that would pose a direct threat to health or safety (OPM guidance and Policy). Direct threat is to be determined based on the best available objective medical evidence. The guidance from CDC or other public health authorities is such evidence. Therefore, employers will be acting consistent with the Rehabilitation Act as long as any screening implemented is consistent with advice from the CDC and public health authorities for that type of workplace at that time. Specifically, the Equal

Employment Opportunity Commission (EEOC) has stated that employers may take employee temperatures and ask questions about symptoms (or require self-reporting) for all those entering the workplace to determine if they have or may have been exposed to someone who has the COVID-19 virus. Employers should make sure not to engage in unlawful disparate treatment based on protected characteristics in decisions related to screening and exclusion.

Q23. An employer requires returning workers to wear personal protective gear and engage in infection control practices. Some employees ask for accommodations due to a need for modified protective gear. Must an employer grant these requests?

A23. An employer may require employees to wear protective gear (for example, masks and gloves) and observe infection control practices (for example, regular hand washing and social distancing protocols). However, where an employee with a disability needs a related reasonable accommodation under the Rehabilitation Act (e.g., non-latex gloves, modified face masks for interpreters or others who communicate with an employee who uses lip reading), the employer must discuss the request and engage in the interactive process. Provision of the requested modification or an effective alternative is to be provided in the absence of undue hardship to the employer.

Q24. How should an employee request reasonable accommodation if he/she has a medical condition that may put him/her at a higher risk for severe illness from COVID-19?

A24. An employee who wishes to receive reasonable accommodation may make an oral or written request to their immediate supervisor. Keep in mind that the employee (or his/her representative) does not need to use the term “reasonable accommodation” or reference the Rehabilitation Act. The request should be processed in accordance with AFI 36-205, Chapter 8, para. 8.4. The employee or his/her representative should communicate that he/she has a medical condition that necessitates a change to meet a medical need. After receiving a request, the supervisor/manager must acknowledge receipt of the request and enter into an interactive dialogue process with 10 business days of the request. AFI 36-205, Chapter 8, paragraph 8.4 explains the requirements of the interactive process in detail.

Q25. Does an employee at higher risk under the CDC classification have a right to extended telework, even if other employees have been recalled to work?

A25. Maybe. It depends on the ability of the employee to safely perform their job at the worksite. By law, the request for accommodation requires an individualized assessment of the facts and circumstances (both medical and job) of the particular requesting employee. The statute broadly defines the term “disability” and includes virtually all of the conditions (other than age) identified by the CDC as qualifying an employee as being at higher risk for serious complications from COVID-19 (<https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/index.html>). An employee with a disability that puts them at higher risk from COVID-19 may well be entitled to continued telework as an accommodation.

The EEOC has specifically deemed telework, including full-time telework, to be a potential reasonable accommodation, even in situations where employees without a disability are not permitted to telework. Denials of requests for reasonable accommodation should only be made after consultation with the Civilian Personnel Office.

Q26. The CDC identifies a number of medical conditions that might place individuals at higher risk for severe illness if they get COVID-19. If the supervisor/manager knows that, an employee has one of these conditions and is concerned that his/her health will be jeopardized upon returning to the workplace, should the manager/supervisor ask the employee if he/she will require an accommodation?

A26. Not necessarily. If the employee has not requested an accommodation, the Rehabilitation Act does not mandate the supervisor/manager initiate the interactive process nor take any action. More importantly, if the supervisor/manager is concerned that the employee’s health will be jeopardized by returning to the workplace, the regulation does not allow the supervisor/manager to exclude the

employee *solely* because the employee has a disability that the CDC identifies as placing the employee at higher risk for serious complications from COVID-19. The exception would be if the employee's disability poses a "direct threat" to his/her or other employees' health or safety that cannot be eliminated or reduced by reasonable accommodation.

REFERENCES:

- 10 U.S.C. § 1580
- 5 U.S.C. § 6329c(b)
- 5 CFR Part 630, Weather and Safety Leave
- Public Law 111-292, Telework Enhancement Act of 2010
- United States Office of Personnel Management's *Guide to Telework in the Federal Government*, April 2011
- Department of Defense Instruction (DoDI) Number 1035.01, 4 April 2012, Telework Policy
- DoDI1035.01_AFI36-816, Civilian Telework Program, 29 October 2018
- DoDI1400.25V610_AFI36-807, *Hours of Work and Holiday Observances*, 19 April 2019
- DoDI1400.25V630_AFI36-815, *Leave*, 14 November 2019
- Office Of Management and Budget Memorandum, M-20-13, Updated Guidance on Telework Flexibilities in Response to Coronavirus, dated March 12, 2020
- Office of Management and Budget Memorandum, M-20-15, Updated Guidance for the National Capital Region on Telework Flexibilities in Response to Coronavirus, dated March 15, 2020
- Office of Management and Budget Memorandum, M-20-16, *Federal Agency Operational Alignment to Slow the Spread of Coronavirus, COVID-19*, March 17, 2020
- USD P&R memorandum, "*Civilian Duty Status and Use of Weather and Safety Leave during COVID-19 Pandemic*", March 30, 2020
- Department of Defense Memorandum, Updated Civilian Personnel Guidance in Response to Coronavirus Disease 2019, DCPAS Message 2020024
- Department of the Air Force Memorandum (A1), *Telework Flexibilities in Response to COVID-19*, 20 March 2020
- Department of the Air Force Memorandum (A1), *Weather and Safety Leave during COVID-19 (Self-Certification guidelines)*, 3 April 2020
- Headquarters Air Force, Civilian Force Policy Division, March 2020, *Telework Fact Sheet*
- Headquarters Air Force, Civilian Force Policy Division, April 2020, *Weather and Safety Leave Fact Sheet*
- Air Force Instruction 36-205, Affirmative Employment Program (AEP) Special Emphasis Programs (SEPS) and Reasonable Accommodation Policy, 1 Dec 2016

DEFINITIONS

- Weather and Safety Leave – Paid leave provided under the authority of 5 U.S.C. 6329c, which an agency may grant to employees only if they are prevented from safely traveling to or safely performing work at a location approved by the agency, due to:
 - An act of God;
 - A terrorist attack; or
 - Another condition that prevents an employee or group of employees from safely traveling to or safely performing work at an approved location.
- Act of God – an act of nature, including hurricanes, tornadoes, floods, wildfires, earthquakes, landslides, snowstorms, and avalanches.
- Employee – for the purpose of applicability to Weather and Safety Leave provisions, an

employee is as described in §630.1601(b) and (c). This does not include intermittent employees, who by definition, do not have an established regular tour of duty during the administrative work week.

- Participating in a Telework Program – an employee who is eligible to telework and has a telework agreement under which the employee is approved to participate in the agency telework program, including on a routine or situational/ad hoc and/or emergency basis. Such an employee who teleworks on a situational basis is considered to be continuously participating in a telework program even if there are extended periods during which the employee does not perform telework.
- Telework Site – an approved location where an employee is authorized to perform telework, such as an employee’s home.
- Mandated Telework- Mandated telework provides for the ability to implement telework for all assigned personnel independent of their telework status or whether or not individuals have a signed telework agreement. This is an “authority,” and commanders and supervisors have significant latitude to implement consistent with published guidance.
- “High Risk” and “Special Populations” – groups as defined by the CDC, including pregnant women, older adults, and individuals who have chronic health conditions, such as high blood pressure, heart disease, diabetes, lung disease, or compromised immune systems. Current information on this can be found at <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/index.html>.
- Emergency employees – designated employees who are critical to agency operations and for whom weather and safety leave may not be applicable. Such employees may also be referred to as “mission essential,” “key,” “mission critical,” or “emergency essential” for the purposes of weather and safety leave.
- Reasonable Accommodation – Required by the Rehabilitation Act of 1973 (29 USC §791 et seq.) as amended by the Americans with Disabilities Act (ADA) of 1990, as amended (42 USC §12101 et seq.) requires all federal agencies to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment, unless to do so would cause undue hardship.
- Accommodation - any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities (29 C.F.R. pt. 1630 app. § 1630.2(o)). Disability Accommodation is a case-specific and fact-specific process.