



**Questions & Answers for Wisconsin State Employees
Regarding Potential Influenza Pandemic**

Note: This document contains answers to frequently asked questions for state employees. If a pandemic occurs, more specific direction will be developed to reflect the appropriate practices based on the severity of the particular virus and the duration of the pandemic. Responses below are in accordance with applicable collective bargaining agreements or state administrative code. If you have additional questions, please ask your supervisor.

<u>Questions</u>		<u>Answers</u>
A. Reporting to Work		
General Policy: Employees are expected to report to work as assigned unless directed otherwise by their agencies, Executive Order of the Governor or other appropriate authority.		
1.	I am worried about being exposed to the influenza virus at work. Should I still report and will I be protected?	Employees should continue to report to work unless directed otherwise as reflected in the General Policy above. As state employees, we have obligations to keep services up and running to the extent possible during an emergency. We will be making every effort to reduce exposure in our workplaces.
2.	Am I subject to disciplinary action if I do refuse to come to work?	Employees who fail to come to work in a pandemic will be treated just as if they failed to come to work at any other time and may be subject to disciplinary action.
3.	May I use vacation leave, sick leave, or any other type of leave in order to avoid working during an influenza pandemic?	Employees may request leave time and it will be reviewed, and approved or denied, in accordance with the leave provisions of their contract or state administrative code. In general, our objective is to ensure the health and safety of our state employees while continuing the State's critical services. At this time, our goal is to encourage employees to report to work. However, based on the virulence of the virus, and depending on recommendations from the WI Department of Health Services, discretionary leaves (i.e., non-mandatory leaves) may be considered.



<u>Questions</u>		<u>Answers</u>
4.	If my job requires me to work with the public, should I continue to come to work?	Yes, unless directed not to. The State will make an effort to provide the appropriate protective measures to employees assigned to work in a situation that would put them at greater risk of exposure than the typical interactions encountered in conducting usual life activities. These measures include increased hygiene measures, personal protective equipment, social distancing measures, or physical barriers.
5.	If my job requires me to work in an area where I may come into contact with pigs, should I be worried that my job may put me at increased risk of contracting the H1N1 virus?	At this time, the H1N1 virus has not been found in any swine in the United States or Mexico. If your job requires you to come into contact with pigs, wild or domestic, you should practice good biosecurity to keep viruses from spreading, including protective clothing. The State will make an effort to provide the appropriate protective measures to keep you safe at work.
6.	If I am exposed to the influenza virus on the job and become ill, am I eligible for Workers Compensation benefits?	Influenza would most likely not be compensable under Wisconsin Workers Compensation, as it would be very difficult to determine where and when an employee was exposed to the influenza virus.
7.	What if I am assigned to perform work that isn't normally part of my position, either in my own agency or somewhere else? Can I refuse the assignment?	In times of emergency, we all need to remain flexible to get the work done. It is likely that employees may be asked to do work outside their normal duties. As the effects of a pandemic are realized in Wisconsin, state employees should anticipate that they may be required to assist in performing work for absent or ill co-workers or ensure that the State is able to provide essential services.
8.	Can I refuse an assignment that would put me at greater risk of being exposed to the influenza virus?	No, employees must work as assigned unless granted leave. As the effects of a pandemic are realized in Wisconsin, state employees should anticipate that they may be required to assist in performing work for absent or ill co-workers or ensure that the State is able to provide essential services. The State will make an effort to provide the appropriate protective measures to employees assigned to work in a situation that would put them at greater risk of exposure than the typical interactions encountered in conducting usual life activities. These measures include increased hygiene measures, personal protective equipment, social distancing measures, or physical barriers.



<u>Questions</u>		<u>Answers</u>
9.	What is social distancing? Will the State implement social distancing in the workplace?	Social distancing measures are measures intended to reduce the spread of a pandemic influenza virus by reducing direct contact between individuals. Social distancing measures may include minimization of face-to-face meetings, staggered work hours and days, temporary work from home arrangements, spacing of work areas, physical barriers between individuals, or other similar practices. Agencies may begin implementing social distancing measures in their respective agencies/buildings at their discretion.
10.	What should I do if I believe I may have the influenza virus?	Minimizing the spread of the virus is critical. Employees who are ill should contact their supervisor to report their illness. Employees should not report to work if they believe they are ill. Use of sick or other paid or unpaid leave will be handled pursuant to existing policies, state administrative code, and applicable collective bargaining agreements.
11.	What if I have been directly exposed to the influenza virus but do not have symptoms?	Depending on the circumstances presented by the particular influenza virus, employees who have been directly exposed to the virus through actions such as caring for an ill family member may choose to remain at home for a period to ensure they do not carry the virus into the workplace. Documentation of exposure may be required and employees choosing to remain home will be required to use available leave.
12.	What if I have been exposed to an individual who has been quarantined?	Individuals who have been quarantined are not ill; they have had contact with an infected person and must remain at home until it is clear whether they become ill or not. Thus, exposure to a quarantined person may not mean any exposure at all to the virus. Employees who have been directly exposed to the virus through actions such as caring for a family member who was isolated due to illness at that time (or was subsequently isolated) may choose to remain at home for a period to ensure they do not carry the virus into the workplace. Documentation of exposure may be required and employees choosing to remain home will be required to use available leave.



<u>Questions</u>		<u>Answers</u>
13.	If I have traveled to a location where there are confirmed cases of influenza, may I return to work immediately?	If you are not exhibiting influenza-like symptoms, you may return to work. Please be aware that agency policies may vary depending on the nature of your job.
14.	Can my Employer send me home if I have been exposed to the influenza virus but choose to work?	An employee will not normally be sent home unless s/he is exhibiting influenza-like symptoms. In that case, the employee will be required to use his/her personal leave.
15.	What if I believe a co-worker has the influenza virus or has been exposed to it?	Employee concerns should be discussed with their supervisor or someone in Human Resources. In spite of these concerns, employees will be expected to report to work as directed.
16.	Will the State develop policies and procedures for what state agencies should do if someone becomes ill at work?	Yes, the employee may be sent home using appropriate protocols recommended by the WI Department of Health Services. The employee will be required to use his/her personal leave.
17.	What if I am in a group considered to be a "high risk" (i.e., I have a chronic health condition which makes me more susceptible to the influenza virus) and for which authorities are recommending staying at home?	Employees who provide a detailed letter from their medical practitioner may use personal paid or unpaid leave. Sick leave is available only as currently provided in state administrative code or collective bargaining agreements, which typically limit use to periods of actual sickness. See question A.3., above, regarding leave requests.



<u>Questions</u>		<u>Answers</u>
B. Use of Sick Leave and Family & Medical Leave Act (FMLA) Leave		
<p>General Policy: Discretionary leave may be limited. Use of sick leave or FMLA-qualifying leave will be administered in accordance with existing labor agreements and state administrative code, unless application of leave provisions are modified by Executive Order of the Governor or the federal government.</p> <p>Note: For more information on leave policies including the Family and Medical Leave Act, visit: http://www.pandemicflu.gov/faq/workplace_questions/human_resource_policies/index.html#LEAVELEAVEPOLICIESincludingFamilyandMedicalLeave</p>		
1.	Is pandemic influenza an FMLA qualifying condition and will I be able to use FMLA leave?	FMLA leave may be available in relation to the employee's own illness or the illness of a qualifying family member. The usual medical documentation may be required.
2.	What if my children's school or day care provider is closed and I have no one else to take care of the kids?	You may request to use vacation leave, comp time, or leave without pay. Documentation may be required. Employees should contact their agency payroll office regarding the possible consequences of using leave without pay. See question A.3., above, regarding leave requests.
3.	What if members of my family are sick?	Use of sick leave, FMLA leave, or other discretionary leave will be administered in accordance with applicable labor agreements and state administrative code. Use of discretionary leave may be limited. See question A.3., above, regarding leave requests.
4.	What if members of my family who <i>do not</i> live in the same household as me are sick? May I stay home to care for them?	Use of sick leave, FMLA leave, or other discretionary leave will be administered in accordance with applicable labor agreements and state administrative code. Use of discretionary leave may be limited. See question A.3., above, regarding leave requests.