

**EMPLOYEES WORKING ON-CAMPUS DURING MODIFIED OPERATIONS:
CONSIDERATIONS & RESOURCES TO GUIDE DECISION-MAKING BY
SUPERVISORS & DEPARTMENT HEADS**

This version was updated on March 16, 2020 at 5:00 P.M. An updated version will be posted on April 3, 2020.

This document has been written to help supervisors and department heads in those departments in which employees are continuing to work on campus during the period of modified operations. These departments include but are not limited to the Department of Public Safety,¹ Dining Services, Health Services, Facilities, Counseling Services and Post Office. Generally, these are departments and employees whose services continue to be required during this period as determined by the College, or by divisional VP's, in the exercise of their discretion in light of the evolving circumstances.

All departments must implement mitigation and social distancing protocols as required by public health authorities. This includes compliance with [Governor Baker's March 15, 2020 Order Prohibiting Gatherings of More than 25 People and on Premise Consumption of Food or Drink](#) and the accompanying [guidance from the Massachusetts Department of Public Health](#), which prohibit:

- any event or activity that brings together 25 or more persons in a single room or single space at the same time in a venue such as an auditorium, stadium, arena, large conference room, meeting hall, theatre, gymnasium, fitness center, private club or any other confined indoor or outdoor space; and
- on-premises consumption of food or drink in any eating establishment; provided, that such establishments may continue to offer food for takeout and by delivery provided that they follow social distancing protocols that allow individuals to stay 6 feet apart. This means that all dining services locations on campus must provide only take-away meals and must prohibit individuals from eating on-site.

The same guidance also reiterates that all employees must continue to practice social distancing (staying approximately 6 feet away from other people) whenever possible, and to frequently wash their hands, use hand sanitizer, and practice proper respiratory etiquette (i.e., coughing or sneezing into a tissue that is then disposed of or into the inside of your arm/elbow). Questions regarding how this guidance may effect a department's operations or any particular job duties should be directed to Human Resources.

In addition, the College has directed department heads immediately to prepare and implement arrangements for employees to work remotely to the maximum extent possible. [Guidance for department heads and supervisors of employees working remotely is available here.](#)

Normal Work Rules on Time and Attendance, Professional Expectations, Pay and Leave, etc., Apply

In general, the same work rules will apply during the period of modified operations as at any other time, to the extent they do not conflict with the Governor's March 15 Order and accompanying guidance described and linked above. Departments do have discretion to modify those rules that are normally within their discretion to establish, e.g. acceptable dress codes, communication protocols, rules for reporting tardiness or absence. Nonetheless, departments should always err on the side of more communication, rather than less, and remind

¹ Some of the guidance in this document may not be applicable to Public Safety, in certain circumstances.

employees of their communication obligations. Departments seeking to discuss temporary departures from a College policy or practice must obtain permission from [David Achenbach](#) or [Kate Kilby](#) in [Human Resources](#).

Typical Work Duties and “Other Duties as Assigned”

In this period of modified operations, department heads and supervisors should inform employees that they may be assigned tasks outside of their typical responsibilities, including work that may, in other circumstances, be performed by employees in other departments. Department heads and supervisors should think creatively about the types of work that available employees might usefully perform during the modified operations period. This might be an employee’s typical work or “other duties as assigned.” To the extent non-typical duties are assigned, expectations regarding those duties should be communicated clearly and appropriate instruction should be provided. Remind employees that if they have questions about non-typical tasks they have been assigned, they should ask their supervisors before undertaking such tasks.

Requests for Reasonable Accommodations

Department heads and supervisors should refer employee requests for reasonable accommodation to Human Resources which will follow [normal College policy and procedures](#). Note that accommodation requests may not be explicit, e.g. the employee may not use the term “accommodation” or may provide information simply indicating that they are having difficulty performing job tasks. In these circumstances the College may have an obligation to explore reasonable accommodations. If there is any question that the employee may require an accommodation, consult with Human Resources. Information related to accommodation requests, medical conditions, and/or disability-related issues, including information relating to potential Covid-19 diagnoses or quarantines, must be kept confidential consistent with College policy.

Non-Discrimination

Department heads and supervisors are reminded not to discriminate on any unlawful basis, including in the assignment of work, decisions regarding working remotely, disciplinary matters, scheduling, or other terms and conditions of employment. Notwithstanding the heightened risk from Covid-19 to certain populations, such as older persons and person with underlying medical conditions, department heads and supervisors should not assume that any class of employees is any less capable of performing work under the current circumstances.

Prohibited Medical Inquiries and Opinions

Under applicable law, supervisors and department heads generally cannot inquire about employees’ medical conditions, diagnoses or treatment. This includes instructing employees to seek medical care or requiring employees to monitor their temperature for fever. However, department heads and supervisors may ask employees about [symptoms of Covid-19](#) because of the direct threat it poses to the workplace. If you believe an employee is exhibiting such symptoms, contact Human Resources immediately. Supervisors and department heads must refrain from offering medical opinions. Information regarding Covid-19 or the College’s emergency response will come from the Emergency Response Team or other official sources, so supervisors and department heads must refrain from freelancing.

Refusal to Work Due to Covid-19

If an individual refuses to report to work, department heads and supervisors should contact Human Resources. In such circumstances, the College will attempt to determine the reason for the individual’s refusal to work. If the individual or family member has been diagnosed with or exposed to Covid-19 then please refer to the

section entitled “Sick Leave and Covid-19” below. If the employee indicates a need for a potential accommodation, please refer to the section entitled “Request for Reasonable Accommodations” above.

If the employee’s refusal to work is made on a different basis, the College will attempt to determine if there is a health and safety issue or other legitimate concern that may need to be addressed. In the event that the College determines that there is no imminent danger that needs to be addressed, the employee may be required to report to work, may be permitted to use available and appropriate paid time off, or may be granted unpaid leave at the College’s discretion. If an employee is required to report to work and does not do so, then department heads and supervisors should consult with Human Resources to determine whether disciplinary action is appropriate.

Prescheduled Leave

Per guidance from public health officials, [the College recommends that employees reconsider non-essential travel plans](#), in light of the unfolding emergency. Department heads and supervisors should discuss with their employees potential changes to their previously scheduled leave. Department heads and supervisors have the right to refuse, approve or adjust previously scheduled leave, but should try to be reasonable. Questions or concerns about changes to previously scheduled leave should be directed to [Human Resources](#).

Sick Leave & COVID-19

If an employee informs a department head or supervisor that they have been exposed to and/or are exhibiting symptoms consistent with Covid-19, or have been quarantined, the employee must be directed NOT TO COME TO WORK and to immediately contact their health care provider. Then the department head or supervisor must immediately contact [Melissa Cutroni](#) in Human Resources. Sick time will be applicable to such absences and employees should be directed to follow regular sick time protocols, which may include providing a medical certification before returning to work.

If an employee reports that they are not feeling well for other reasons, they should be directed to follow regular sick time protocols for contacting their supervisor and not to come to work until they are well.

For employees who have to miss work as a result of a Covid-19 diagnosis (whether the person diagnosed is the employee or a family member), or other serious medical condition, leave under the Family and Medical Leave policy (“FMLA leave”) may be available. Please contact [Melissa Cutroni](#) in Human Resources in these circumstances, or if an employee inquires about FMLA leave.

Exposure to COVID-19 at Work

If a department head or supervisor is informed by an employee that the employee believes they have been exposed to Covid-19 at work, please immediately contact [Melissa Cutroni](#) in Human Resources at (508) 793-3566. If an employee begins to experience symptoms consistent with Covid-19 while at work, they must be directed to leave work immediately and seek medical care. Contact [Melissa Cutroni in](#) Human Resources as soon as possible thereafter.

Regular Timekeeping, Pay and Leave Policies

Except to the extent the College communicates otherwise, regular timekeeping, pay and leave policies apply during this modified operation period.

Continuation of Regular Pay and Benefits

The College will continue to pay all regular full- and part- time employees, salaried and hourly, their normal base pay based on their regularly scheduled hours, regardless of whether they worked a regular schedule. For salaried employees, this will remain in effect through the March 31, 2020 payroll end date. For hourly employees, this will remain in effect through the April 11, 2020 payroll end date. Employee benefits will continue.

Possible Reduction in Work Hours

If circumstances require it, department heads and supervisors may assign employees to work fewer hours than their typical schedule. In such circumstances, employees should be provided as much notice as practicable. In the near term, if this occurs.

After the periods in *Continuation of Regular Pay and Benefits*, above, end, employees assigned to work fewer hours than their typical schedule may use accrued and available paid leave to supplement reduced work hours. This will allow each employee to be paid their normal base weekly wages for as long as they have sufficient accrued time. Employee benefits will continue. To further support this goal, the College may, if circumstances warrant, relax the usual rules on use of paid leave. This may include, for example, allowing employees to use accrued vacation time that would typically not be available until next fiscal year, and/or allowing employees with no available vacation time to “go negative” – be paid their leave in advance of accrual – in their leave balances, up to a certain maximum amount. The College will communicate further details regarding these possible measures, if and as necessary.

If it becomes apparent to department heads that certain operations or tasks may need to be curtailed pending the recommencement of normal operations, supervisors and department heads should be communicating with employees regarding anticipated work schedules. This will allow employees to plan as best as possible. If there is less work available for hourly employees due to curtailment of on-campus activities, supervisors and department heads should distribute available work hours as equitably as possible among similarly situated hourly employees including by considering available work outside their regular department.