

Return to Campus and COVID-19 Workplace Accommodation and Flexibility Training for Faculty and Staff

July 2020



HUMAN RESOURCES AND
EQUAL OPPORTUNITY AND COMPLIANCE



Today's Training Goals

Help you to plan to return to campus.

Help you know what to expect when returning to campus.

Share leave provisions and options.

Make you aware of the University processes for providing accommodations or other workplace flexibility employees may need as we return to campus.

Share available resources.

Returning to Campus

Guiding Principles

- The best Carolina experience is one that occurs here on campus where that is all possible.
- The safety and well-being of our campus community is paramount to all other considerations.
- University Leadership will communicate with our students and their families and our faculty and our staff on a regular basis as decisions are made.

Fall 2020 Return to the Workplace

- Phased approach starting with the Research enterprise on June 1, ramping up through July.
- Preparing to start the instructional year on Aug. 10 by returning the faculty, staff, and graduate students who support the University's teaching mission and student support functions through June and July.
- Other staff to return on a phased basis.

Preparing to Return to Campus

Community Standards

- Masks
- Physical Distancing
- Health Monitoring

Staying Safe

- Cleaning and Disinfecting
- Physical Distancing and Space Configurations
- Rotating Schedules/Flexibilities/Accommodations

Other Considerations

- Parking and Transportation
- Dining

Leave, Benefits, and Wellness Resources

during COVID-19



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Leave Options

FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)

Emergency Paid Sick Leave (EPSL)

- EPSL provides up to 80 hours (prorated for part-time) of paid leave to eligible employees for COVID-19 qualifying reasons.

Expanded Family Medical Leave (EFML)

- EFML provides up to 12 weeks of leave if the employee is unable to work, including unable to telework, because the employee needs to care for their “son or daughter” whose school or place of care is closed (or childcare provider is unavailable) due to COVID-19.

For more information, visit hr.unc.edu/benefits/ffcra.

TRADITIONAL FAMILY MEDICAL LEAVE (FMLA)

Leave Options

COVID-19 PAID ADMINISTRATIVE LEAVE (PAL)

- For employees who are not required to report to a University worksite but cannot telework because their position and duties cannot be performed remotely, and because reasonable alternate remote work is not feasible or productive.
- Elder care needs due to COVID-19 related facility closings.
- Employees ineligible for FFCRA leave and/or have exhausted FFCRA leave entitlement.
- For more information, please visit hr.unc.edu/covid19.

COVID-19 SHARED LEAVE BANK

Benefits and Wellness Resources

BENEFITS UPDATES

Updates to NC Flex Benefits

- Health Care Flexible Spending Account (HCFSA).
- Dependent Day Care Flexible Spending Account (DDCFSA).
- NC Flex MetLife Dental changes.

Visit hr.unc.edu/benefits/covid-19-benefits for regular updates.

STAYING WELL DURING COVID-19

Be sure to keep your health and wellness in check.

Visit hr.unc.edu/benefits/work-life/wellness-resources-during-covid-19 for more information.

Requesting Accommodations or Workplace Flexibility

during COVID-19



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Potential Requests

AMERICANS WITH DISABILITIES ACT (ADA) ACCOMMODATIONS

- Handled by the Equal Opportunity and Compliance Office (EOC).
- Includes requests based on **employee's own** health condition.
 - Not a family member's health condition.
- Includes CDC-identified high-risk health conditions.

GENERAL WORKPLACE FLEXIBILITY

- Handled by managers or supervisors.
- Includes age, child or elder care, living with or caring for high risk individual(s), general concerns.
- Disproportionate impact on communities of color.

ADA Accommodations

ADA requires us to provide **reasonable accommodations** to individuals with a disability unless it would pose an undue hardship to the University.

Employees will be asked to certify that they can and will provide medical documentation supporting their request if asked.

Equal Employment Opportunity Commission

- “There may be reasonable accommodations that could offer protection to an individual whose disability puts him at greater risk from COVID-19 and who therefore requests such actions to eliminate possible exposure.”

Initiating the Request

Seeking accommodations or workplace flexibility is always **voluntary**.

For ADA Requests

- Visit eoc.unc.edu/covid-19accommodations.
- Fill out the three forms and email them to eoc-covid19@unc.edu.
- Coming Soon: ConnectCarolina option.

For Workplace Flexibility Requests

- Can contact your Dean, Department Chair, or Supervisor.
- May also receive a School, Department, or group-wide email providing information on how to request and asking you to do so now for planning purposes.

What information should I provide?

ADA Requests

- Complete the three forms fully to avoid delays.

Workplace Flexibility Requests

- That you need workplace flexibility due to COVID-19.
- What that workplace flexibility looks like for you.
- The general reason for your request.
- **Not** required to provide documentation for these requests at this time.

Guiding Principles

Decisions should be made without regard to any protected status

- Age, color, disability, gender, gender expression, gender identity, genetic information, national origin, race, religious, sex, sexual orientation, veteran status.

Consistency in decision making process

- Process requests the same way.
- Recognize that equity does not mean everyone gets the exact same thing.

Avoid favoritism

Process should not be used to address performance or conduct concerns

FACULTY REQUESTS

- Is the course required by the University to be taught in person?
 - If yes, is the faculty member requesting to teach remotely the only faculty member with the expertise to teach the course?
 - If no, have the other qualified faculty members also requested flexibility to teach remotely?
- Can a portion of the course be offered remotely?
- In what ways will failure to teach the class now impede student progress?
- What impacts, if any, do the social distancing and spatial distancing requirements, have on the student experience for this class?
- Can the instructor be assigned a section of the class that meets later in the day?
- Can the instructor be assigned fewer in-person courses total?
- Can students be required to contact the instructor over email or Zoom?
- How can traffic flow in the classroom be managed to minimize interactions?
- Should additional protective equipment be provided?

STAFF REQUESTS

- Is it feasible for the employee's work to be done remotely?
 - Special equipment on-site only?
 - Physical presence necessary to meet student/customer needs.
 - Impact on demand for in-person services.
 - Other staff who could perform those duties.
 - Impacts on quality or speed of service.
- Where does the work need to be performed on-site?
- When does the work need to be performed on-site?
 - Consider impact of lengthened class day on demand times
- If an employee must work on-site, what measures can be put in place to protect them while on campus?
 - Partial telework
 - Schedule change
 - Location change
 - Additional protective equipment

When should I seek help?

EOC, the Office of Human Resources, and your Departmental Human Resources Representative are **always** available to help.

Ask for help if:

- You believe your request was unfairly denied.
- If you believe you have been instructed not to return to campus because of your perceived age or other high-risk status.
- If you have concerns about protected status, inconsistency, or favoritism.
- Anything else you're concerned about.

Resources

Equal Opportunity and Compliance Office

Departmental Human Resources Representative

Office of Human Resources

- **Benefits & Leave Administration Support Team**
- **Employee & Management Relations**

Email questions to hr@unc.edu, and it will be routed to the appropriate office(s).

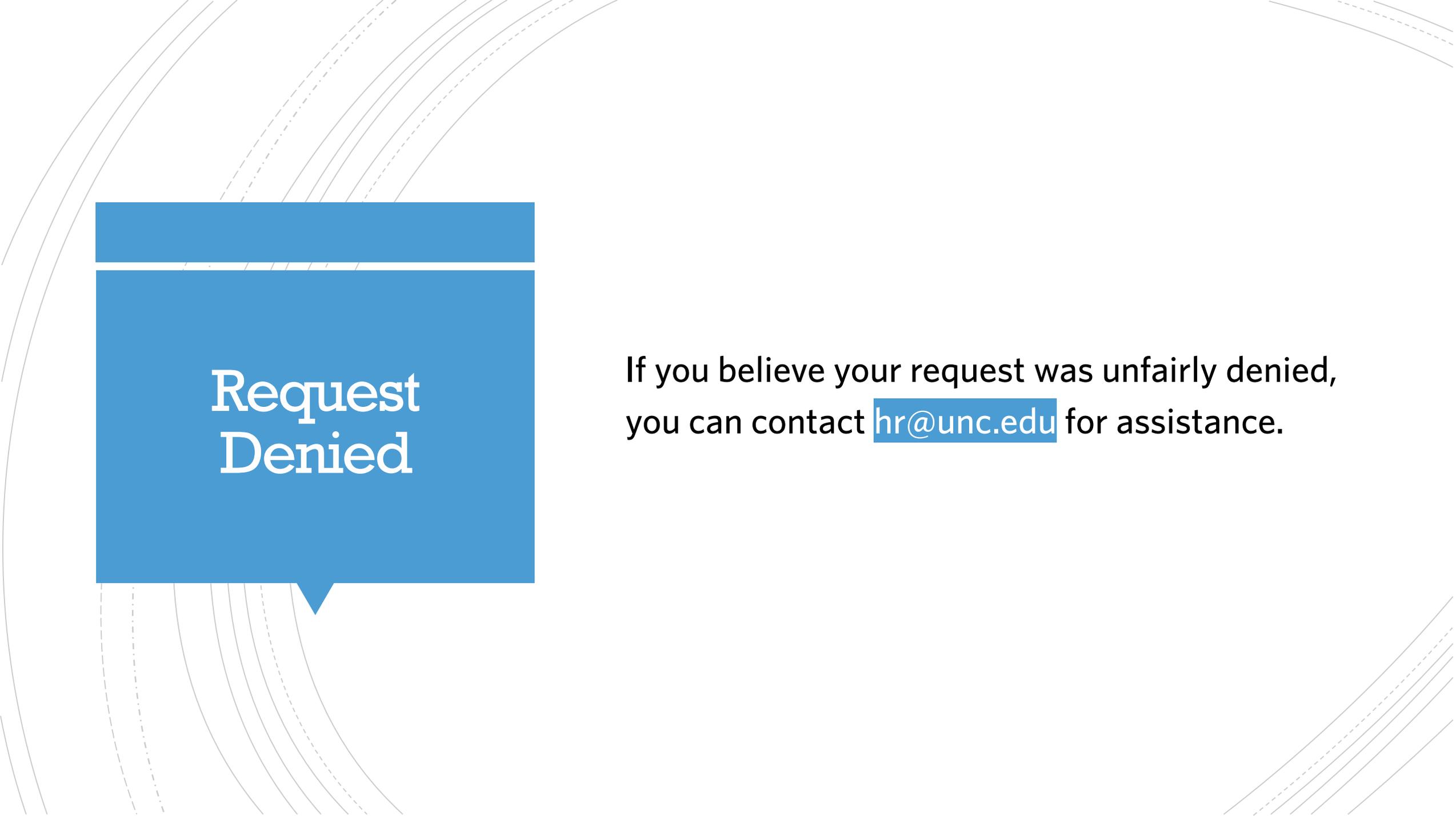
Workplace Flexibility Plans

Dean, Department Chair, or Supervisor should communicate decisions in writing to you

- Include Departmental HR representative.

Include the flexibility plan and the duration

- Duration will not be “until there is a vaccine” and will not be longer than one semester.
- Will be a reasonable period of time based on your position and request.
 - i.e., “ until September 30, 2020”
- Reevaluate whether flexibility can continue prior to the expiration of the set period.
- Cannot grant permanent remote work for any employee.

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Request Denied

If you believe your request was unfairly denied, you can contact hr@unc.edu for assistance.

Retaliation

Retaliation for seeking an ADA accommodation or workplace flexibility is **prohibited**.

Retaliation: any adverse action or attempted action that would discourage a reasonable person from engaging in protected activity and includes:

- Intimidation, threats, coercion
- Adverse employment actions

If you believe you have experienced retaliation because you requested or received flexibility or accommodations, you can report that to hr@unc.edu.

Resources

<p>Workplace Flexibility</p> <p>Contact hr@unc.edu</p>	<p>Navigating Conversations</p> <p>Employee & Management Relations</p> <p>Report and Response Coordinators reportandresponse@unc.edu</p>	<p>Discrimination or Harassment</p> <p>Report to the Equal Opportunity and Compliance Office</p> <p>Contact eoc@unc.edu and Response Coordinators reportandresponse@unc.edu</p>	<p>Support for You</p> <p>Ombuds Office</p> <p>Employee Assistance Program</p> <p>OHR Wellness Programs</p>
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QUESTIONS

This presentation has
concluded

Thank you



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