

## H1N1 in the Workplace

### Frequently Asked Questions

We are providing the following information to help university supervisors and employees plan for and manage workplace issues that may result from the H1N1 flu virus. For more information on H1N1 and the university's response to pandemic, please visit the UO Emergency Management website at: <http://em.uoregon.edu/h1n1/>

Based on current information, we expect the severity of H1N1 flu to resemble that of seasonal flu viruses, causing absences of 2-4 days for those with uncomplicated illness. Because H1N1 is a novel virus, however, we anticipate that the H1N1 flu may affect greater numbers of employees and their family members, resulting in higher absenteeism. To help the university contain the spread of H1N1 or seasonal flu, it will be critical for faculty and staff members to stay home if they become sick with a flu-like illness until well enough to return to work (i.e., fever-free for 24 hours).

Simply put, **please do not come to work if you are ill**. You may infect those with whom you come in contact, including colleagues and coworkers with underlying medical conditions that could lead to serious complications if they contract the flu.

Existing sick leave and other time off policies will apply in the same way they have during other flu seasons. The following FAQs are offered to provide guidance on administering leaves during the flu pandemic.

1. ***When should I stay home?*** If you have a fever of 100.4 F or greater, plus a cough or sore throat, chills, body aches, vomiting and/or diarrhea, you should stay home and return to work only after your fever is normal for at least 24 hours without fever-reducing medication such as ibuprofen. Clearly it is appropriate to use sick leave for the time you are off work.

2. ***What if I'm not sick, but I need to take care of a sick child?*** Under the collective bargaining agreements and university policy, you can use sick leave to care for an ill family member.

3. ***What if I am sick (or have a sick child) but have no accrued sick leave?*** If you are out of sick leave, you can request to use your vacation or other paid leave (comp time, personal days, etc.) or leave without pay. Supervisors are encouraged to explore options (such as making up time) that assist employees who become ill, but have no available leave. Please consult with staff in Human Resources to fully understand FLSA and contractual obligations in these situations.

4. ***Can supervisors send employees home if they believe they are ill?*** It is possible for supervisors to send a staff member home because of suspected illness, but they are encouraged to consult with Human Resources staff before doing so. Few of us are in a position to effectively diagnose a condition and it is inadvisable to act on a suspicion regarding an employee's health status. Symptoms such as coughing can linger for weeks after an illness, when the individual is no longer contagious. If an employee is sent home, he/she will be paid for the remainder of that day without using any accrued leave.

5. ***Can I work from home?*** With supervisory approval, it is possible to work from home. Keep in mind that some university jobs can accommodate working from home better than others.

6. ***What about flex time?*** In some situations, flexibility in schedule might address a work need. For example, if you are home with a sick child, but are not sick yourself, your supervisor may allow you to work different hours (e.g., in the evening) when another caregiver is available to take care of your child. This requires supervisory approval and may not be viable for many jobs.

7. ***Would H1N1 flu be considered a “serious health condition” under OFLA or FMLA?*** The flu is generally not a serious health condition under FMLA or OFLA, it could be a qualifying event if it meets the criteria (e.g., absence plus treatment or in-patient hospitalization). For information about eligibility and procedures to request FMLA or OFLA, consult the HR website or contact Laurie Mills in Human Resources.

8. ***If I exhibit or experience influenza type symptoms and go home from work either voluntarily or non-voluntarily, can my supervisor require me to get a release from my doctor prior to returning to the workplace?*** Yes, but it is not recommended unless there is reason to believe that your return to work would be a health hazard to you or others or that your health condition would interfere with your ability to perform your job. A doctor’s release should not be required unless there are medical circumstances other than flu that has resolved.

9. ***If my child’s school or child care closes and I have to stay home with my child who is not ill, what type of leave do I use?*** Subject to supervisory approval, you may request to use vacation, compensatory time or leave without pay. Working from home may be possible. (See question 5.)

10. ***What about sending student workers home if they are ill?*** Student employees are not eligible for paid sick leave; therefore the department is not responsible for paying wages for the hours in which the student employee cannot work. If appropriate, the student employee can arrange to make up any hours missed. As with other employees, student employees should be notified that they should stay home for at least 24 hours after the fever is gone.

11. ***What about sending graduate teaching fellows (GTFs) home if they are ill?*** GTFs are required to fulfill a certain number of hours per term. The GTF should work with his/her department to make up any missed hours. If the absence takes place later in the term where it would be difficult to make up the hours within their appointment contract period, it is up to the discretion of the hiring department to determine the appropriate solution in compliance with the Collective Bargaining Agreement between the University of Oregon and the Graduate Teaching Fellows Federation. Departments should contact the Graduate School if they have questions about appropriate solution. GTFs should be notified that they should stay home for at least 24 hours after the fever is gone.