

**COVID Leave  
FAQs  
December 2021  
(as of 12.16.21)**

<p><b><i>What if I develop new COVID symptoms?</i></b></p>	<ul style="list-style-type: none"><li>● For both vaccinated and unvaccinated staff, you need to be tested. Please consult with your healthcare provider as to the timeframe of your test.</li><li>● You need to stay home until the symptoms subside and/or you receive a negative COVID test.</li><li>● You will be paid (regardless of vaccination status) as you wait for test results per NYS law.</li><li>● Non-instructional staff who are home waiting for test results and who are asymptomatic may be able to telework.<ul style="list-style-type: none"><li>○ Telework may be permitted in consultation with and at the sole discretion of your supervisor.</li><li>○ Some staff may not be able to telework due to the nature of their position or other factors.</li></ul></li><li>● Instructional staff who are home waiting for test results and who are asymptomatic should engage in planning work while away from the classroom.<ul style="list-style-type: none"><li>○ The ability for instructional staff (teachers and LTAs) to telework will be made by supervisors on a case by case basis.</li></ul></li><li>● If you are too sick to work, you will need to utilize sick time while you wait for results, if telework is approved.</li></ul>
<p><b><i>What if I've been exposed to COVID but I'm vaccinated and asymptomatic?</i></b></p>	<ul style="list-style-type: none"><li>● Recommended to get a precautionary COVID test, 5 days after exposure.</li><li>● You should report to work and you must wear a mask.</li></ul>

***What if I've been exposed to COVID and I'm not vaccinated (symptomatic or asymptomatic)?***

- You will **not** be permitted to telework.
- You will use your one paid quarantine based on NYS law (up to 14 days)
  - For subsequent quarantines, you will not be paid unless you test positive for COVID.
  - NYS law provides three COVID quarantine leaves for employees for purposes of a mandatory order of quarantine or isolation.
    - The first leave is paid
    - The second and third leaves will be paid only if you are diagnosed with COVID.

***What if I have to care for a child who is quarantined or whose school has shifted to remote because of COVID-related matters?***

- Under FFCRA (expired January 2021), one of the reasons staff could take paid leave was for childcare related purposes.
- No federal or state statute exists for the provision of paid leave for childcare related purposes.
  - Chapter 25 (NYS) provides leave for the staff member who is subject to a mandatory order of quarantine or isolation by a governmental entity.
  - Chapter 25 applies to the staff member **ONLY** and does not provide for paid leave for COVID related childcare related purposes.
- Non-instructional staff should work with their supervisor to determine if telework is appropriate during the leave for childcare. If telework is determined to be appropriate, non-instructional staff may telework and not use accrued leave time.
- Instructional staff should work with their supervisor to determine if telework is appropriate during the leave for childcare. If telework is determined to be appropriate,

instructional staff may telework and not use accrued leave time.

- The provision of telework is solely at the discretion of the supervisor.
- If telework is not appropriate, non-instructional and instructional staff will be required to use accrued leave time.