

4/14/20- Update, to all certification staff

Adjusted guidance: If an individual (described below) specifically wishes to proceed at this time with doing fingerprinting, it is permissible for certification staff to give the individual the Fieldprint instructions to allow them to go forward with fingerprinting (note: when done, the 1011F must still be completed prior to the fingerprints and the 1011 F must still be sent by field staff asap to BCU). All other information in the 3/25/20 guidance still remains in effect, meaning certification staff should not be requiring somebody to fingerprint at this time, who is not comfortable doing so.

Rationale for adjusted guidance: It has come to our attention that a number of individuals wish to proceed with fingerprinting, have Fieldprint sites available to them which are still operating as 'essential' businesses, and the individuals prefer to not have further delays with the certification process. If those individuals would like to proceed with fingerprinting in order to avoid further delays, we will not stand in the way of that occurring and can provide them the necessary paperwork to continue with the fingerprint process.

Please feel free to consult with your Foster Care Coordinator for further support if there are questions about the adjusted guidance.

3/25/20

Audience: Certification staff

Direction: Suspension of fingerprint requirements amidst COVID-19 health pandemic

To reduce exposure to, and spread of the COVID-19 virus, DHS Child Welfare is currently asking certification staff to **temporarily suspend fingerprinting requirements until further notice.**

This request pertains to our practices with all applicants for foster care, relative caregivers, adoptive applicants, and people being considered (under Foster Care Oregon Administrative Rules) for a certifier's approval for providing respite and child care.

Fingerprint results will still be required before issuing a full Certificate of Approval or Child-Specific Certificate of Approval, so there may be a delay in issuing some full certificates.

There is still an option to issue a Temporary Certificate prior to issuing a full Certificate of Approval, if needed, and if determined to be the appropriate course of action by a certification supervisor.

The Foster Care Program will continue to monitor the Governor's Orders and Oregon Health Authority Guidance and will update this communication to certification field staff in the future.

Please track closely who has already completed their fingerprints and who has not yet received their Fieldprint instructions to complete fingerprints. Please also separately track any providers that receive extensions due to this delay in ability to access fingerprints.

When we resume normal operations, applicants who have not received Fieldprint instructions will need to be given those instructions and move forward with fingerprinting in a very timely manner.

Please continue sending in the 1011Fs and processing results of LEDS in the usual fashion.

The Background Check Unit (BCU) is aware of this communication and knows that it will take additional time for people to get their fingerprints processed. BCU has agreed to keep 1011Fs that are submitted during the time of this health pandemic in a 'pending' status and will not be returning them to certification units as 'closed' if prints are not completed within 21 days of submission.

We will resume our normal practice at a future time when the health issues change. We will notify Certification Sups and Certifiers when that occurs. Please feel free to reach out to your Foster Care Coordinator for consultation or practice questions related to this issue

DHS has received federal guidance that, in light of delays and difficulties obtaining fingerprint-based FBI checks based on COVID-19, the department may, in certain situations, utilize federal funds for placements where the department has not obtained the FBI check results. It is important to be able to maximize federal funding when at all possible.

Due to this guidance, we have instituted a process to identify those certifications where we may be able draw down federal funding. ***This applies to those certifications where ALL certification requirements have been met, including having a home study that is otherwise completed and approved, except for obtaining a fingerprint-based FBI criminal background check.***

For those certifications that meet the above criteria, the certificate would remain a "temporary" certificate, including "extended temporary" if needed.

Procedure:

- Certifier drafts the home study.
- If supervisor reviews draft home study and determines the study is otherwise able to be approved, pending receipt and review of FBI fingerprint results.
- Supervisor sign/date with added statement- conditionally approved pending FBI for COVID-19.
- Open Temporary Certificate (if not already opened) or 'extend temporary' (if needed).
- The **certifier must enter a provider note** documenting that the reason for the certification remaining in temporary status is **solely** due to not having the FBI check completed. This note is to be documented in the provider record provider notes under:

Category: Info Rel to Certfn

Type: C-19 Fingerprint Temp Suspension

- Upon receipt of FBI results, review results and complete any necessary paperwork to fully conclude the criminal background check process.
- Finalize the home study, with certifier and supervisor signatures and date, remembering to add date completed to the FBI criminal records field for each adult (supervisor signature date must be on or after the date of FBI results/completion of crim check).
- Proceed to issue full certificate of approval per the usual process.

If you have questions, please contact your foster care coordinator.

Greetings,

I'd like to start by expressing my gratitude for your patience and flexibility during this unprecedented time.

We wanted to take a minute and provide you with some guidance regarding Child Welfare contracted services during the COVID-19 crisis. As I am sure you are aware, on March 23, 2020 Governor Brown issued Executive Order 20-12, "Stay at Home, Save Lives" which requires that people stay at home except to provide or obtain essential services. Safety Service Providers are considered essential services. ISRS is a Safety Service Provider. https://www.oregon.gov/gov/admin/Pages/eo_20-12.aspx

For Safety Service Providers, we are asking that you continue to deliver services and meet the needs of families as safely as possible. Some of the work can be done through videoconferencing, phone, or text. In some instances, it will still be necessary to meet face-to-face using creative measures to protect yourselves and others from illness.

Examples of "seeing clients as safely as possible":

- Calling ahead to determine the health of household members
- Social distancing when seeing a family in person
- Limiting in person contact time
- Using parks or other outdoor, public places for meetings if confidentiality can be preserved
- Using videoconferencing to 'see' the condition of the home

Group services that cannot be held virtually, or cannot maintain social distancing, should cease immediately.

Please work with the DHS caseworker to determine at what level we need to have eyes and ears in the home for safety. If there are high safety needs, you should attempt to go to the home and meet indoors if you can maintain a 6 ft distance. Otherwise, go to the home and talk with the family from the porch or sidewalk, and go for a walk if possible. Any safety service visits where it is appropriate may have a combination of some direct at home contact and video visits. We are asking for 6 ft distancing and staffing with their supervisor and caseworker. We will ask parents to take the device they are using into rooms we need to assess, and to remind parents to have the phone facing toward them unless we want to see the children. Caseworkers, as always, need to be notified with any changes or cancellations as they occur. We have also attached guidance to DHS Child Welfare staff on what work must continue and how to conduct that work so that children, families, and staff are as safe as possible. You are welcome to share as you wish.

For those of you who are not safety service providers, please communicate with your Contract Administrator as to what modifications you are making to continue to provide services safely: teleworking, videoconferencing, phone, texting, social distancing, etc.

For ALL of our contracted services, we do understand that referrals from Child Welfare are being impacted by COVID-19. For those of you with a 1/12 contract, your monthly payment should not change because of low referrals. Please make sure to communicate and update if current capacity and/or utilization is impacted. If you have a fee for service contract, your payment will be based on the number

of units you bill for. Again, please reach out and communicate any changes or impacts you are experiencing with your contract administrator.

I have also attached a variance request that was granted to Child Welfare from the Background Check Unit. It states that for all subject individuals associated with contracted service providers regulated by the Department of Human Services, Child Welfare, the Background Check Unit is suspending the need for fingerprints as indicated in OAR 407-007-0250, effective on 3/27/2020 until the end of the state of emergency in Oregon. This variance impacts all new background check requests as well as all background checks currently pending with the Background Check Unit.

These changes/modifications will end when the Governors Executive Order is lifted. Our sincerest thanks for all that you do to continue to support families and keep children safe. If you have questions, please consult with your contract administrator.

Thank you,

Lacey Andresen, MSW

She/Her/Hers

Deputy Director of Child Welfare Practice & Program

DHS, Office of Child Welfare Programs

500 Summer St. NE

Salem, OR. 97301

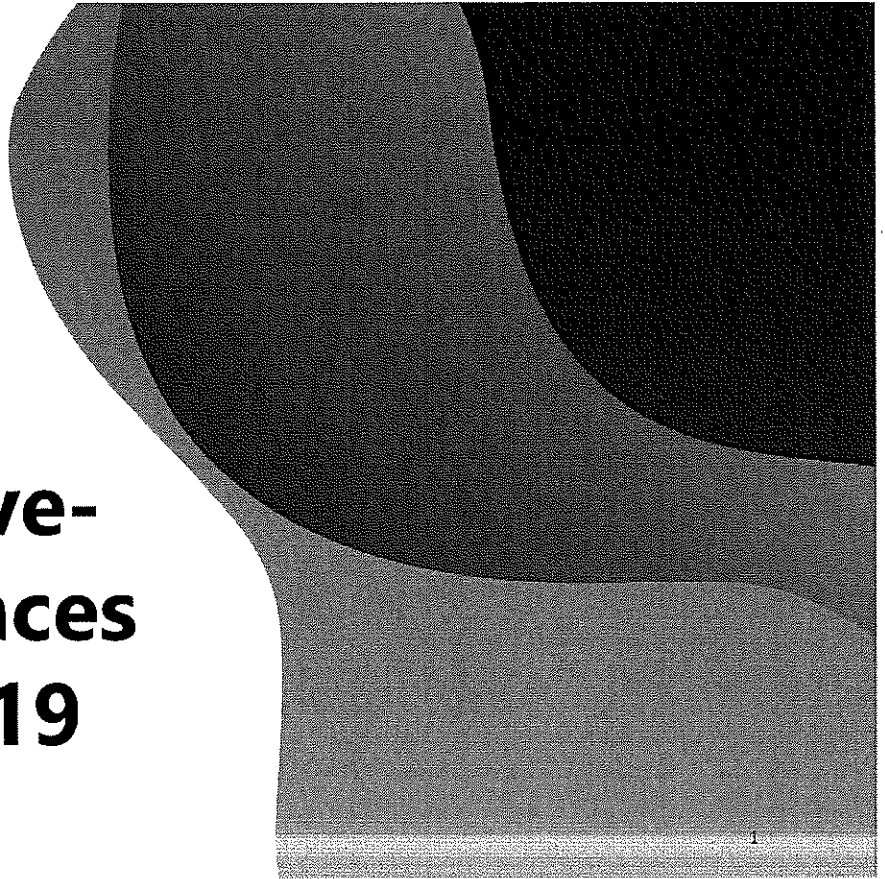
(503) 945-8864, desk

(971) 304-4149, cell



Guide for Leave-Related Absences due to Covid-19

Effective April 1, 2020



Applicability

- Classified unrepresented, management service, and unclassified executive service employees;
- employees represented by SEIU, AFSCME

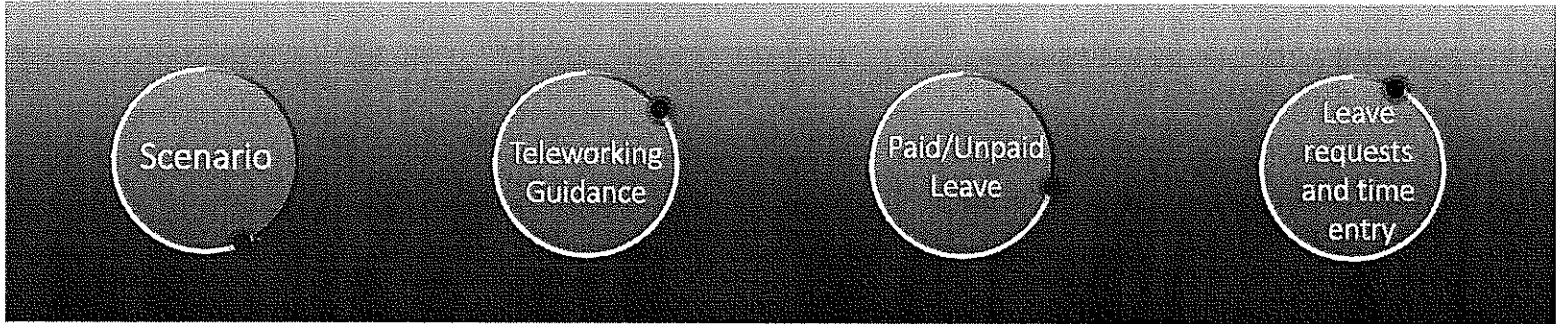


Applicability Continued

- Use of leave is governed by federal law and state statute, DAS policies and collective bargaining agreements (CBA).
- This presentation was created to outline various scenarios specific to COVID-19 that may occur relating to pay and leave. Contact the DHS Human Resources Office if you have questions.



How to use this guide, a 4-step process...



Step 1

Does the scenario match the one your employee, or you, are experiencing?

Step 2

What telework guidance is applicable?

Step 3

How does paid and unpaid leave apply?

Step 4

What is the appropriate way to code leave and enter time given each scenario.

Scenario

School Closures

Employee needs to be at home because of a school, preschool or daycare closure.

Teleworking Guidance

Employee is encouraged to telework if their position is...

- suitable for telework
- supplies are available
- and the network can accommodate it

All Employees



Employees use up to 80 hours of Federal Emergency Paid Sick Leave (Payroll code CV)



Total CV may not exceed 80 hours. If teleworking, CV can be taken intermittently for full or partial day absences. Intermittent CV is subject to the approval of a supervisor.



Employees who have been employed for at least 30 days receive 12 weeks of protected Expanded Family and Medical Leave (EFMLA), the first 10 days may be unpaid. (Employee can elect to take CV or accrued leave instead of unpaid.)

Paid EFMLA payroll code is CVT.



Employees who are eligible for Oregon Family Leave Act (OFLA) may take OFLA protected leave for this reason. OFLA may be taken intermittently and will run concurrently with EFMLA.

Paid/Unpaid Leave

If telework is unavailable or the employee chooses not to telework, employees use Federal Emergency Paid Sick Leave (CV) and EFMLA (CVT). Once CV and CVT is exhausted and telework is not available or the employee chooses not to telework:

1. The employee must use all their accrued leave (e.g., vacation, sick, etc.) before entering into leave without pay.
2. If the employee so chooses, they can maintain a sick leave balance of forty (40) hours or less.
3. Employees who fall into #1 and #2 above may elect to request donated leave.
 - No cap on how much donated leave an employee can receive. Donators may donate their sick, vacation, compensatory, straight, and/or personal business leave.
4. Only employees who have exhausted all leave (#1) are eligible to...
 - borrow up to five (5) months of future leave
 - either vacation leave or sick leave
 - or a combination thereof, not to exceed a combined total of eighty (80) hours

Scenario

Worksite Closures

An agency closes its operations and does not allow employees to work onsite.

Teleworking Guidance

Employee is encouraged to telework if their position

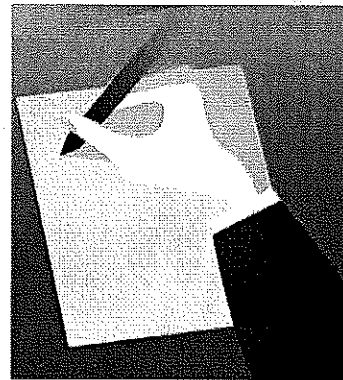
- is suitable for telework
- supplies are available
- and the network can accommodate it

Essential personnel may be required to telework or report to a different worksite.

Paid/Unpaid Leave

Employee will be placed on paid administrative leave (MPL) up for to two (2) weeks.

- Thereafter, use of inclement weather/hazardous conditions leave for building closures or curtailments will be determined as outlined in Inclement Weather/Hazardous Conditions provisions in collective bargaining agreements and State HR Policy 60.015.01, Temporary Interruption of Employment.



Scenario

Medically Mandated Employee

Employee is medically mandated to stay home because they have been exposed to COVID-19...

- or it has been recommended by the employee's health care provider that they remain at home for symptoms consistent with COVID-19.

Teleworking Guidance

Employee is encouraged to telework if their position is...

- suitable for telework
- supplies are available
- the network can accommodate it
- and telework has not been restricted by their health care provider

All Employees



Employees use up to 80 hours of Federal Emergency Paid Sick Leave (Payroll code CV).



Total CV may not exceed 80 hours. If teleworking, CV can be taken intermittently for full or partial day absences. Intermittent CV is subject to the approval of a supervisor.



If not teleworking, CV is used continuously in full-day increments until the leave is exhausted or the reason for leave no longer exists.



Depending on circumstances, FMLA/OFLA protected leave may be available.

Paid/Unpaid Leave

After the exhaustion of Federal Emergency Paid Sick Leave (CV), if telework is not available or the employee is not released to work, the employee is placed on paid administrative leave (MPL) until medically released to work.

Scenario

Seeking Diagnosis

Employee is actively seeking a medical diagnosis for symptoms of COVID-19

Teleworking Guidance

Employee is encouraged to telework if their position is...

- suitable for telework
- supplies are available
- the network can accommodate it
- and telework has not been restricted by their health care provider

All Employees



Employees use up to 80 hours of Federal Emergency Paid Sick Leave (Payroll code CV).



Total CV may not exceed 80 hours. CV can be taken intermittently for full or partial day absences if the employee is teleworking. Intermittent CV is subject to the approval of a supervisor.



If not teleworking, CV is used continuously in full-day increments until the leave is exhausted or the reason for leave no longer exists.

Paid/Unpaid Leave

After the exhaustion of Federal Emergency Paid Sick Leave (CV), employee uses accrued leave until medical diagnosis is made.

Scenario

Self-Quarantined Employees

Employee believes they may have been exposed to COVID-19; may have COVID-19 symptoms and because of this, the employee wishes to self-quarantine.

- The employee is not seeking a medical diagnosis.

Teleworking Guidance

Employee is encouraged to telework if their position is...

- suitable for telework
- supplies are available
- and the network can accommodate it

Paid/Unpaid Leave

If telework is not available or the employee chooses not to telework:

1. The employee must use all their accrued leave (e.g., vacation, sick, etc.) before entering into leave without pay.
2. If the employee so chooses, they can maintain a sick leave balance (40) hours or less.
3. Employees who fall into #1 and #2 above may elect to request donated leave.
 - There is not a cap on how much donated leave an employee can receive.
 - Donators may donate their sick, vacation, compensatory, straight, and/or personal business leave.
4. Only employees who have exhausted all leave (#1) are eligible to borrow up to five (5) months of future leave, either vacation leave or sick leave, or a combination thereof, not to exceed a combined total of (80) hours.
 - Employee's use of leave is allowable for one continuous incubation period, which may extend beyond fourteen (14) calendar days in certain circumstances.

Scenario

Employees in high risk groups
Employee is in a high-risk group for serious illness from COVID-19 and wishes to stay home.

Teleworking Guidance

Employee is encouraged to telework if their position is...

- suitable for telework
- supplies are available
- and the network can accommodate it

Paid/Unpaid Leave

If telework is not available or the employee chooses not to telework:

1. The employee must use all their accrued leave (e.g., vacation, sick, etc.) before entering into leave without pay.
2. If the employee so chooses, they can maintain a sick leave balance (40) hours or less.
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Scenario

Employee in high-risk group with health care provider recommendation

The health care provider recommends the employee remain at home because the employee is in a high-risk group.

Teleworking Guidance

Employee is encouraged to telework if their position is...

- suitable for telework
- supplies are available
- and the network can accommodate it

All Employees



Employees use up to 80 hours of Federal Emergency Paid Sick Leave (Payroll code CV).



Total CV may not exceed 80 hours. CV can be taken intermittently for full or partial day absences if the employee is teleworking. Intermittent CV is subject to the approval of a supervisor.



If not teleworking, CV is used continuously in full-day increments until the leave is exhausted or the reason for leave no longer exists.

Paid/Unpaid Leave

If telework is unavailable or the employee chooses not to telework, employees use Federal Emergency Paid Sick Leave (CV) and EFMLA (CVT). Once CV and CVT is exhausted and telework is not available or the employee chooses not to telework:

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Scenario

Caring for others

Employee is caring for an individual who is subject to...

- a Federal, State, or local quarantine or isolation order
- or the employee is caring for someone who has been advised by a health care provider to remain at home.

The individual does not need to be a family member.

Teleworking Guidance

Employee is encouraged to telework if their position is..

- suitable for telework
- supplies are available
- and the network can accommodate it

All Employees



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Total CV may not exceed 80 hours. If teleworking, CV can be taken intermittently for full or partial day absences. Intermittent CV is subject to the approval of a supervisor.



If not teleworking, CV is used continuously in full-day increments until the leave is exhausted or the reason for leave no longer exists.



Depending on circumstances, FMLA/OFLA protected leave may be available.

Paid/Unpaid Leave

After the exhaustion of Federal Emergency Paid Sick Leave (CV), employee uses accrued leave.



**Thank you for
your time.**

Questions?

