

FREQUENTLY ASKED QUESTIONS PERTAINING TO GOVERNOR DESANTIS' EXECUTIVE ORDER 20-91 ISSUED APRIL 1, 2020

Q. When does the Executive Order take effect and expire?

A. April 3, 2020 at 12:01 am through April 30, 2020.

Q. Who does this Executive Order apply to?

A. The Executive Order applies in part to “Senior citizens and individuals with a significant underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immunocompromised status, cancer, diabetes, severe obesity, renal failure and liver disease).” The Executive Order also applies to those individuals that do not provide “essential services.”

Q. What does the Executive Order actually say?

A. Of significance:

Section 1. Safer At Home

A. Senior citizens and individuals with a significant underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immunocompromised status, cancer, diabetes, severe obesity, renal failure and liver disease) shall stay at home and take all measures to limit the risk of exposure to COVID-19.

B. In concert with the efforts of President Trump and the White House Coronavirus Task Force to fight COVID-19 and based on guidance provided by Florida Surgeon General and State Health Officer, Dr. Scott Rivkees, all persons in Florida shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities.

Q. Are the services that are provided by the School District of Manatee County an “essential service”?

A. Yes. The Executive Order exempts School Districts collectively and individually under numerous enumerated categories.

Q. What is the age of a “senior citizen”?

A. Consistent with CDC Guidelines and the prior Executive Order 20-83, determined that those that are 65 years or older to limit their exposure to COVID-19.

Q. May senior citizens and individuals with significant medical conditions leave their homes to go to the grocery store or pharmacy, or go for a walk, or go to work at an essential service?

A. Yes - they may leave their homes when necessary to obtain or provide essential services or conduct essential activities.

Q. If I am a senior citizen or an individual with an underlying medical condition, can I return to the jobsite prior to April 30, 2020?

A. Yes. You may return to work at your own discretion. Please contact your Supervisor of the intent to return to work and you will be required to fill out necessary paperwork.

Q. If I am a senior citizen or an individual with an underlying medical condition, will the School District require me to return to the jobsite prior to April 30, 2020?

A. No. You may return to work at your own discretion. If you choose to return to work, please contact your Supervisor of the intent to return to work and you will be required to fill out necessary paperwork.

Q. What if I am a senior citizen or an individual with a significant underlying medical condition that does work remotely?

A. An employee in these enumerated categories may be able to report to a jobsite, however, if you are working remotely, those employees are to continue to do so with pay. The Executive Order will not affect you for your work at the District. The Executive Order may affect you for reasons other than your employment.

Q. What if I am a senior citizen or an individual with a significant underlying medical condition that does not work remotely?

A. An employee in these enumerated categories can report to a jobsite, it is your choice to do so and should contact your Supervisor and fill out necessary paperwork. If you choose not to report to a jobsite, you will need to apply for benefits under the Emergency Paid Sick Leave Act. Thereafter, for the remainder of the two week quarantine, you will have four options: 1) You may use your accrued personal leave, if any, to remain compensated; 2) Enroll and participate in a two week course of professional development (details to follow) which is compensated; 3) You may be furloughed for the remaining time period subject to Superintendent's Directives, Collective Bargaining Agreements and Statutory requirements; 4) You may return to work at your discretion. Paperwork is required.

Q. How do I prove a significant underlying medical condition such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immunocompromised status, cancer, diabetes, severe obesity, renal failure and liver disease?

A. A note from a physician and/or prescription medication that is in your name that is specific for the treatment of the medical condition, (i.e. asthma inhaler), is required to substantiate a significant underlying medical condition. Please note: The District will accept documentation from 2019 forward from the employee's health care provider to substantiate a significant underlying medical condition. Please submit all supporting documentation as part of your request for relief under the Emergency Paid Sick Leave Act.

Q. Does the Order also apply to other District employees that are not senior citizens and individuals without a significant underlying medical condition?

A. No. The School District of Manatee County has the function of educating and feeding students and providing the essentials for remote learning are deemed an "Essential Service." Executive Order 20-91 affects two categories of employees only – senior citizens and those with an underlying medical condition that is enumerated in the Executive Order. Those that can work remotely will continue to work remotely as per the direction of your supervisor. Those that cannot work remotely and are a senior citizen or an individual with an underlying medical condition that is enumerated in the Executive Order, have been given different options that are specific to this class of affected employees.

Q. What happens after the two weeks that are paid for the duration of the required quarantine?

A. After the expiration of the Emergency Paid Sick Leave Benefit, for the remainder of the two week quarantine, you will have four options: 1) You may use your accrued personal leave, if any, to remain compensated; 2) Enroll and participate in a two week course of professional development (details to follow) which is compensated; 3) You may be furloughed for the remaining time period subject to Superintendent's Directives, Collective Bargaining Agreements and Statutory requirements; 4) You may return to work at your discretion. Paperwork is required.

Q. Is the two-week course of professional development referenced above only for 65+ or those with medical conditions listed in the executive order that are required to stay home?

A. Yes. It is one of the four options. It is not an option for others that are not affected by Executive Order 20-91 - (Senior citizens and Individuals with an underling medical condition that is enumerated in the Executive Order). Those individuals who are working remotely, should continue to work remotely at the direction of their supervisor. Others are to report to their jobsite as directed by their supervisor or take accrued personal leave.

Q. How much will I receive under the Emergency Paid Sick Leave Act?

A. For those employees who cannot work remotely, you should apply for the Emergency Paid Sick Leave Act and submit a request through the Benefits Department. If qualified, you will receive your salary, up to \$511 per day, with a cap of up to 80 hours, no greater than two weeks.

Q. Is the benefit provided under the Emergency Paid Sick Leave Act taxable?

A. Yes.

Q. If I am already working remotely part of the week, and not one of the enumerated categories, will the Executive Order affect me?

A. All those that are working remotely that are not in an enumerated category of senior citizen or individual with an underlying medical condition, may continue to report to work or work remotely, as directed by your supervisor. You will continue to be paid. The Executive Order may affect you for reasons other than your employment.

Q. Is the Family Medical Leave Act available based upon the Executive Order?

A. The Family Medical Leave Act is available only for enumerated categories. FMLA is not based upon age. The Emergency Family Medical Leave Expansion Act does not apply in these circumstances.

Q. What other qualifying reasons may an employee take emergency paid sick leave?

A. An employee can use the emergency paid sick leave if he or she is unable to work or work remotely due to a need for leave because:

- He or she is subject to a federal, state, or local quarantine or isolation order related to COVID-19;
- He or she has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
- He or she is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
- He or she is caring for an individual who is subject to an order as described in subparagraph (1) or has been advised as described in subparagraph (2);
- He or she is caring for a son or daughter if the son or daughter's school or place of care has been closed, or the childcare provider of such son or daughter is unavailable, due to COVID-19 precautions; or
- He or she is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services in consultation with the Secretary of Treasury and the Secretary of Labor.