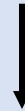




LEBANON VALLEY COLLEGE – RESPONSE TO COVID-19 EMPLOYEE EXPOSURE

COVID-19 affects different people in different ways. Infected people have had a wide range of symptoms reported – from mild symptoms to severe illness. Symptoms may appear 2-14 days after exposure to the virus. People with these symptoms may have COVID-19: fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, diarrhea.

Emergency warning signs for COVID-19 include trouble breathing, persistent pain or pressure in the chest, new confusion, inability to wake or stay awake, bluish lips or face. If someone is showing any of these signs, seek emergency medical care immediately.

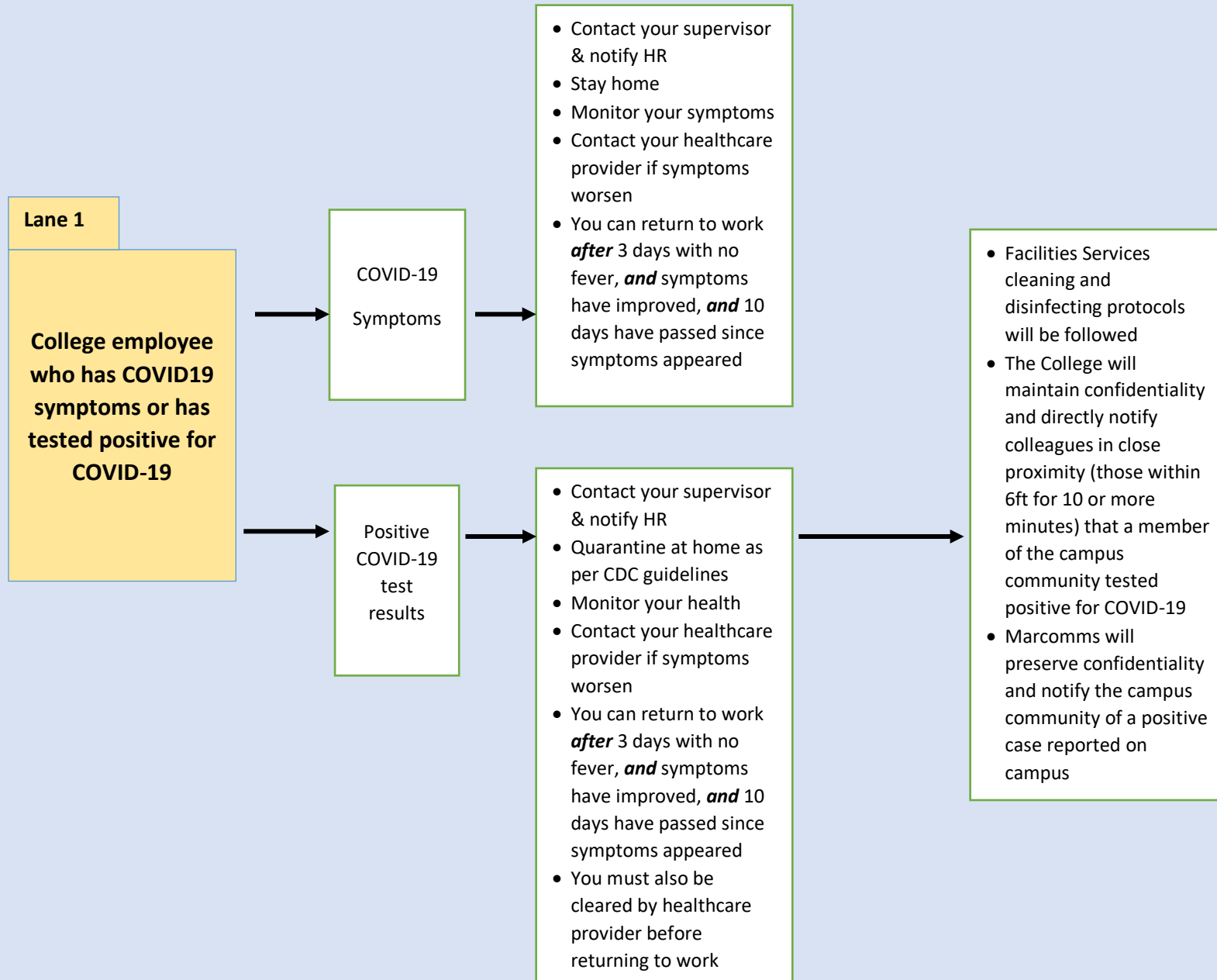


If an employee *is not exhibiting* COVID-19 symptoms or has symptoms consistent with allergies, they may continue to work while monitoring for progression of symptoms.



If an employee *is exhibiting* COVID-19 symptoms, or has been exposed to someone who has COVID-19 symptoms and has tested positive for COVID-19 (exposure = distance from affected person of less than 6 feet, for 10 or more minutes) please follow the procedure corresponding with the possible exposure as outlined below.







Lane 2

College employee who is exposed to another College employee who is suspected of, or has tested positive for COVID-19, while working on campus

If your colleagues' COVID-19 test results are pending (and you are not displaying symptoms)

- Report exposure to supervisor & notify HR
- Continue to report to work
- Monitor your temperature and symptoms daily and record them
- If you develop symptoms, go/stay home, and contact your healthcare provider
- Notify your supervisor and Human Resources

Colleague has positive test results

- You should quarantine at home for 14 days (remote work if possible)
- Monitor your temperature and symptoms daily and record them for later reporting
- You must be cleared by your healthcare provider before returning to work

If you develop fever or URI symptoms (cough, shortness of breath) contact your healthcare provider **immediately**

Colleague with negative test results

Continue to report to work

If your colleagues' COVID-19 test results are positive (exposed employee is not displaying symptoms)

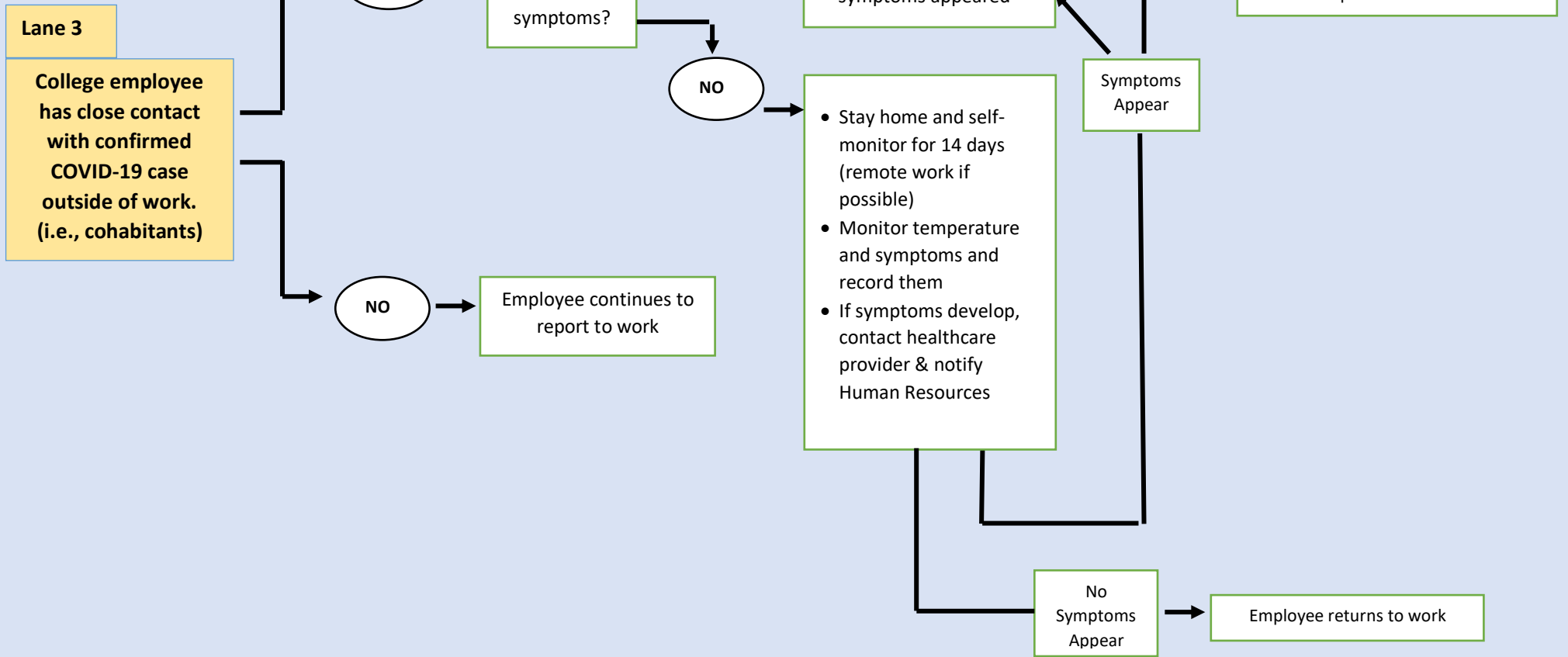
- You should quarantine at home for 14 days (remote work if possible)
- Monitor your temperature and symptoms daily and record them for later reporting
- If symptoms develop, contact your healthcare provider and notify Human Resources
- You must be cleared by your healthcare provider before returning to work

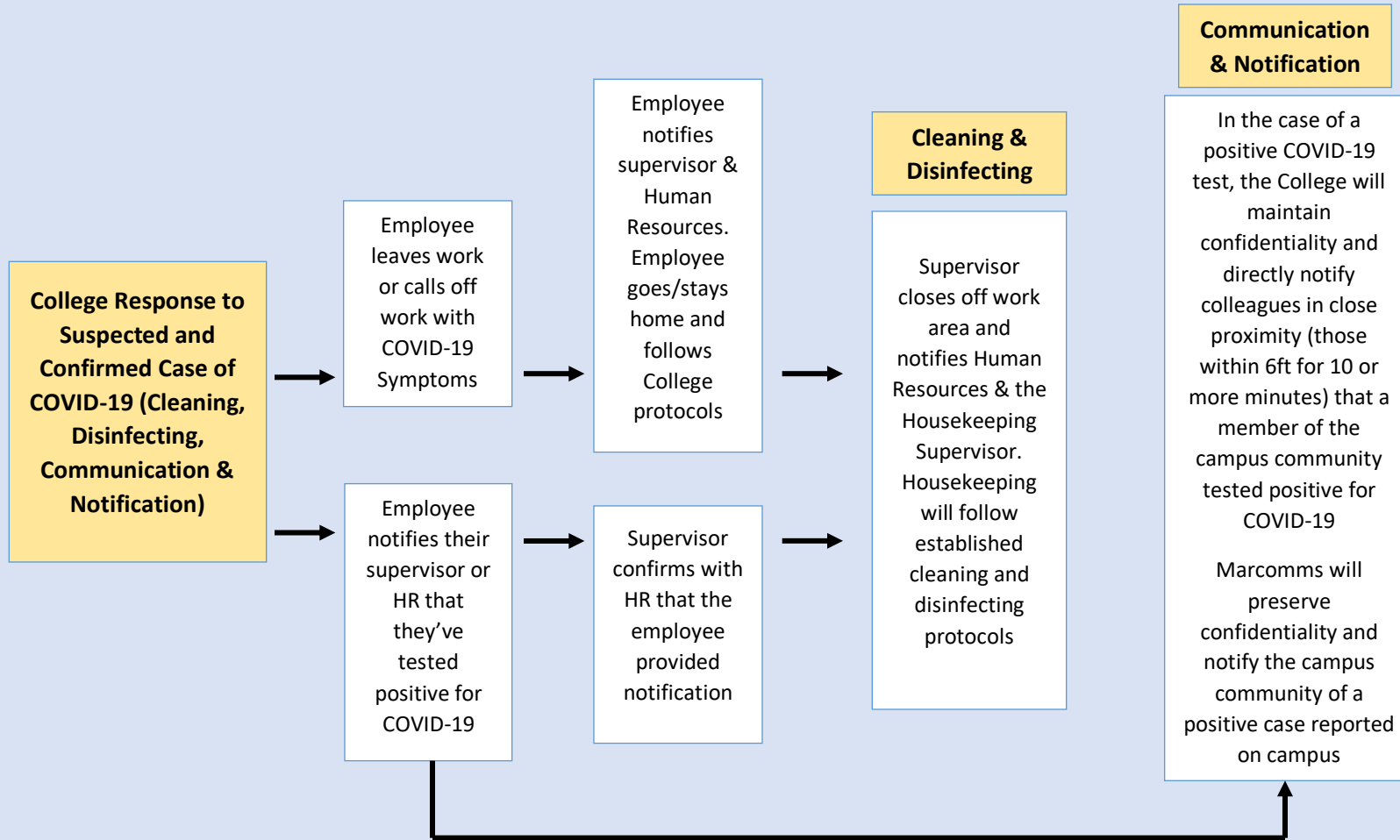
Exposed employee is displaying COVID19 symptoms

- Stay home from work
- Contact your supervisor & notify HR
- Quarantine at home as per CDC guidelines (14 days after exposure)
- Monitor your temperature and symptoms daily
- You must be cleared by your healthcare provider before returning to work



Response to COVID-19 Employee Exposure







EMPLOYEES IN SPECIAL CATEGORIES

Pregnant Employees:

The employee should report to work. Pregnancy itself is not considered a disability under the ADA. Accommodations for pregnancy are not required because the potential increased risks associated with COVID-19 are unknown. However, employees who are pregnant will not be denied an adjustment that the College provides to other employees for other reasons who are similar in their ability or inability to work.

Older Employees

The College will not exclude from campus older employees who are not showing symptoms associated with COVID-19. The College will treat all employees the same way, regardless of age, in determining workplace arrangements to prevent the spread of COVID-19. Even though the College is not required to grant an accommodation to an employee simply due to his or her age, older employees will not be denied an adjustment that the College provides to other employees for other reasons who are similar in their ability or inability to work.

Employees with Medical Conditions, Disorders or Disabilities

Situations may arise where accommodations are requested because an employees' medical condition, disorder or disability is compromised by the current situation. The College will verify the existence of the employee's medical condition, disorder or disability, discuss why an accommodation is required, and discuss the type of accommodation that would meet the employee's health concerns.

Employees Who Cohabitate with a Person Who is Immunocompromised

The employee should continue to work on campus and follow CDC and College guidelines on safe work practices regarding COVID-19. They should also develop isolation plans from that co-habitant if they have a known exposure to a COVID-19 confirmed case or develop symptoms.



EEOC and ADA Compliant Guidelines During COVID-19 (May 11, 2020)

The EEOC specifically notes this guidance applies to the current public health situation, and certain guidance may change in the future when COVID-19 does not pose current risks.

THE ADA'S DIRECT THREAT STANDARD

The EEOC's guidance explains that based on guidance of the CDC and public health authorities as of March 2020, the COVID-19 pandemic meets the "direct threat standard" of the ADA. Accordingly, at this time, employers may lawfully exclude individuals with COVID-19, or exhibiting its symptoms, from the workplace for health and safety reasons, and may conduct medical examinations or may make disability related inquiries to screen employees to determine whether individuals exhibit symptoms of COVID-19. The EEOC notes that all information about applicants or employees obtained through disability-related inquires or medical examinations must be kept confidential.

SCREENING EMPLOYEES

Sending Employees Home

The College will send employees home if they have been diagnosed with COVID-19, or are displaying symptoms associated with COVID-19. Symptoms of COVID-19 currently include: fever, chills, cough, shortness of breath and sore throat, as well as new loss of smell or taste, or gastrointestinal problems.

Soliciting Health Information from Employees

The College is permitted to ask all employees physically entering the workplace questions to determine if they have or may have COVID-19, including whether they have COVID-19 or symptoms of COVID-19, and whether they have been tested for COVID-19. The College may not ask employees whether they have family members who have COVID-19 or who exhibit symptoms of COVID-19. The College may ask whether the employee has had contact with anyone who has been diagnosed with COVID-19 or who has symptoms of the virus. If the College wishes to ask an employee questions to determine whether that person has COVID-19, the ADA requires that the College has a reasonable belief based on objective evidence that the employee might have COVID-19. (For example, if an employee is exhibiting COVID-19 symptoms, such as a persistent hacking cough, the College could ask about the cough, whether the employee has visited a doctor recently and whether the employee knows whether they have or might have COVID-19.)

COVID-19 Testing

The College is permitted to administer COVID-19 testing to employees before they enter the workplace.



Temperature Checks

The College is permitted to measure the body temperature of employees who are physically entering the workplace. The College may maintain a log of the results and will keep the information confidential. Should employees refuse to answer health questions or submit to medical examinations, the College is permitted to bar those employees from the College.

EMPLOYEES WHO ARE WORKING REMOTELY

The College will not ask employees who are working remotely health questions or require them to submit to medical examinations.

CONFIDENTIALITY

The College will keep all medical information confidential as well as a COVID-19 diagnosis. The College will limit sharing this information beyond those who need to know the identity of an individual who is diagnosed with or exhibiting symptoms of COVID-19. Human Resources will interview an infected individual to determine who the employee possibly came into contact with on campus in order to notify those employees. The College will not reveal or confirm the identity of an infected individual when notifying other employees.

If an employee notices a colleague is exhibiting COVID-19 symptoms, he or she may communicate that information to their supervisor about the co-worker's symptoms and identity. If an employee is working remotely, or on leave due to COVID-19 infection, the College may communicate the fact of the remote work arrangement or leave to other colleagues, however will not disclose that the reason is due to a COVID-19 diagnosis.

Similarly, all contractors who place an employee on campus must notify the College and disclose the name of the employee if the contractor learns the employee has COVID-19, because the College will need to determine if this employee had contact with anyone on campus.

The College will disclose certain employee health information related to COVID-19 to the CDC and other health authorities as required.

REASONABLE ACCOMMODATIONS

Types of Employees

Higher Risk Employees

The CDC has identified certain groups of people as being at higher risk of a severe illness if contracting COVID-19, including older adults and people with certain pre-existing medical conditions, such as asthma. The CDC also provides information on "Others At Risk" which includes pregnant women.



Employees with Pre-Existing Medical Conditions

If an employee has a medical condition that puts them at greater risk of a severe illness if contracting COVID-19, that employee may request reasonable accommodations from the College. The employee, must let the College know that they “need a change for a reason related to a medical condition.” The request does not need to reference the ADA, use the term “reasonable accommodation”, or be in writing.

When the College receives a request for an accommodation, the College may ask the employee for information to determine whether the pre-existing medical condition rises to the level of a disability, and may verify if the accommodation is needed because the particular disability may put the individual at higher risk. The College will be mindful of the potential delay in obtaining such documents given the ongoing health crisis, and may consider other ways to verify the existence of a disability (such as a prescription or health insurance record). The College may also provide a temporary accommodation pending receipt of such documentation.

The College is not required to provide an employee with reasonable accommodations because they live in the same household as a person who is at greater risk of severe illness if contracting COVID-19.

Pregnant Women

Pregnant employees are protected under Title VII of the Civil Rights Act” as well as the Pregnancy Discrimination Act, which requires “Women affected by pregnancy ... to be treated the same for all employment-related purposes, . . . as other persons not so affected but similar in their ability or inability to work.” Pregnancy itself is not considered an ADA disability. Employees who are pregnant will not be denied an adjustment that the College provides to other employees for other reasons but who are similar in their ability or inability to work. However, the College is not required to grant an accommodation to a pregnant employee due to the fact that the potential increased risks associated with COVID-19 are unknown.

Older Employees

The College will not exclude from the workplace older employees who are not showing symptoms associated with COVID-19. The College will treat all employees the same way, regardless of age, in determining workplace arrangements to prevent the spread of COVID-19. The College is not required to grant an accommodation to an employee simply due to his or her age putting the employee at higher risk of severe illness if he or she contracts COVID-19.

Employees with Pre-existing Disabilities

Situations may arise where accommodations are requested because an employee’s current disability is exacerbated by the current situation. The College may verify the existence of the employee’s disability, discuss why an accommodation is required, and discuss the type of accommodation that would meet the employee’s health concerns.



Employees with Pre-existing Mental Illnesses or Disorders

The College is aware that employees with pre-existing mental conditions, such as anxiety disorder, obsessive-compulsive disorder, or post-traumatic stress disorder may have greater difficulty handling the disruption to daily life that has accompanied the COVID-19 pandemic. If an employee seeks a reasonable accommodation because a pre-existing mental illness or disorder has been exacerbated by COVID-19, the College may “ask questions to determine whether the condition is a disability; discuss with the employee how the requested accommodation would assist them and enable them to keep working; explore alternative accommodations that may effectively meet their needs; and request medical documentation if needed.

REASONABLE ACCOMMODATIONS

The College is not required to take action if an employee does not request a reasonable accommodation. Even if the College is concerned that an employee’s health will be jeopardized upon returning to the workplace, the College will not exclude or take “any other adverse action” against an employee “solely because the employee has a disability that the CDC identifies as placing him at ‘higher risk for severe illness’ if contracting COVID-19.”

Accommodations that may eliminate a direct threat to self could include:

- Masks, gloves, and other PPE.
- Enhanced protective measures, such as erecting a barrier or increasing the space between an employee with a disability and others.
- Accommodations may include “the elimination or substitution of particular ‘marginal’ functions,” “temporary modification of work schedules” or “moving the location of where one performs work.”
- Accommodations for those who request reduced contact with others due to a disability may include changes to the work environment such as designating one-way aisles; using plexiglass, tables, or other barriers to ensure minimum distances between others.
- Options may include temporary job restructuring, temporary transfers to a different position, or modifying a work schedule or shift assignment to permit an employee with a disability to perform safely the essential functions of the job while reducing exposure to others.

The College will place an end date on an accommodation or provide an accommodation “on an interim or trial basis” with an end date, pending receipt of medical documentation.