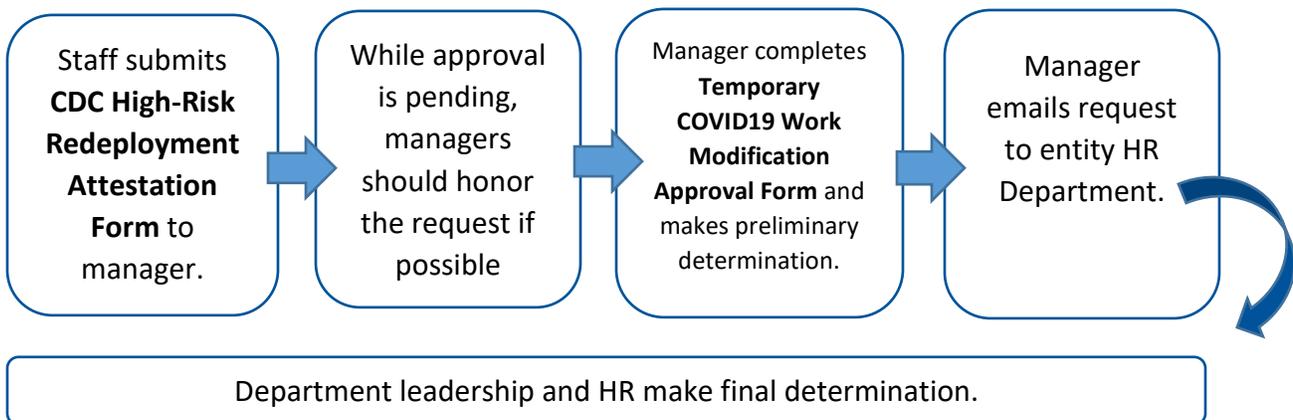


# FAQs and Process Overview: Attestation for Redeployment During COVID-19 (Updated 4/23/20)

## Overview

Staff who fall into high-risk categories (in accordance with [CDC guidelines](#)) or who are pregnant **may request a work modification** if they are concerned about caring for known COVID-19 positive patients or patients under investigation (PUI) for COVID-19. Considerations will include operational needs, the ability to provide appropriate safety equipment and procedures, and staff member needs and abilities.

**The following outlines the attestation and determination process for staff and managers.**



The CDC has stated that health care professionals in most high-risk categories can reduce their risk acceptably by wearing appropriate personal protective equipment (PPE). Work modification and redeployments are **not guaranteed** and are subject to change based on operational needs. For questions, contact your local human resources department.

## FAQs

The purpose of this document is to provide guidance to managers regarding the attestation form that employees can use to request workplace modifications or redeployment due to being high risk (in accordance with CDC guidelines) for COVID-19 disease or pregnant.

**1. What is the process for review of requests for work modification?**

Duke has created the attestation form and process, which allows employees to bring workplace modification or redeployment requests due to high risk personal health conditions or pregnancy forward for review. Attestation requests should be submitted to the manager. The manager, in conjunction with HR as needed, should review each request on an individual basis. If the department staffing and workload allows, a manager may agree to a temporary work modification or redeployment. However, it should be clear that any work modification or redeployment is temporary and subject to change based on needs of the organization. This process is on the honor system and not a health review. Managers do not need to discuss personal medical information, request a provider's note, or consult with Employee Occupational Health and Wellness (EOHW).

**2. Where do employees access the attestation form?**

The attestation form can be accessed on the [DUHS COVID-19 site](#) under Documents. Type "attestation" in the search bar. Your entity HR department will also be able to provide the form.

**3. Is a provider's note required to be submitted with the attestation form?**

No, a provider's note is not required, as there is no medical assessment necessary when requesting a workplace modification or redeployment due to the employee being pregnant or in a CDC high risk category. EOHW does not need to be consulted for approval.

**4. Where do managers access the work modification form?**

The work modification form can be accessed on the [DUHS COVID-19 site](#) under Documents. Type "work modification" in the search bar. Your entity HR department will also be able to provide the form.

**5. Is an employee entitled to a work modification if they are pregnant?**

Not generally. If an employee is requesting a workplace modification or redeployment because she is pregnant, we will review each request on a case by case basis. If your department staffing and workload allows, you may agree to a work modification which addresses the comfort level of the staff member. However, it should be clear that any work modification is temporary and subject to change based on needs of the organization.

**6. Is an employee entitled to a work modification if they are in a COVID-19 high risk category according to the CDC?**

Not generally. The CDC has stated that health care professionals in most high-risk categories can reduce their risk acceptably at work by wearing appropriate personal protective equipment (PPE). If an employee is requesting a workplace modification or redeployment because they are in a [high-risk category](#) as defined by the CDC, we will review each request on a case by case basis. If your department staffing and workload allows, you may agree to a work modification which addresses the comfort level of the staff member. However, it should be clear that any work modification is temporary and subject to change based on needs of the organization.

**7. Is an employee entitled to a work modification if they are the caretaker of an individual in a high-risk category?**

No. If an employee is requesting a workplace modification or redeployment because they have a person in their household who is in a [high-risk category](#) as defined by the CDC, we are not required to approve a work modification.

**8. What do I say to an employee who has fears of exposure for themselves and their families?**

In general, with proper adherence to currently recommended infection control practices, including all recommended PPE, exposure risk is low for health care professionals, including those with high-risk conditions.

Take time to discuss their fears and concerns and provide information about the measures being taken to minimize risks of workplace exposure. Explain the appropriate hygiene and safety practices a staff member should take to minimize risks to themselves and others. See the list of resources provided with question 14 below.

**9. When should I reach out to EOHW?**

Contact EOHW if the employee reports a personal health condition that prevents them from wearing an N95 mask or other required PPE; or if the employee has a serious health condition that limits their ability to safely perform their job duties. In some cases, the employee may need to apply for family medical leave or be referred to the Disability Management System.

**10. What are the options for a workplace modification?**

An employee may be allowed to work an abbreviated schedule, work from home, or a combination of both options. Working from home would be offered only if it is feasible to effectively contribute via telecommuting. Duke has developed a [Quick Start Guide to Working Remotely](#) that includes information, resources and links to communication and productivity tools that can assist you and your staff in considering and setting up a remote working arrangement.

An employee may be temporarily redeployed to a different role, work location or assignment.

An employee may be allowed to avoid care of patients with known COVID-19, depending on staffing and patient volume. However, there is no location in the Health System or surrounding communities that can be guaranteed to be “COVID-19 free.”

There may be other ways to modify work which will depend on the specific issues.

All of these options will be based on operational needs and any arrangements are subject to change based on changes in staffing, patient volume, or other operational conditions.

**11. How should the workplace modification be documented?**

A workplace modification may be documented through a flexible work agreement (obtain template from your HR partner), a temporary work modification agreement (obtain template from your HR partner) or the Temporary COVID-19 Work Modification Form. Reach out to your HR partner if you have a question about which one should be used.

**12. What happens next if, as a manager, I am unable to implement the requested workplace modification(s) or there is not another alternative for an employee?**

Next steps will vary depending on the situation. Please reach out and discuss the situation with your HR partner.

If there is no work for the employee, it may be that they are kept in a paid status while waiting on an assignment or redeployment.

Alternatively, if you have work for the employee to do and they are refusing the assignment, it may be advised that they use their sick time and/or vacation time, submit for family medical leave, take a leave of absence, or that we use progressive disciplinary action depending on the situation.

**13. Who provides a response to the employee regarding their attestation?**

The manager should respond to employees' attestation requests, helping them understand the rationale for the decision, providing any alternatives, conveying the importance of their role, and providing any additional information or resources that can help alleviate their concerns.

**14. What other tools or resources can a manager provide to support the employee?**

A number of helpful resources can be found on the [DUHS COVID-19 site](#) under Documents. A few examples include:

- Keeping Yourself and Your Team Members Safe
- Guidelines for Healthcare Workers upon Returning Home from Work

[Personal Assistance Service](#) (PAS): Duke's employee assistance program, offers assessment, short-term counseling and referrals from a staff of licensed clinical social workers and psychologists to help resolve a range of personal, work and family problems. Services are free and confidential to Duke faculty, staff, and their immediate family members.