

State of Wisconsin

DOA – DIVISION OF PERSONNEL MANAGEMENT

- CLASSIFICATION AND COMPENSATION BULLETIN -

Date: May 13, 2020

Locator No: DPM-0525-CC/POL

Subject: Leave and Work Policy During the Badger
Bounce Back Plan – State Government
Edition

This is a replacement of policy bulletin DPM-0519-CC/POL (originally issued on March 18, 2020 and updated on April 5, 2020) on Temporary Emergency Leave and Work Policy (During the Public Health Emergency Due to the COVID-19 Pandemic). This bulletin has been updated to address the return to work plan for State of Wisconsin employees

On April 20, 2020, Governor Evers issued Executive Order #34 and announced the “Badger Bounce Back” plan for reopening Wisconsin’s economy in phases. While it was necessary at the outset of the declared public health emergency to quickly implement emergency paid administrative leave provisions and to move employees to telework status where possible, as aspects of the state economy open up it, it is important to prepare for reintegrating the workforce into physical offices and to plan for future considerations of the state workforce.

The State will follow the Badger Bounce Back Plan – State Government Edition, a data-driven three-phase plan to gradually return to working in State offices beginning in May 2020. The plan’s goals are to protect the health of employees, help ensure the well-being of the community, and carefully and deliberately prepare for full return of offered services and functions.

This bulletin provides direction on leave, telecommuting and returning to work sites during the phases. The policy will remain in effect until further notice, with ongoing renewal and/or amendments as necessary and appropriate as the situation evolves.

SECTION I. STATE PAID ADMINISTRATIVE LEAVE

With the expiration of Emergency Order #72 – the declaration of the public health emergency related to the COVID-19 pandemic, state paid administrative leave provisions provided in bulletin DPM-0518-CC/POL are discontinued. Leave balances have expired effective May 12, 2020, and are no longer available for employees to use. Employees will continue to be eligible for federal leave under the Families First Coronavirus Response Act (FFCRA) as discussed in Section II of this bulletin.

SECTION II. FEDERAL EMERGENCY LEAVE

Employees who are affected by COVID-19 may qualify for paid emergency leave under the FFCRA. These federal leaves include emergency paid sick leave for several COVID-19-related reasons and emergency family and medical leave expansion leave for the need to care for a child

due to school or day care closure caused by the COVID-19 emergency. These leave provisions remain available through December 31, 2020. Refer to bulletin [DPM-0521-CC/POL](#) for more information on the federal leave options.

SECTION III. TELEWORKING

As conditions change, agency heads should revisit telework policies and agreements in order to continue progression toward normal operations or to address changing conditions while retaining the flexibility needed during the response. Agency heads have full flexibility to calibrate the extent of their telework in accordance with current policies. Decisions to end or continue short-term telework agreements should be based on operational needs and must not be arbitrary and capricious.

Agencies should also consider implementing new or revising existing agency permanent telework or flexible schedule policies. A Wisconsin Human Resources Handbook chapter providing guidance and templates for Alternative Work Patterns and Telecommuting policies will be released soon.

Phase I: All employees who are able to telework should continue to do so unless told otherwise by their agency. New short-term teleworking agreements are not required during this time. Supervisors should notify their employees of the extension of the agreement and outline any changes in expectations. A sample email is provided as an attachment to this bulletin.

Phase II: Remaining teleworking employees may return to the workplace, but teleworking will continue to be encouraged during this phase with a focus on individuals who are in vulnerable populations. Agencies and supervisors will be required to notify all employees who have been teleworking as a result of the pandemic, informing them whether they will continue teleworking or return to the workplace.

Phase III: All short-term teleworking agreements in place will be terminated and employees will be directed to return to the workplace. Any employees who are normally permitted to telework may do so in accordance with agency policies on telework and flexible schedules.

SECTION IV. RETURNING TO WORKSITES

During Phase I and II, when and how State office buildings and services will open to the public will be determined by agencies, with a focus on direct services to the public returning first. During each phase, as more employees are reintegrated into physical offices, social distancing requirements will be modified based on guidance from the Centers for Disease Control and Prevention (CDC), the Wisconsin Department of Health Services, Division of Public Health (DPH), and other authorities as required. Work location considerations for each phase are outlined generally below. ***Regardless of any of these phases, employees must follow all public health guidance, including staying home and self-quarantining if sick.***

Phase I: Some essential employees will be required to work on-site, although the State will allow as many as possible to work remotely. Employees previously unable to telework will return to physical offices along with other essential employees who were previously telecommuting. The number of employees in the workplace will be limited to support physical distancing requirements. Among other

strategies, supervisors may provide alternate work locations to ensure adequate physical distancing, stagger in-office schedules or start/stop times, or temporarily assign new duties to meet current needs.

Phase II: Additional employees will be returned to the workplace from teleworking. Physical distancing requirements will remain in effect with some relaxation of restrictions.

Phase III: All employees will be returned to the workplace other than those normally permitted to telework.

SECTION V. PERSONAL PROTECTIVE EQUIPMENT

During **Phase I**, all employees are encouraged to wear face masks to limit the potential spread of viruses including COVID-19. Masks are mandatory for those employees interacting directly with the public. Agencies will make these masks available to employees and provide masks to members of the public conducting business with the state. Employees may also wear a personal, work appropriate cloth face covering or mask in lieu of the provided mask. In addition, agencies may set personal protective equipment requirements based on the occupational requirements for the employees, e.g. correctional and health care settings. Agencies should consult with the Division of Personnel Management prior to implementation.

In **Phases II and III**, face masks are encouraged in the workplace.

SECTION VI. EMPLOYEE REASSIGNMENT

Based on emergency circumstances, employees may be reassigned to cover staffing needs to ensure essential agency operations and services are provided. These reassignments may involve work that is not part of the employee's regular functions and/or is located away from their current work unit. The following provisions will apply:

- Employees will be given information and direction about the work they are being assigned;
- To the best extent practicable, reassignments will be reasonably made and consider current emergency circumstances, operational needs, and the employee's skills and abilities; and
- Employees should discuss any concerns regarding reassignments with their supervisor and/or human resources contact.

SECTION VI. ADDITIONAL INFORMATION

[FMLA Qualifying Reasons for Leave](#)

[Federal Emergency Leave Bulletin](#)

[WFMLA Qualifying Reasons for Leave](#)

[WI Human Resources Handbook Chapter 736](#)

[Department of Labor - COVID-19 and the American Workplace](#)

[Link to Badger Bounce Back – Wisconsin Government Edition – Supervisory Guidance](#) - *Coming Soon*

[Link to Badger Bounce Back – Wisconsin Government Edition – Employee Guidance](#) - *Coming Soon*

SECTION VII. REFERRAL OF QUESTIONS

Employer questions regarding the information included in this bulletin should be directed to John Wiesman by phone at (608) 266-1418 or by e-mail at john.wiesman@wisconsin.gov; or, Scott C. Thompson by phone at (608) 266-1729 or by email at scottc.thompson@wisconsin.gov.

Employees with questions should contact their agency human resources office.

A handwritten signature in black ink, appearing to read 'Malika S. Evanco', is written over a horizontal line. The signature is stylized with loops and a long horizontal stroke at the end.

Malika S. Evanco, Administrator
Division of Personnel Management

ATTACHMENT

SAMPLE SUPERVISOR EMAIL

Dear [Employee]:

During the COVID-19 pandemic, the [insert department] remains committed to ensuring the safety and health of its employees, the public, and other stakeholders. Telecommuting is one way to continue to limit the possible spread of COVID-19 at work. The first phase of the Badger Bounce Back Plan - State Government Edition, calls for agencies to continue the maximum use of temporary telecommuting arrangements. You have been identified to continue telecommuting during this phase. We do not know how long this phase will continue. As conditions improve, the state will begin phasing in the physical return of employees to the workplace. We will keep you informed as things progress and evolve.

I will follow up with you regarding on your job duties and expectations as necessary while you continue to telecommute. At this time, you do not need to complete any additional paperwork to continue temporary telework, however please be advised that you are still subject to the same policies and requirements. If you do not wish to telecommute, please let me know within the next 72 hours to discuss your options.

If you have any questions, please let me know.

Sincerely,

[Supervisor]