



City
of
Milwaukee

April 30, 2009

**CITY OF MILWAUKEE POLICY-DEPARTMENT OF EMPLOYEE RELATIONS
EXCLUSION FROM EMPLOYMENT POLICY
FOR EMPLOYEES WITH SYMPTOMS OF SWINE-ORIGIN INFLUENZA A (H1N1) VIRUS (SOIV)**

Given the declaration of a public health emergency by the Federal government due to the rapid development and spread of SOIV globally, employers, including the City of Milwaukee, must take the appropriate measures to limit or slow any further spread of this disease in our communities, schools, and workplaces. Because people with SOIV are contagious while they have symptoms, it is important that employees with symptoms consistent with SOIV minimize their exposure to others. This Policy addresses employment considerations in relation to the exclusion of City employees from employment based on possible SOIV.

DISCLAIMER: This policy and information contained therein may change pending new information related to SOIV occurrence and transmission within the community and as indicated by the US Centers for Disease Control and Prevention.

SOIV SYMPTOMS

According to the US Centers for Disease Control and Prevention (CDC), SOIV symptoms means a *new onset* (during this outbreak) of *two or more of the following*:

1. Runny or stuffy nose
2. Sore throat
3. Cough
4. Fever

Please note that individuals who have had similar symptoms as a result of a chronic illness (e.g., asthma, seasonal allergies, etc.) – and whose symptoms are no different than they have previously experienced as a result of chronic illness – are not considered to have “SOIV Symptoms.”

Employees are expected to take action to help prevent the spread of SOIV by covering their mouths when coughing or sneezing, through frequent hand washing, including after coughing or sneezing, and avoiding contact with those who are ill (3 to 6 feet).

EXCLUSION FROM EMPLOYMENT

Wisconsin State Statutes authorize the Commissioner of Health or his designee to take all measures necessary to prevent, suppress and control communicable diseases. The Rules of the Board of the City Service Commissioners further authorize the Commissioner of Health to direct that any employee or group of employees whose work is such as to expose the employee or employees to danger of contracting a contagious disease to undergo medical examination as necessary for the protection of the interests of the service and for the protection of other employees or the public. In accordance with these provisions City of Milwaukee employees may be excluded from employment as determined by the Commissioner as described below.

The determination as to whether an employee will be excluded from employment will be based on whether he/she is experiencing symptoms consistent with SOIV (as defined by the CDC), is diagnosed by a healthcare

provider as having SOIV, or is identified by the City of Milwaukee Health Department (MHD) or any other public health authority as a direct contact of a confirmed or probable case. Supervisors who have concerns or questions about employees must consult with an MHD representative at 283-3116 before considering sending the employee home and excluding him/her from the workplace.

Individuals who are excluded from employment under this protocol will be directed to go home and will not be allowed to return to work until either:

- a) a public health approved test for SOIV demonstrates a negative result, or
- b) at least 7 days have elapsed since the onset of the symptoms AND the symptoms have resolved for at least 24 hours, as certified by a healthcare provider.

LEAVE BENEFITS AND PAYROLL CONSIDERATIONS

Employees who are excluded from employment will be eligible for paid sick leave benefits in accordance with Chapter 350-37 of the Milwaukee Code of Ordinances and the applicable provisions of collective bargaining agreements.

Employees with insufficient sick leave hours accrued (including employees with less than six months of service following appointment) will be allowed to borrow up to 40 hours of sick leave during the period of exclusion. Upon return from exclusion, these employees will not be eligible to receive sick leave with pay until the sick leave balance is restored. An employee who leaves the service of the City will have the compensation for paid sick leave owed the City deducted from the final paycheck.

Individuals who are excluded from employment under this policy will have the option of being tested within 24 hours of the exclusion by one of the Concentra Urgent Care Centers under contract with the City of Milwaukee. (Note: Applicable co-pay requirements under the employees' health insurance policy will apply). If the test from Concentra comes back negative for SOIV, the employee will be allowed to return to work immediately and will be compensated for the lost time (no sick leave will be charged for the period of exclusion). If the employee uses his/her own physician or any other care center, then the employee will be required to use sick leave for all time away from work. *(For Concentra Urgent Care locations and hours, or the website, see page 3.)*

Employees will be expected to return to work as soon as the exclusion period ends. Employees requesting additional time off once the exclusion period ends must follow their department leave rules and policies.

Absences stemming from exclusion from employment under this policy shall not be counted as occurrences under Departmental Sick Leave Control Policies. However provisions under the City's Sick Leave Incentive program will apply.

Note: Employees should consult with their Personnel/Payroll representatives to assess whether leave under FMLA for the serious health condition of a family member is available.

Concentra Urgent Care Locations and Hours

MILWAUKEE:

- 215 N. 35th Street
- Milwaukee, WI 53208
- Phone: (414) 931-7600
- Hours: 8:30 am – 5:30 pm (Monday – Friday)

AIRPORT:

- 5007 S. Howell Avenue
- Milwaukee, WI 53207
- Phone: (414) 483-7777
- Hours: 7:00 am – 5:30 pm (Monday – Friday)

BROWN DEER:

- 8923 W. Brown Deer Road
- Milwaukee, WI 53224
- Phone: (414) 355-4300
- Hours: 8:30 am – 5:30 pm (Monday – Friday)

BROOKFIELD:

- 2455 N. 124th Street
- Brookfield, WI 53005
- Phone: (262) 782-9326
- Hours: 8:30 am – 7:00 pm (Monday – Friday)

ADDITIONAL INFORMATION CAN BE FOUND AT www.ConcentraUrgentCare.com.