



## Milwaukee County COVID-19 Risk Recognition Pay for High and Very High Risk Job Duties

### Administrative Order 20-16v4

Version 1 Issued and Effective as of 12:01 a.m. on September 6, 2020

Version 2 Issued and Effective as of 12:01 a.m. on September 6, 2020

Version 3 Issued Oct. 22, 2020, and Effective as of 12:01 a.m. on Oct. 18, 2020

Version 4 Issued Nov. 17, 2020, and Effective as of 12:01 a.m. on Nov. 15, 2020

Milwaukee County recognizes that certain employees are likely to perform job duties that involve high or very high occupational exposure risks to COVID-19. Milwaukee County depends on these employees, who are facing high or very high levels of risk in their jobs during the pandemic, to ensure critical operations in essential departments continue uninterrupted. Accordingly, Milwaukee County will provide additional compensation in the form of Risk Recognition Pay (RRP) to employees for time spent performing job duties that fall into the High Exposure Risk or Very High Exposure Risk categories (see Section I for definitions).

RRP for eligible employees will begin at 12:01 a.m. on Sunday, September 6, 2020, and is expected to continue through the end of CARES funding, December 30, 2020. Risk Recognition Pay may be ended earlier at the discretion of the County Executive. Version 2 of this Order replaced Version 1 and was back-dated to the original active date of 12:01 a.m. on Sunday, September 6, 2020. Version 2 clarified policy in version 1 with new or amended definitions and new qualifying duties for High Exposure Risk pay to address specific operational circumstances. Version 3 increases the RRP rate for employees; there are no changes to policy. The new pay rates are effective on the effective date of Version 3, October 18. RRP earned in previous pay periods will **not** be adjusted to these new rates. Major changes to Version 4 are denoted in red. **Version 4 of this Order is issued to reflect the CDC's recent change in the definition of "Close Contact." No policies or procedures have changed.**

If you have questions about this, or any other Administrative Order or policy, please email: [COVID-19@milwaukeecountywi.gov](mailto:COVID-19@milwaukeecountywi.gov)

### **I. Definitions**

- **Close Contact:**<sup>1</sup> A person with Close Contact is someone who:
  - 1) Was within 6 feet of an infected person for a cumulative total of 15 minutes or more over a 24-hour period starting from 2 days before illness onset (or, for an asymptomatic infected person, 2 days prior to test specimen collection) until the time the infected person is isolated. This is the definition **regardless of whether face masks or personal protective equipment (PPE) were worn by any or all individuals;** and/or
  - 2) Provided care at home to an infected person; and/or
  - 3) Had direct physical contact with an infected person (touched, hugged, or kissed them); and/or
  - 4) Shared eating or drinking utensils with an infected person; and/or
  - 5) Got respiratory droplets (for example, was sneezed or coughed on) on them from an infected person.

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<sup>1</sup> For employees at work in a healthcare or medical setting, Close Contact does not qualify if the CDC-recommended PPE was used when job duties were performed.

- **Confirmed Case of COVID-19 (or “Confirmed Case”):**<sup>2</sup> A positive COVID-19 laboratory test result.
- **Probable Case of COVID-19 (or “Probable Case”):**<sup>3</sup> There are three (3) qualifying definitions for a Probable Case of COVID-19:
  - 1) A positive antigen test result; OR
  - 2) COVID-19 is listed as a cause of death on the death certificate, regardless of whether COVID-19 was confirmed by a laboratory test; OR
  - 3) Individual has **been in close contact with a Confirmed or Probable Case** of COVID-19 AND has:
    - At least two (2) of the following symptoms that are new or different for the individual:
      - fever (measured or subjective),
      - chills,
      - rigors,
      - muscle aches,
      - headache,
      - sore throat,
      - nausea or vomiting,
      - diarrhea,
      - fatigue,
      - congestion or runny nose; **OR**
    - Any one (1) of the following new or different symptoms:
      - cough,
      - shortness of breath,
      - difficulty breathing,
      - loss of sense of taste or smell; **OR**
    - Severe respiratory illness with at least one (1) of the following:
      - Clinical or radiographic evidence of pneumonia,
      - Acute respiratory distress syndrome (ARDS).
- **High Exposure Risk** – Employees who come into **Close Contact with** an individual with a **Confirmed or Probable Case** of COVID-19.
- **Very High Exposure Risk** – Employees conducting a **medical, postmortem, or laboratory procedure** on an individual with a **Confirmed or Probable Case** of COVID-19.

## II. Eligibility to Receive COVID-19 Risk Recognition Pay

The eligibility of an employee to receive RRP will be much narrower in scope than that of the previous Premium Pandemic Pay Administrative Order (20-12v3). Eligibility for RRP will be determined by the level of exposure risk to COVID-19 associated with specific job duties, rather than by an employee’s job title. As employees’ job duties change or they perform different tasks during the course of their day, they may move from one exposure risk level to another and, therefore, may move in and out of eligibility to receive RRP. Leaders are expected to evaluate the

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<sup>2</sup> <https://wwwn.cdc.gov/nndss/conditions/coronavirus-disease-2019-covid-19/case-definition/2020/08/05/>

<sup>3</sup> <https://wwwn.cdc.gov/nndss/conditions/coronavirus-disease-2019-covid-19/case-definition/2020/08/05/>

risk of exposure of their employees' duties and approve RRP for employee time spent performing duties with a **high or very high exposure risk**, as set forth below<sup>4</sup>:

1. **High Exposure Risk Pay:** Below are the circumstances that qualify for High Exposure Risk Pay (see Section III for associated pay structure):
  - a. Time spent performing High Exposure Risk job duties.
  - b. Time spent working in the following limited circumstances will also qualify for High Exposure Risk Pay. Some of these circumstances may already qualify in II.1.a, but are included here again for clarity:
    - i. Employees working in units designated for housing individuals with Confirmed or Probable Cases of COVID-19 at HOC, DHHS DYFS Juvenile Justice Center, and the jail.<sup>5,6</sup>
    - ii. Employees working in the patient intake area (i.e., former access clinic space) at DHHS BHD when patients are present in the space,<sup>7</sup> regardless of whether any patients have a Confirmed or Probable Case of COVID-19.
    - iii. Employees working on the intake process at the jail for time spent directly working with members of the community, such as fingerprinting, searches, scans, and escort time to the individual's housing unit, regardless of whether an individual has a Confirmed or Probable Case of COVID-19.<sup>8</sup>
    - iv. Psychologists or other healthcare professionals at BHD administering in-person care to a patient with a Confirmed or Probable Case of COVID-19 that does not otherwise qualify for Very High Exposure Risk Pay.
    - v. Time spent escorting or transporting individuals with a Confirmed or Probable Case of COVID-19 at HOC, DHHS DYFS Juvenile Justice Center, and the jail.
2. **Very High Exposure Risk** – Below are the circumstances that qualify for Very High Exposure Risk Pay (see Section III for associated pay structure):
  - a. Time spent performing Very High Exposure Risk job duties. Examples include:
    - i. Employees at BHD and OEM who are administering COVID-19 testing.
    - ii. Medical Examiner employees conducting autopsy procedures on individuals with a Confirmed or Probable Case of COVID-19.
    - iii. Employees conducting CPR on individuals with a Confirmed or Probable Case of COVID-19.

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<sup>4</sup> Eligible roles are based on criteria from the Occupational Safety and Health Administration (OSHA) which identify high risk and very high risk exposure levels. <https://www.osha.gov/SLTC/covid-19/hazardrecognition.html>

<sup>5</sup> Note that time spent staffing housing units for people under quarantine that do not meet the definition of a Probable Case will **not** qualify for RRP.

<sup>6</sup> The housing unit must be occupied by individuals with a Confirmed or Probable Case of COVID-19 at the time job duties were performed in order to qualify for High Exposure Risk pay. In other words, if the unit is empty or evacuated, time spent in the unit does not qualify for RRP.

<sup>7</sup> If employees have downtime, meaning there are no patients presence in the intake area, they will **not** qualify for RRP for this time.

<sup>8</sup> If employees have downtime, meaning there are not actively working with a member of the community to intake them into the jail, they will **not** qualify for RRP for this time.

- b. Time spent working in the following limited circumstance will also qualify for Very High Exposure Risk Pay.
  - i. Having direct contact with infectious secretions (sputum, serum, blood, and respiratory droplets) from an individual with a Confirmed or Probable Case of COVID-19 at HOC, DHHS DYFS Juvenile Justice Center, and the jail.

Unless otherwise listed in Section II.1.b, Milwaukee County is giving RRP based on the level of risk at the time the job duties were performed. Central Payroll will not amend timecards to adjust RRP time because an individual was later found to have a Confirmed or Probable Case of COVID-19. Employees who learn they have had close contact with an individual in the workplace who later tests positive for COVID-19, such as a co-worker, would not qualify for RRP. Time spent performing qualifying job duties before the active date of this Order will not be back paid. RRP will start from this Order’s effective date, September 6, 2020.

### III. COVID-19 Risk Recognition Pay Structure Levels

This section identifies the two levels of COVID-19 RRP based on the level of risk exposure. Pay structures are separated by FLSA and Non-FLSA positions.

#### COVID-19 RRP Structure (FLSA Eligible Positions)

Risk Level of Job Duties	RRP Amount
High Exposure Risk	\$4.00 per hour
Very High Exposure Risk	\$6.00 per hour

#### COVID-19 RRP Structure (Non-FLSA Positions)

Risk Level of Job Duties	RRP Amount
High Exposure Risk	<p>\$160.00 <b>per week</b> – Prorated based on percentage of weekly work time spent performing high exposure risk duties:</p> <ul style="list-style-type: none"> <li>• 25% of week = \$40</li> <li>• 50% of week = \$80</li> <li>• 75% of week = \$120</li> <li>• 100% of week = \$160</li> </ul>
Very High Exposure Risk	<p>\$200.00 <b>per week</b> – Prorated based on percentage of weekly work time spent performing very high exposure risk duties:</p> <ul style="list-style-type: none"> <li>• 25% of week = \$50</li> <li>• 50% of week = \$100</li> <li>• 75% of week = \$150</li> <li>• 100% of week = \$200</li> </ul>

### IV. COVID-19 Risk Recognition Pay Processing

RRP is an unplanned and unbudgeted cost related to COVID-19. The costs will be charged to the department where the employee is assigned in the payroll system. Such charges will be monitored for reimbursement under Federal grants provided for COVID-19 expenses.

Eligible employees will apply the RRP to the portion of their bi-weekly time reporting via the Dayforce reporting process for the specific hours spent performing high or very high exposure risk duties. **Managers should only approve RRP for qualifying job duties.**

Employees may enter their time for RRP per the following:

- FLSA Non-Exempt (Hourly) Employees should report the amount of qualifying hours worked **per day** using the following:
  - High Exposure Risk Payroll Code: **High Risk Recognition Pay**
  - Very High Exposure Risk Payroll Code: **Very High Risk Recognition Pay**
- For FLSA Exempt (Salary) Employees:
  - High Exposure Risk Payroll Code: **High Risk Recognition Pay**

Qualifying employees should enter the percentage of qualifying time spent per hours in the employee's normal work week (this will typically be 40 hours):

- 25% of week = 0.25
- 50% of week = 0.50
- 75% of week = 0.75
- 100% of week = 1.00

- Very High Exposure Risk Payroll Code: **Very High Risk Recognition Pay**

Qualifying employees should enter the percentage of qualifying time spent per hours in the employee's normal work week (this will typically be 40 hours):

- 25% of week = 0.25
- 50% of week = 0.50
- 75% of week = 0.75
- 100% of week = 1.00