

This FAQ is current as of **March 24, 2020** and will be updated on frequent basis.

Introduction

The purpose of these FAQs are to provide guidance regarding best labor practices in connection with the evolving 2019 Novel Coronavirus (COVID-19) outbreak and as necessary to maintain continuity of operations. This guidance is to ensure dissemination of timely and accurate information.

Basic information regarding COVID-19 is available on the New York City Department of Health and Mental Hygiene (“DOHMH”) website.

<https://www1.nyc.gov/site/doh/health/health-topics/coronavirus.page>

<https://www1.nyc.gov/assets/doh/downloads/pdf/imm/novel-coronavirus-wuhan-factsheet.pdf>

General Work Rules

Q: What are the work hours for school based staff?

- A: Employees should not be asked to work outside of the contractual work day (be flexible).
- Working remotely necessitates using time differently from a traditional period by period school day.
 - In consultation with school administration, school staff must use professional discretion to determine how to work remotely.
 - Work that is absolutely necessary and normally done in single session schools during PD, Parent Engagement, and Other Professional Work should be embedded within the flexible work time for employees.
 - Work that is done during faculty and department conferences in multi-session schools should be similarly embedded.

Q: What parameters can a supervisor set regarding workdays?

- A: Please be mindful that our staff, students, and parents may be caring for others, sharing technology resources, and/or be battling illness themselves. Under the current conditions, staff should be given flexibility in establishing remote teaching instructional programs.
- Schools should not try to replicate a regular school day schedule in a virtual environment.
 - In order to avoid scheduling conflicts for students, school supervisors can require staff to provide their schedule of live instruction where practicable, for the week and ensure that to the greatest extent possible instruction is taking place on a consistent basis.
 - Schools may establish time for staff collaboration (by department and/or grade level) as well as whole school check-ins (faculty conference). Each of these should be a **maximum of once per week** and should be developed in consultation with the chapter leader and school community. At least two school days advance notice and/or a consistent weekly schedule is advised.
 - There is flexibility regarding contractual obligations during the crisis and all work that is normally done during professional development, parent engagement, other professional work, and faculty and department conferences should be embedded into the contractual work week.

Q: Are school supervisors required/permitted to report to school on any days?

- A: At this time, pursuant to the Chancellor’s March 21, 2020 directive and consistent with the Governor’s “New York State on PAUSE” plan, employees should not report to schools at

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all unless working at a REC center or unless they otherwise fall under an exception within the Chancellor's directive.

- Please observe established social distance guidelines and all City, State, and Federal mandates for travel and reporting to work.

Q: Can a principal deny parents or other visitors a meeting at the school?

A: Yes. If a parent and/or other constituent requests a meeting, employees should use technology to facilitate a remote conference and maintain social distancing.

Q: Since there are no students in attendance, what staff, if any, are required to report to the school?

A: At the moment, in addition to employees staffing the RECs, only staff designated as essential, such as school food services staff, custodial staff, and nursing staff will report. School food staff will prepare grab-and-go meals. The list of essential staff was communicated by the chancellor in his all staff email on March 21, 2020 and is subject to change.

Q: How should attendance be taken?

A: Attendance should continue to be taken using whatever system is currently being utilized until additional guidance is released.

- This is an open issue and will be discussed between UFT, CSA, and DOE central offices in consultation with the state.

Remote Learning

Q: What are the duties and responsibilities for employees who work remotely?

A: There is a list of duties/responsibilities by title for several type of school-based staff that can be found on the InfoHub in the [Guidance and Expectations for Remote Learning in Response to COVID-19](#).

Q: Can a school supervisor dissolve all of the out of classroom teaching positions and assign the teacher to a class for remote learning?

A: Yes. At the discretion of school administration and for valid educational purposes, schools may dissolve out of classroom teaching periods (programming, deans, instructional coaches, COSA, etc.) and assign to a teaching program consistent with the contract.

Q: Does remote teaching have any impact on a teacher's probationary period?

A: No. Teachers are expected to perform full instructional responsibilities and the time period during which staff are working remotely is considered probationary pedagogical service. If a staff member is reassigned and not performing his/her instructional responsibilities, or on a leave of absence, please consult with your Senior Field Counsel.

Q: Can a school supervisor require a staff member to report to school to discuss pedagogical issues and/or performance concerns?

A: No. Under the circumstances all conferences should be conducted remotely. School supervisors have the discretion to determine the date/time for the conference and should utilize available technology to conduct the conference. To the extent possible anticipate the documents that may be pertinent to the conversation and share in advance with the

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staff member. UFT members who are subject to disciplinary conference retain the right to have union representation which may include the chapter leader or other UFT representative in the virtual conference. Prior to resorting to discipline, school supervisors should be mindful that our staff, students, and parents may be caring for others, sharing technology resources, and/or be battling illness themselves.

Q: Can teachers be required to give administrators access to their online learning platform (Google Classroom or other)?

- A: If asked by an administrator, teachers must provide access to their online learning platform. The change of the instructional delivery model to a remote learning paradigm does not change the ability of a supervisory staff member to “walk into a classroom.”
- Supervisors should provide guidance and feedback, support, and pass along best practices that are observed in the various modes of remote learning as soon as is practicable.
 - Teachers must know when the supervisor is “present” in the classroom.

Q: How are teachers being evaluated this year?

- A: No decisions regarding evaluations, including observations, have been made at this time. Until further notice, the focus should be on providing supportive, non-evaluative feedback.

Q: What impact did COVID-19 have on the upcoming NYS ELA/Math exams?

- A: On March 20, 2020, NYSED released a memorandum stating that they are suspending all NYS Elementary- and Intermediate-Level State Assessments for the remainder of the school year in response to the statewide closures of schools and districts to prevent the spread of COVID-19.

This suspension for the remainder of the school year applies to the following State testing programs:

- *New York State Grades 3-8 English Language Arts Tests*
- *New York State Grades 3-8 Mathematics Tests*
- *New York State Grade 4 Elementary-Level Science Test*
- *New York State Grade 8 Intermediate-Level Science Test*
- *New York State English as a Second Language Achievement Test (NYSESLAT) in Grades K-12*
- *New York State Alternate Assessment (NYSAA) for students with severe cognitive disabilities in Grades 3-8 and high school*

Please note that discussions regarding the NYSED Regents Exams are ongoing.

Q: What about AP Exams?

- A: The College Board released information available here:
<https://apcentral.collegeboard.org/about-ap/news-changes/coronavirus-update>.

Payroll, Timekeeping, & Service History

Q: What if a teacher is assigned to a 6th teaching period?

- A: Continue the program as assigned for the additional compensation (shortage rate).

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Q: Are F status employees eligible to work remotely? Will they still receive benefits?

A: Yes. F status employees shall continue to serve in their current assignments, are eligible to work remotely, and if the employee had benefits before the school buildings closed, they will maintain them.

Q: Are Pre-K teachers and Directors of Early Childhood eligible for working remotely?

A: Yes.

Q: Are substitute teachers eligible to work remotely?

A: There are several substitute teacher categories (see below) and all are eligible (but not guaranteed) to work remotely.

- Day-to-Day Substitute Teachers: The DOE will be reaching out to solicit interest in the REC assignment. In addition schools may need day-to-day coverages. These teachers *may* be hired to work remotely but are not guaranteed the opportunity to do so consistent with day to day substitute work prior to COVID-19.
- Z Substitute Teachers: Substitute teachers who are covering for a particular absent teacher will continue to cover that position until the teacher returns. They will be compensated consistent with contractual provisions regarding Z status.
- Q Substitute Teacher: Substitute teachers who are covering a vacancy or long term absence (e.g. LODI, extended leave) will continue to cover the teaching assignment until either the teacher returns or the vacancy no longer exists. They will be compensated consistent with contractual provisions regarding Q status.

Q: What if a day-to-day substitute teacher was on pace to achieve 29 days of service and/or does not achieve this requirement?

A: At the present time there is no commitment to ensuring that days not worked by a substitute will be credited, but DOE will re-assess at the end of the year. If a day-to-day substitute teacher works in a REC this time will count as DOE substitute service. If the substitute worked on the last regular school day, work at the rec center will count as continuous days for the purpose of achieving Z payroll status.

Q: What are the work hours and/or assignments for non-UFT staff?

A: Schools will need to determine what duties within their job description these employees can perform remotely. School administration is advised to be flexible on individual scheduling and to divide needed tasks amongst available employees.

- You may ask aides and/or other family workers to assist with family outreach, attendance tracking, supporting clerical tasks, etc. No one is to be deducted salary/or accrued days while working remotely during this period

Q: Is Cybershift available for administrative titles?

A: Yes. Cybershift is available on the Infohub for non-CSA titles. CSA members using timesheets should continue to follow the same procedures.

Q: Can itinerant staff (e.g. speech teachers and guidance counselors) work remotely?

A: Yes. Supervisors that have itinerant staff should work together this week with the related service provider to establish a remote work schedule.

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Q: Are staff members still required to report/call-in absence?

A: Yes. School supervisors should establish a procedure for reporting absences during the remote learning period and share with all staff.

Q: If a teacher or paraprofessional is absent on a given day, is the school required to cover the class with a substitute teacher?

A: Schools should plan for daily absences and to the extent possible, and when practicable, arrange for remote coverage.

Q: How will employee service histories be impacted?

A: While school buildings may be closed at this time, schools are not closed and are continuing operations; thus school service histories will not be impacted and all current work rules, inclusive of rules regarding COVID-related absences, will continue to apply.

Q: Will annual and/or CAR accrual rules be impacted during the remote learning period?

A: No. All current rules and policies regarding CAR and/or annual leave accrual shall remain in place.

Q: Is the DOE Payroll Offices still processing salary differentials?

A: To the best of their ability, but there will likely be some delays in processing salary steps and differentials due to staffing and access issues.

Q: Will lump sum payments be impacted during remote learning?

A: No. All rules and policies regarding lump sum eligibility will remain in effect during remote teaching period.

Q: Will per session and pro-rata assignments continue during the remote teaching period?

A: This is at the discretion of the activity hiring manager however many such activities will be suspended during the remote learning period (including PSAL).

- If possible to provide services remotely, activities for credit bearing courses must continue.
- Please be reminded that all credit-bearing courses should be scheduled in STARS and teachers should follow the same guidance in these courses for tracking student engagement as in other courses. Teachers and supervisors will continue to be paid a pro-rata rate for these courses in accordance with the respective collective bargaining agreement.
- Non-credit bearing courses should be scheduled as non-credit bearing in STARS and teachers should follow the same guidance in these courses for tracking student engagement as in other courses.

Q: If a per session or pro-rata activity is cancelled, what if anything will happen with respect to retention rights?

A: Retention rights will not be lost if a per session activity is cancelled as a result of COVID-19.

Q: Will there be new per session opportunities?

A: This is an open issue and will be discussed between UFT and DOE central offices.

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Leaves & Absences

Q: Are staff still eligible for a non-attendance day absence based on COVID diagnoses and/or health department or doctor's order to self-quarantine?

A: Yes. Under these conditions, employees should remain home and no deduction to CAR or annual leave will occur pursuant to Payroll Memo #13.

Q: Are staff still required to report an absence?

Yes.

- Employees should follow the protocols established by their work locations for reporting an absence.
- Reporting may include electronic or telephonic communications to a general recipient (school absence hotline), communication to direct supervisor, copy to payroll/timekeeping, etc.
- Protocol questions should be directed to your immediate supervisor.

Q: How are COVID staff absences recorded?

A: Payroll secretaries have been given guidance regarding how to code absences relating to Coronavirus. As set forth in Personnel Memo #5, the Department will observe a liberal attendance/leave policy and absences that are related to Coronavirus will not be the basis for discipline.

COVID-19 Illness or Quarantine: Pursuant to Payroll Memo #13, staff absences based on an employee's case of COVID-19, pursuant to a health department's or doctor's order to self-quarantine, or close contact with a confirmed case of COVID-19 shall be excused without a charge against an employee's accrued sick leave:

<https://infohub.nyced.org/docs/default-source/doe-employees-only/payroll-administration-memorandum-no-13-2019-2020-re-timekeeping-procedures-related-to-the-2019-corona-virus.pdf>

Other Medical Absences: If an employee is unwell and has not been directed by a health department or doctor to stay at home due to COVID-19, the employee must use all available leave per the DOE payroll memorandum.

<https://infohub.nyced.org/docs/default-source/default-document-library/covid-relatetimekeeping-and-use-of-car-and-sick-time.pdf>

<https://cdn-blob-prd.azureedge.net/prd-pws/docs/default-source/default-document-library/covid-19-guidance-march82020.pdf>

Q: Are principals required to report absences or suspected Coronavirus diagnoses (staff or student) to a central designee?

A: Yes. All staff absences are to be reported daily to the school timekeeper. All suspected Coronavirus diagnoses must be reported to: stayinghealthy@schools.nyc.gov and the DOH at 347-396-7990.

Q: Is a principal required to report a Coronavirus diagnoses (either staff or student) in OORS?

A: Yes. The OORS code is N08 Medical.

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Q: How is a staff member's absence recorded because the staff member's child's school is closed?

- A: If the staff member is caring for a family member who is home due to COVID-19 related illness or quarantine, or is caring for a minor whose school has been closed for COVID-19 related reasons, the staff member shall be permitted to utilize CAR or sick days, over the existing limit of three such days per year.
- They may also borrow up to 30 days and use absences without pay as described in the March 11 memo entitled, "Daily Timekeeping Entry and Use of CAR/Sick days Related to COVID-19".
 - Staff members should not bring their children to work, unless they are working in a REC and have an email confirming enrollment at that specific location.

Q: What if anything should be done with respect to teachers that are currently on a leave of absence?

- A: All leaves continue as previously approved. Supervisors should email staff members that are expected to return before April 20, 2020 to discuss working remotely and how to provide appropriate support and directions.
- If a substitute has been covering the class while teacher is out on leave they should continue to report and teach the class remotely.

Q: Are there any changes to study sabbatical applications for the 2020-2021 school year?

A: This issue is under review.

Q: Will DOE allow online coursework for study sabbaticals during this crisis?

A: Yes, for 2020-2021 only, if the college/university has transitioned to an online delivery model.

Q: Do current rules/regulations apply with respect to requests for time off for religious observance?

A: Yes.

Q: Are employees still eligible for a reasonable medical accommodations?

A: Yes and for accommodations related to the COVID-19 virus, staff should email: COVIDtimekeeping@schools.nyc.gov or speak to their immediate supervisors to explore accommodations.

Q: Are staff members still eligible for other leaves (e.g. restoration of health)

A: Yes. All DOE leave policies are still in place.

Parent Engagement

Q: Can school supervisors require that teachers/paraprofessionals continue parent engagement outreach?

A: Yes. Parent engagement and outreach may be more essential than ever. This work should be embedded in the contractual work week.

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Q: Are there any resources to share with families?

A: There are several DOE letters (in multiple languages) that may be shared with parents as well as DOH/CDC links.

- Parent letters:
<https://infohub.nyced.org/in-our-schools/translations/letters/coronavirus>
- Family webpage:
<https://www.schools.nyc.gov/school-life/health-and-wellness/coronavirus-update>

Q: What is the DOE doing to protect against bias and/or harassment or discrimination toward students, families and staff in communities with a large Asian immigrant population?

A: One of the primary ways to prevent stigma is to stay informed – principals should reiterate the DOE messages; encourage staff to review DOE Infohub; and rely on reliable sources of information (e.g. NYC Health Department, the Centers for Disease Control and Prevention (CDC), and the World Health Organization (WHO). BCO Health Director or the Office of School Health). All staff, parents, guardians, and students can report concerns regarding school-based harassment, intimidation, discrimination, and/or bullying behavior by completing one of the following steps below:

- Contacting the DOE's Office of Equal Opportunity and Diversity Management at 718-935-3320 or <https://www.nycenet.edu/oeo>
- For complaints about students, do one of the following:
 - Notify the school's principal, Respect for All (RFA) liaison(s), or any other school employee.
 - File a report via the online portal: <https://www.nycenet.edu/bullyingreporting>
 - Email the Office of Safety and Youth Development (OSYD) at RespectforAll@schools.nyc.gov
- Families can also visit <https://www.schools.nyc.gov/school-life/support/get-help> for guidance about how to reach out to the appropriate people in their school or district for assistance.

Q: Should principals conduct information sessions for parents/families?

A: It is recommended that only official materials posted on the DOE website be shared. COVID-19 issues and policies are rapidly evolving and our website hosts the most up to date information we have available.

Q: Can schools disclose if a student or staff member is quarantined or diagnosed with Coronavirus?

A: According to the NYC Department of Health, there is now widespread community transmission of COVID-19 in New York City, meaning the sources of new infections are unknown. Everyone in New York City should act as if they have been exposed to COVID-19. That means monitoring your health closely and staying home if you are sick. New Yorkers who are not sick should also stay home as much as possible and avoid all unnecessary social interactions.

- **Under no circumstances should individual information be disclosed.**

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Use of School Facilities

Q: Are PTA meetings cancelled?

A: The DOE has waived the monthly meeting requirement for PA/PTA and Presidents' Councils.

Q: Will elections and/or early voting be relocated to non-school spaces?

A: The DOE is reviewing this issue with the Board of Elections and further guidance will be provided. However since there are no students or staff in attendance at schools the issues around early voting in school spaces are less of an immediate issue.

Q: What is the plan regarding Chapter 683 and/or summer school?

A: This issue is under review; please await further guidance.

Regional Enrichment Centers

Q: What titles are staffing the Regional Enrichment Centers?

A: At the moment, the DOE is seeking to staff RECs with (1) DOE pedagogical titles (Administrative to work in the RECs will be staffed by central-based supervisors and pedagogical titles (Administrative Education Officers, Administrative Education Analysts and Education Administrators); (2) CBO staff and (3) substitute teachers and paraprofessionals and (4) staff nurses. This is dependent upon enrollment in the RECs and may involve additional staff.

Other

Q: Are there mental health resources available for staff?

A: Yes. The UFT's Member Assistance Program ([MAP](#)) is available for members. In addition, the DOE's Employee Assistance Program ([EAP](#)) is available for all DOE employees and will be providing virtual support groups, counseling phone sessions and online resources for members to support their well-being during these uncertain and stressful times.